

CITY OF LANGFORD
MEETING OF COUNCIL
Monday, February 3rd, 2020 @ 5:30 p.m.
Council Chambers, 3rd Floor, 877 Goldstream Avenue

AGENDA

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1. <u>CALL TO ORDER</u>	
2. <u>APPROVAL OF THE AGENDA</u>	
3. <u>PUBLIC HEARINGS</u>	
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	a) BYLAW NO. 1662 "Langford Zoning Bylaw, Amendment No. 466, (Omnibus No. 44 –Various Amendments), Bylaw No. 1662, 2020". (SECOND AND THIRD READINGS)	5

b) **BYLAW NO. 1760**

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"Langford Zoning Bylaw, Amendment No. 522, (804 Latoria Rd and 950 Worrall Dr), Bylaw No. 1760, 2020".
(ADOPTION)

12. **IN CAMERA RESOLUTION**

THAT Council close the meeting to the public pursuant to section 90 (1) c, e and l of the *Community Charter* to consider:

- Labour relations or other employee relations;
- The acquisition, disposition or expropriation of land or improvements; and
- Discussions with municipal officers and employees respecting municipal objectives, measures and progress reports for the purposes of preparing an annual report.

13. **ADJOURNMENT**

PUBLIC HEARING
Monday, 3 February 2020

Bylaw No. 1662
File No. Z16-0023

A Bylaw to amend the City of Langford Zoning Bylaw No. 300 relating to Schedule A. The amendments focus on updating terminology and definitions, consistency of measurements and conversions, and general document formatting in order to improve clarity and usability.

**CITY OF LANGFORD
BYLAW NO. 1662**

**A BYLAW TO AMEND BYLAW NO. 300,
"LANGFORD ZONING BYLAW, 1999"**

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

A. Langford Zoning Bylaw No. 300, 1999 is amended as follows:

1. By deleting Schedule A and replacing it with the text attached to this bylaw as Appendix A;

B. This Bylaw may be cited for all purposes as "Langford Zoning Bylaw, Amendment No. 466, (Omnibus No. 44 –Various Amendments), Bylaw No. 1662, 2020".

READ A FIRST TIME this 6th day of January, 2020.

PUBLIC HEARING held this day of , 2020.

READ A SECOND TIME this day of , 2020.

READ A THIRD TIME this day of , 2020.

ADOPTED this day of , 2020.

MAYOR

(Certified Correct)
CORPORATE OFFICER



City of Langford
Schedule “A” to
Zoning Bylaw No. 300

Adopted February DAY 2020

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Part 1 INTERPRETATION

Section 1.01 – Definitions

*Terms defined in this Section are noted in **bold** text throughout the Bylaw.*

1.01.01 In this Bylaw:

A

Abut means directly adjacent to, or physically touching and, when used with respect to a **lot**, means **lots** that share a common **lot line**.

Accessory means, in relation to a **use, building or structure**, incidental, secondary and exclusively devoted to a **principal use, building or structure** expressly permitted by this Bylaw on the same **lot**.

Agricultural equipment means vehicles and equipment used for agricultural purposes, including but not limited to: tractors, combines, sprayers, seeders, balers, harvesters and cultivators.

Agricultural fairgrounds means land, **buildings** and **structures** including barns, exhibit halls and **grandstands** used for agriculturally-related events on a seasonal or temporary basis and includes the display of farm products for judging or for sale, livestock shows, rodeos, carnivals, and temporary **accessory uses** including but not limited to: farmers markets, flea markets, craft sales and concerts.

Agricultural Zone means any **Zone** with a short form starting with “AG”.

Agriculture means the growing, rearing, producing and harvesting of agricultural products, and may include the storage and sale on an individual farm of the products harvested, reared, or produced on that farm and the storage of **agricultural equipment** used on that farm. This **use** excludes **intensive agriculture** and all manufacturing, processing, storage and repairs not specifically included in this definition.

Amenity space means any indoor area within a multiple **residential building** that provides recreational space specifically, but not necessarily exclusively, intended for the use of the residents of the multiple **residential building** or another such **building** on the same **lot** or in the same strata plan. Examples of an **amenity space** include: a children’s play area, a games room, a swimming pool, or a hobby room.

Animal hospital means land, **buildings** and **structures** used for the veterinary care and treatment of domestic animals including cats, dogs, other house pets, and farm livestock such as cattle, chickens, goats, horses, pigs or sheep, but does not include premises used for the disposal of animal carcasses or the boarding of healthy animals.

Animal shelter means land, **buildings** and **structures** used for the temporary accommodation and care or impoundment of lost, abandoned or neglected animals, and may include outdoor enclosures for animals being accommodated or impounded.

Apartment means a **building** with three or more **dwelling units** with a common entrance from the exterior of the **building**.

Apartment, senior citizens means an **apartment** providing accommodation for persons over 55 years of age. **Approving Officer** means the **Approving Officer** for the City of Langford appointed pursuant to the *Land Title Act*.

Artist or craftsperson studio means land, **buildings** and **structures** used for creating, finishing, refinishing or small-scale production of custom or handmade arts, crafts or commodities and the retail sale of such commodities.

Asphalt plant means land, **buildings** and **structures** used for the production and recycling of asphalt and similar products are produced or recycled, and may include the stockpiling and storage of bulk materials and the storage, packaging, shipping and **accessory** sale of finished products manufactured on the site.

Assisted living means land, **buildings** and **structures** used to provide care including but not limited to meals, housekeeping, personal care, nursing care, supervision, assistance with daily tasks, counselling and rehabilitation, to three or more residents of the premises who are not related to the operator by blood or marriage. This **use** does not include a **community care facility**.

Auction means land, **buildings** and **structures** used for the sale of goods and equipment at auction and the related temporary storage of such goods and equipment.

Automobile means a motorized vehicle including, but not limited to: cars, light duty trucks, and motorcycles.

Automobile, large means a motorized vehicle:

(1) With one or more of the following characteristics:

- (a) Tandem axles;
- (b) A passenger capacity in excess of 15 persons;
- (c) A permanently attached truck or delivery body;
- (d) Dual wheels where the vehicle includes a flat deck or other form of utility deck; or

(2) That can generally be described as a:

- (a) Bus;
- (b) Cube van;
- (c) Dump truck;
- (d) Flatbed truck; or
- (e) Tractor, trailer or tractor trailer combination; or

(3) Which requires a Class 1, Class 2, Class 3, or Class 4 Driver's License.

Automobile and recreational vehicle storage means land, **buildings** and **structures** used for the **unenclosed storage** of **automobiles**, **recreational vehicles** and **large automobiles**. This **use** does not include a **parking facility**.

Automobile body and paint shop means land, **buildings** and **structures** used for the repair and painting of **automobile** bodies, including passenger vehicles and large **automobiles**, and **automobile** parts and accessories.

Automobile parts and accessories sale and repair means land, **buildings** and **structures** used for the sale, installation and repair of parts and accessories for **automobiles**, **large automobiles**, **recreational vehicles** and boats, but does not include the sale or repair of the vehicles themselves.

Automobile recycling and salvage means land, **buildings** and **structures** used for the collection, storage, disassembling, re-selling, shredding and crushing of **automobiles**, **large automobiles**, **recreational vehicles**, boats, other vehicles, equipment and associated parts.

Automobile rental and sale, major means land, **buildings** and **structures** used for the sale, lease or rental of **large automobiles**, **recreational vehicles**, **agricultural equipment**, and vehicles and equipment used for industrial and construction operations, and may include **accessory automobile repair and service**.

Automobile rental and sale, minor means land, **buildings** and **structures** used for the sale, lease or rental of **automobiles**, and may include **accessory automobile repair and service**. This **use** does not include the sale, lease or rental of **large automobiles**, **recreational vehicles**, **agricultural equipment** or vehicles and equipment used for industrial and construction operations.

Automobile repair and service, major means land, **buildings** and **structures** used for the repair and servicing of **large automobiles**, **recreational vehicles**, **agricultural equipment** and vehicles and equipment used for industrial and construction operations. This **use** does not include an **automobile body and paint shop**.

Automobile repair and service, minor means land, **buildings** and **structures** used for the repair and servicing of **automobiles**. This **use** does not include the repair or servicing of **large automobiles**, **recreational vehicles**, **agricultural equipment** or vehicles and equipment used for industrial and construction operations, or an **automobile body and paint shop**.

Automobile towing and storage means land, **buildings** and **structures** used dispatching tow trucks to transport inoperable **automobiles**, **large automobiles**, **recreational vehicles**, boats and/or other vehicles or equipment, including an outdoor compound for the safe storage of such vehicles; and **accessory office** or storage **buildings**. This **use** does not include **automobile recycling and salvage**.

B

Bakery means land, **buildings** and **structures** used for preparing and selling baked goods for consumption either on- or off-site.

Bed and breakfast means a **home occupation** where sleeping accommodation and a morning meal are provided to paying guests as an **accessory use** to the owner's residential occupancy of the premises. This **use** specifically excludes short term vacation rentals or any other occupancy by paying guests which occurs independently of the owner's residential occupancy.

Boarder means a person who rents and resides in a separate or shared sleeping room in a **dwelling unit**, without separate **kitchen** facilities.

Boarding kennel means land, **buildings** and **structures** used for the commercial breeding, raising, training, boarding, overnight accommodation, and grooming of dogs, cats or other household pets, and may include **accessory** retail sales of pet products. This **use** does not include an **animal hospital**, **veterinary practice**, or **animal shelter** but may include a **breeding kennel**.

Body rub means manipulating, touching, or stimulating, by any means, a person's body or part of a person's body, and excludes medical, therapeutic, or cosmetic massage treatment given by a person duly qualified, licensed, or registered to do so under legislation of the Province of British Columbia, and therapeutic touch therapy or treatment.

Body rub parlour means a **building** where a **body rub** is performed, offered, or solicited, or from which a person is dispatched to another location to perform a **body rub**.

Breeding kennel means land, **buildings** or **structures** used for the commercial keeping of more than two and not more than six dogs or cats over the age of six months for breeding or showing purposes.

Building means any **structure** used or intended for supporting or sheltering any **use** or occupancy.

Building and lumber supply store means land, **buildings** and **structures** used for the wholesale or retail sale of building, construction and home improvement materials, including the storage and sale of lumber and building products from an **unenclosed storage** area.

Building envelope means the portion of a **lot** on which a **residential building** may be sited according to the **setback** requirements in Parts 3 and 6 of this Bylaw. For the purposes of calculating the area of a **building envelope**, any area of the **lot** used or required to be used for a septic field (including any replacement field required under the *Public Health Act*) must be excluded.

Building footprint means the horizontal area within the vertical projection of the outermost walls of a **building** or **structure**, as well as decks, porches and similar attached **structures**.

Business support service means printing, duplicating, binding, shredding, or photographic processing services; mail distribution services; the provision of maintenance, janitorial, security, reception or administrative services; the sale, rental, repair or servicing of office equipment, furniture or machines; and any other similar service provided to a business enterprise.

Business Park Zone means any **Zone** with a short form starting with “BP”.

C

Campground means land, **buildings** and **structures** used for the temporary accommodation (maximum 60 days) of travellers in tents, travel trailers, tent trailers and **recreational vehicles** and similar transportable accommodations other than **mobile homes**.

Car wash means land, **buildings** and **structures** used for washing or cleaning **automobiles** on an automated, semi-automated, manual or self-serve basis.

Cardlock gasoline service station see gasoline service station, cardlock.

Caretaker dwelling unit means a single **dwelling unit** that is **accessory** to a non-residential **building** or **use** of the same **lot**, and occupied for the purpose of providing security or maintenance services for the **lot** or for **buildings** and **structures** on the same **lot**.

Carriage Suite means an accessory **dwelling unit** located on the second floor of a detached accessory building.

Catering means the preparation of food and beverages for delivery and consumption off-site.

Cemetery means land, **buildings** and **structures** used for interment of human remains, and may include a **crematorium** and **accessory buildings** for grounds keeping, equipment storage, and administrative **offices**.

Charitable facility means land, **buildings** and **structures** used as an **office**, base of operations or meeting place of a charity registered as such by the Canada Revenue Agency, and which may include **accessory uses** including, but not limited to: **kitchen** facilities and meeting places. Typical **uses** may include, but are not limited to: youth centres, community halls and group camps.

Chief Building Inspector means the **Chief Building Inspector** of the City of Langford.

Commercial composting means the commercial use of land, **buildings** and **structures** to produce compost and soils from organic materials, which may include **unenclosed storage** and **accessory buildings** and **structures**.

Commercial nursery and greenhouse means the commercial **use** of land, **buildings** and **structures** for growing and propagating plant materials including, but not limited to: flowers, plants, shrubbery, trees, and sod. This **use** may include the **accessory** sale of plants and landscaping materials, but not the sale of garden equipment and pesticides.

Commercial Zone means any **Zone** with a short form starting with “C”, “CS”, “CR”, “CT”, or “MU” or any **lot** in a **Zone** with a short form starting with “BP”, if the **principal use** on the **lot** is retail sales.

Common wall means a wall jointly owned and used by two parties under a party wall or similar agreement.

Community care facility means land, **buildings** and **structures** licensed pursuant to the *Community Care and Assisted Living Act* and may include **assisted living** and supported care, **home occupation daycares**, **group daycares** and **preschools**.

Community garden means land used to grow flowers, fruits and/or vegetables as a community, neighbourhood or group initiative and not as a commercial venture and may include **accessory buildings** or **structures** for tool storage.

Concrete Plant means land, **buildings** and **structures** used to manufacture concrete and concrete products, including pre-cast concrete products, and may include the **accessory** stockpiling and storage of bulk materials and the storage, packaging, shipping and **accessory** sale of finished products manufactured on the site.

Contractor Service means land, **buildings** and **structures** used for carpentry, electrical, heating, painting, plumbing or similar services which are provided on other premises, where all goods and materials are kept within an enclosed **building** or a screened yard. This **use** shall not include any manufacturing.

Consignment sales means retail sales of secondhand goods on behalf of a third party in exchange for a percentage of the retail price or a fixed fee, but does not include a **pawn shop** or the purchasing of secondhand goods for resale.

Convenience store means a small-scale **retail store** providing goods and merchandise to serve the day-to-day needs of the surrounding neighbourhood including, but not limited to: grocery items, newspapers and magazines, and personal care and household items.

Corner lot means a **lot** at the intersection or junction of two or more **highways** which has both a **front lot line** and an **exterior side lot line**;

Crematorium means a facility where human or animal remains are burned or processed, and may include associated facilities for the preparation of remains for cremation.

Cultural facility means land, **buildings** and **structures** used for displaying, storing, restoring or the holding of events related to art, literature, music, history, performing arts or science including, but not limited to: an art gallery, archive, auditorium, museum, performing arts centre, interpretive centre or theatre other than a **drive-in theatre**.

D

Domestic poultry means the following species of domestic bird: chicken, duck, emu, goose, Indian peafowl, mute swan, ostrich, pigeon, pheasant, turkey, guinea fowl, and rhea.

Dormitory means residential accommodation that does not include individual **kitchen** facilities, but which may include individual bathroom facilities and is operated as an **accessory use** to a **school** or other institutional or educational **use** and is not subject to either the *Residential Tenancy Act* or the *Hotel Guest Registration Act*.

Drive-in theatre – see **theatre, drive-in**

Drive-through facility means an **accessory use** where service is provided to a person within an **automobile** and includes any associated speaker system or electronic message board required for such service.

Drive-through financial institution – see **financial institution, drive-through**.

Dwelling unit means two or more rooms used or designed to be used as a residence by one or more persons and that contains **kitchen**, living, sleeping and sanitary facilities. This **use** does not include a **hotel** or **dormitory**.

Dwelling, one-family means a detached **building** containing one **dwelling unit** or one **dwelling unit** with a **secondary suite**, but does not include a **mobile home**, **modular home** or **recreational vehicle**.

Dwelling, two-family means a **building** containing two attached **dwelling units** which are located one above the other, or side-by-side as described in Section 3.07; or two detached **dwelling units** on one **lot** or building strata plan.

E

Equestrian facility means land, **buildings** and **structures** used for boarding horses, training horses and their riders, and staging equestrian events. This **use** does not include a horse racing track.

Equipment sales, service, repair and rental, major means land, **buildings** and **structures** used for the sale, service, rental or repair of large equipment items including, but not limited to: construction equipment, industrial equipment, and heavy machinery such as skid steer loaders, backhoes, bulldozers, excavators, and farm or forestry equipment, including **accessory unenclosed storage** of such equipment.

Equipment sales, service, repair and rental, minor means land, **buildings** and **structures** used for the sale, servicing, rental or repair of small equipment items including, but not limited to: lawnmowers, power tools, trade tools and construction tools, where all storage is contained within an enclosed **building**.

Electronics sales, service and manufacturing means land, **buildings** and **structures** used for the sale, servicing, repair and indoor manufacturing of household electronic goods including, but not limited to computers, televisions, telephones and audio equipment.

Engineer means a member of the Association of Professional Engineers and Geoscientists of British Columbia.

Escort service or dating service means the provision of an introduction, for a fee, of a person to another person for the purpose of short-term companionship.

Exotic dancing means any dance performance in which the pubic area, genitals, nipples or areola of the dancer is exposed to the view of another person.

Exterior side lot line - see **lot line, exterior side**.

F

Family means one or more persons related by blood, marriage, common law, adoption, or foster parenthood; or not more than four unrelated persons sharing one **dwelling unit**.

Farm use means those **uses** and activities designated as a “farm use” in Section 2 of the *Agricultural Land Reserve Use, Subdivision and Procedure Regulation*.

Film production studio means land, **buildings** and **structures** used for the recording and production of digital media, and may include the **accessory** packing or shipping of products and related administrative functions.

Financial institution means land, **buildings** and **structures** used for financial and investment transactions including banks, trust companies, credit unions or similar establishments. This **use** does not include **drive-through financial institutions**.

Financial institution, drive-through means a **financial institution** providing service to persons within an **automobile** and includes any associated speaker system or electronic message board required for such services.

Fitness centre means land, **buildings** and **structures** used for indoor fitness training activities including, but not limited to: exercises classes, weight rooms, martial arts, dance, yoga, and gymnastics. This **use** may include the **accessory** retail sale of health and fitness merchandise.

Floor area ratio means the figure obtained when the **gross floor area** of all the **buildings** on a **lot** is divided by the area of the **lot**, and the following shall not be included as **building** area for the purpose of calculating **floor area ratio**:

- (1) Any portion of a storey used for motor vehicle or bicycle parking purposes, unless such parking is a **principal use**;
- (2) Any portion of a basement or cellar containing heating equipment or laundry, recreational or storage facilities;
- (3) Outdoor swimming pools and open sun decks; and
- (4) Any portion of a penthouse containing elevator or mechanical equipment.

Front building line means a line parallel to the **front lot line**, passing through the point of the **building** nearest the **front lot line**, and in the case of a **panhandle lot** means the **lot line** or **lot lines** nearest the **abutting highway**, but not forming a boundary of the access strip;

Front Lot Line - see **lot line, front**.

Frontage means the length of that **lot** boundary which **abuts** a **highway**, or access route in a bare land strata plan, and for this purpose **highway** does not include a walkway or emergency access route.

Funeral parlour means **buildings** and **structures** used for preparing human remains for burial or cremation, holding funerals services and the **accessory** sale of caskets, urns and other related funeral items. This **use** does not include a **crematorium**.

G

Garage or carport means a detached **accessory building** or a portion of the **principal building** whose **principal use** is the parking or temporary storage of **automobiles**.

Garage sale means the occasional display and sale of used items to the general public in a **garage** or **carport** or open area of the residential premises.

Garden centre and feed supply store means land, **buildings** and **structures** used for the display and retail sale of garden and animal feed items including, but not limited to: flowers, vegetables, plants, trees, shrubs, seeds, soil, gardening tools, outdoor furniture and animal feed products. This **use** may include an **accessory**, seasonal outdoor display area but does not include a **commercial nursery and greenhouse**.

Garden Suite means an accessory **dwelling unit** located on the ground floor of a detached accessory building.

Gasoline service station means land, **buildings** and **structures** used for the sale of automotive fuels and other automotive fluids for use in motor vehicles, or the charging of batteries in electric or hybrid vehicles, and may include an **accessory convenience store**, but does not include a **cardlock gasoline service station**.

Gasoline service station, card lock means land, **buildings** and **structures** used for the retail sale of gasoline or diesel fuel to the final user with pumps which are operated by the user by way of a card lock and credit arrangement, but excludes bulk fuel dispensing.

General industrial use - see **industrial use, general**.

Golf course means land, **buildings** and **structures** used for playing the game of golf, and may include a **golf driving range** and **accessory buildings** or **structures** for a club house, **retail store** or pro shop, **restaurant** and equipment storage. This **use** does not include a **miniature golf course**. **Golf course, miniature** means land, **buildings** and **structures** used to simulate the game of golf on a small scale, and may include an **accessory restaurant**. This **use** does not include a **golf course** or **golf driving range**.

Golf driving range means land, **buildings** and **structures** used for practicing or developing golf technique, and may include **accessory buildings** or **structures** for equipment storage. This **use** does not include a **golf course** or **miniature golf course**. **Grandstand** means a seating area for spectators at a race or sporting event.

Gravel processing means land, **buildings** and **structures** used for washing, screening, grading, sorting, milling, concentration and storage of aggregate materials including, but not limited to: gravel, minerals, rocks, earth, clay or sand. This **use** may include the **accessory** sale of products processed on the site, but does not include an **asphalt plant**, a **concrete plant** or aggregate extraction activities.

Green energy and heat production means land, **buildings** or **structures** used for producing energy, including heat energy, from renewable resources including, but not limited to: sunlight, wind, rain, tides, biomass or geothermal heat.

Gross floor area means the total space within a **building** between exterior walls and required firewalls, including the space occupied by interior walls and partitions, but not including exit doors, vertical service spaces (shafts for the installation of mechanical, electrical and plumbing installations and facilities such as elevators, refuse chutes and linen chutes) and their enclosing assemblies, or voids within **Buildings** such as atriums and the space above staircases. Heat pumps, other mechanical equipment, gas meters and/or propane tanks that are permanently affixed to a **building** or **structure** by way of plumbing or other duct work shall not be included in the calculation of **gross floor area**.

Group daycare means land, **buildings** and **structures** used to provide care for more than eight children who are not related by blood or marriage to the operator, in accordance with the *Community Care and Assisted Living Act*. This **use** does not include **preschools** or **schools**.

H

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**. In the case of a fence or shrub, **height** means the vertical distance from the average finished ground level at any point along the fence or shrub to the highest point of the fence or shrub directly above.

Highway means 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 business means a **home occupation** permitted as an **accessory use** to a **one-family dwelling** or **two-family dwelling** on a **lot** with less than 4,000.0 m² (1.0 ac) of **lot area**.

Home industry means a **home occupation** permitted as an **accessory use** to a **one-family dwelling** or **two-family dwelling** on a **lot** with at least 4,000.0 m² (1.0 ac) of **lot area**.

Home occupation means an occupation, business or professional practice which is carried on in a **dwelling unit** for remuneration or financial gain, and which is clearly ancillary to the **residential use** of a **dwelling unit**, or to the **residential use** of a **lot** occupied by a **dwelling unit**, and where the proprietor is a resident of the **dwelling unit**. A **home occupation** may be one of three types: 1) **home office**; 2) **home business**; or 3) **home industry**.

Home occupation daycare means the provision of care, as a **home occupation**, to more than two but not more than eight children who are not related by blood or marriage to the operator, in accordance with the *Community Care and Assisted Living Act*.

Home office means a **home occupation** that operates without the attendance of customers or clients on the premises.

Hospital means an institution as defined for the purposes of Part 1 of the *Hospital Act*.

Hotel means land, **buildings** and **structures** providing accommodation for the travelling public in units which contain individual sanitary facilities including water closet and wash basin and which may contain cooking facilities, in respect of which:

- (1) The stay is limited to a maximum of 60 days;
- (2) A guest register is required to be kept pursuant to the *Hotel Guest Registration Act*; and
- (3) A **restaurant** is provided on the same **lot** unless cooking facilities are provided in each unit;

This **use** includes motels and inns, and may include **accessory** conference and meeting facilities, but does not include **bed and breakfasts**, **dormitories** or **residential hotels**.

Household equipment and appliance service and repair means land, **buildings** and **structures** used for repairing or servicing where household items including, but not limited to: furniture, electronics or appliances entirely within an enclosed **building**. This **use** may include the **accessory** sale of products associated with the services provided, but does not include the servicing or repair of items with gas-powered engines.

I

Indoor recreation facility see **recreation facility, indoor**.

Industrial use, general means the use of land, **buildings** and **structures** for processing, fabricating, assembling, manufacturing, storing, distributing, testing, cleaning, servicing, repairing, wrecking or salvaging goods, materials or equipment in an enclosed **building** or an outdoor area. This **use** does not include:

- (1) Any **use** that generates fumes, dust, smoke, light, vibration, noise or odours that extend beyond the boundary of the **lot** on which the **use** occurs;

- (2) The use, storage or production of volatile materials that constitute a risk to health, safety, or property due to the potential of fire, explosion or accidental release of toxic fumes, gases or other substances;
- (3) The primary processing of meat, poultry or fish or the involvement of live animals in any aspect of the operation;
- (4) The primary processing of wood, metals or chemicals; or
- (5) Sawmills, planer mills, fertilizer plants, **asphalt plants**, oil refineries, or bulk oil storage plants.

This **use** may include **accessory** administrative **office**, retail sales and distribution **uses**. Typical **general industrial uses** include, but are not limited to: truck terminal facilities; metal, fiberglass or wood manufacturing and fabrication; carpentry shops; welding shops; machine shops; **warehouse** storage; and food and beverage processing.

Industrial use, light means the use of land, **buildings** and **structures** for processing, fabricating, assembling, manufacturing, storing, distributing, testing, cleaning, servicing, repairing, wrecking or salvaging of goods other than **automobiles**, materials or equipment and the use of land for **accessory unenclosed storage** associated with such **uses**. This **use** does not include:

- (1) Any outdoor assembling, manufacturing, wrecking, testing, servicing or **uses** other than **accessory unenclosed storage**;
- (2) The use, storage or production of volatile materials that constitute a risk to health, safety or property due to the potential of fire, explosion or accidental release of toxic fumes, gases or other substances;
- (3) Any **use** that generates heavy truck traffic or fumes, dust, smoke, light, vibration, noise, odours, heavy truck traffic or other impacts that extend beyond the boundary of the **lot** on which the **use** is located;
- (4) The primary processing of meat, poultry or fish or the involvement of live animals in any aspect of the operation;
- (5) The primary processing of wood, metals or chemicals; or
- (6) **Gravel processing**, garbage dumps sawmills, planer mills, fertilizer plants, oil refineries or bulk oil storage plants.

This **use** may include **accessory** administrative **office**, retail sales and distribution **uses**. Typical **light industrial uses** include, but are not limited to: **contractor services**, food and beverage processing and packaging, recycling facilities, wholesaling and **warehouse** storage.

Industrial Zone means any **Zone** with a short form starting with "M", any **Special Wholesale Zone** with a short form starting with "W"; and any **lot** in a **Zone** with a short form starting with "BP", unless the **principal use** on the **lot** is retail sales.

Institutional Zone means any **Zone** with a short form starting with "P".

Intensive agriculture means **piggeries**, feed lots, mushroom farms, the raising of fur-bearing animals, manure storage or the slaughter of animals.

Interior side lot line - see **lot line, interior side**.

K

Keeping of animals for domestic purposes means the raising, breeding or rearing of horses, cattle, sheep, goats, rabbits or **domestic poultry** for work or the production of food or other animal products. This **use** may include the **accessory** sale of meat, eggs, milk and milk products and wool produced on the premises.

Kitchen means a room or area in a **building** designed or used for the preparation or storage of food and which contains or is designed to contain a sink, refrigerator and a stove, hotplate or microwave oven.

L

Landscape and screening area means an irrigated decorative planting area containing any combination of trees, bushes, shrubs, plants, and flowers, including natural vegetation other than noxious weeds and invasive species, bark mulch, decorative boulders, decorative paving other than motor vehicle parking areas and sidewalks, planters, ornamental fences and the like, planted and maintained to mask or separate **uses** or to enhance the natural environment.

Landscaping means the planting and maintenance of lawns, shrubs and trees, and the addition of fences, benches, walks, drives, or other **structures** and materials used in landscape architecture, and includes the retention of existing trees and plants other than noxious weeds and invasive species, for the purpose of enhancing the natural environment.

Large automobile – see **automobile, large**.

Library means a collection of books, manuscripts, publications, and other materials for reading, viewing or listening, maintained and made available to the public for borrowing, study or reference.

Licensed pharmacy means premises licensed under the *Pharmacy Operations and Drug Scheduling Act*.

Licensed premises means land, **buildings** or **structures** licensed under the *Liquor Control and Licensing Act*, but does not include a **liquor store** or a **retail store** where packaged alcoholic beverages are sold in conjunction with another retail use.

Light industrial use - see **industrial use, light**.

Liquor store means premises licensed under the *Liquor Control and Licensing Act* for the retail sale of packaged alcoholic beverages for consumption off-site.

Lot means any parcel, block or other area in which land is held or into which it is subdivided whether under the [Land Title Act](#) or the Bare Land Strata Regulations under the [Condominium Act](#).

Lot area means the total area of land contained within the boundaries of a **lot**, excluding any portion comprising an access strip as described in the definition of **panhandle lot**.

Lot coverage means the sum of the horizontal areas of the **building footprints** of every **building** or **structure** on a **lot**, expressed as a percentage of the **lot area**, and in the case of a **building** or **structure** with no walls and a roof the **building footprint** shall be the horizontal area within the drip line of the roof.

Lot depth means the depth of a **lot** measured in accordance with Section 3.19 of this Bylaw.

Lot line means the boundary of a **lot**, and:

- (1) **Front lot line** means the **lot line** that is common to the **lot** and an **abutting highway** or access route in a bare land strata plan, and where there are two or more such **lot lines** the shortest is deemed the **front lot line**, and in the case of a **panhandle lot** means the **lot line** or **lot lines** nearest the **abutting**

highway, but not forming a boundary of the access strip as indicated in the definition of **panhandle lot**;

- (2) **Rear lot line** means the **lot line** that is opposite the **front lot line** in the case of a **lot** having four sides, and where the rear portion of a **lot** is bounded by intersecting **side lot lines** means the point of intersection;
- (3) **Exterior side lot line** means a **lot line** that is not a **front lot line** or **rear lot line** and that is common to the **lot** and an **abutting highway** or access route in a bare land strata plan; and
- (4) **Interior side lot line** means a **lot line** that is not a **front lot line**, **rear lot line** or **exterior side lot line**

Lot Width means the width of a **lot** measured in accordance with Section 3.19 of this Bylaw.

M

Manufactured home means a **mobile home** or a **modular home**.

Marina means land, **buildings**, **structures** and water areas used for docking, berthing or mooring boats and other watercraft, including, but not limited to: boat launches, boat lifts, boathouses, docks, piers and wharves, and **accessory uses** including, but not limited to: administrative **offices**, **restaurants**, bait sales, marine fueling stations, marine service, repair and rental facilities, laundry and shower facilities and dry land storage areas.

Marine sales, service, repair and rental facility means land, **buildings** and **structures** used for the sale, rental, repair and servicing of boats and other watercraft, and boat engines, or the sale of marine supplies and fishing equipment.

Miniature golf course – see **golf course, miniature**.

Mini-storage facility means **buildings** and **structures** in which individual storage units are rented or leased for the storage of goods, materials and equipment other than hazardous chemicals, flammable substances or toxic materials.

Mobile home means a transportable **dwelling unit** meeting CSA-Z240 MH standards or equivalent, 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. This **use** does not include “park model” **recreational vehicles**.

Modular Housing means a **one-family dwelling**, **garden suite**, or **carriage suite** which is modular or prefabricated meeting CSA Standard A277-M1990, “Procedures for Certification of Factory-Built Houses”, or equivalent, but does not include manufactured homes meeting CAN/CSA-Z240-MH Series “Mobile Homes” standards, or equivalent.

Motorcycle sale, rental, repair and service means land, **buildings** and **structures** used for the sale, rental, repair and servicing of motorcycles and motorcycle parts.

Multiple Residential Zone means any **Zone** with a short form starting with “RM” or “CH”.

N

Natural boundary means the visible high-water mark of any lake, river, 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 body of water a character distinct from that of its banks, in vegetation, as well as the nature of the soil itself.

Non-conforming use means any lawful **use** existing at the time of the adoption of this Bylaw which does not conform to all the provisions of this Bylaw for the **Zone** in which such **building** or **use** is located.

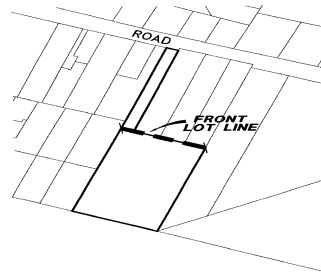
O

Office means **buildings** used for conducting the administrative functions of a business, profession, service, industry, government or similar activity but does not include the sale, rental, servicing, repair or manufacturing of any products or goods. Typical **uses** include government administration, the administration of not-for-profit organizations, the operation of law firms, accounting firms, engineering firms, medical or dental clinics (including **accessory licensed pharmacies**), physiotherapy, chiropractic or massage therapy clinics, medical imaging and laboratory services, and real estate agencies.

Outdoor recreation facility – see **recreation facility, outdoor**.

P

Panhandle lot means any **lot**, with any of the **building envelope** situated directly behind another **lot** such that an access strip, which is an integral part of the **lot**, provides the **lot frontage** as shown in the drawing below:



Parking facility means land, **buildings** and **structures**, the **principal use** of which is the temporary parking of **automobiles** on an hourly or daily basis, but does not include the long-term storage of vehicles or the parking of boats, **recreational vehicles** or **automobiles** lacking a current license decal. This **use** does not include the **accessory** parking of **automobiles** in conjunction with another permitted **use**.

Pawn shop means **buildings** and **structures** used for keeping goods and chattels at pawn, and the sale of such goods and chattels. This **use** does not include **consignment sales**.

Personal service establishment means land, **buildings** and **structures** used for providing services related to the care and appearance of the body or the cleaning or repair of personal effects, including but not limited to: aestheticians, barber shops, beauty salons, clothes alteration or repair, laundry and dry cleaning services, shoe repair and watch repair. This **use** excludes the fabrication or manufacturing of goods for retail or wholesale distribution, **body rub parlours**, and **escort or dating services**.

Pet daycare means the daytime lodging of cats, dogs, or other domestic pets entirely within an enclosed **building**, for another person for financial gain, and may include **accessory office**, retail sales of pet food and care products, **pet grooming** and training. This **use** excludes the keeping of animals overnight, an **animal shelter** or an animal pound.

Pet grooming means the use of **buildings** and **structures** for the grooming of dogs and cats entirely within an enclosed **building**, and may include the **accessory** retail sale of pet food and care products. This **use**

does not include **pet daycare**, **boarding kennels**, **breeding kennels**, or overnight accommodation of animals.

Piggery means premises in which more than two pigs are kept.

Place of worship means **buildings** and **structures** where people gather for religious or spiritual purposes and may include **accessory uses** including child care services, administrative offices and food preparation and service.

Preschool means land, **buildings** and **structures** used for providing care and education to preschool age children not related by blood or marriage to the operator, for a maximum of four hours per day per child in accordance with the *Community Care and Assisted Living Act*. This **use** does not include **group daycares** or **schools**.

Principal means, in relation to a **use**, **building** or **structure**, the main or primary **use**, **building** or **structure**, as the case may be, conducted or constructed on a **lot**.

R

Rear Building Line means the line parallel to the rear lot line, passing through the point of the building nearest the rear lot line.

Rear lot line - see **lot line, rear**.

Recreation facility, indoor means land, **buildings** and **structures** used for sports and recreational activities conducted indoors. Typical **uses** include **fitness centres**, swimming pools, hockey rinks, curling rinks, gymnasiums, indoor tennis courts and indoor athletic fields. This **use** may include **accessory** food and beverage services and the **accessory** retail sale of health and fitness merchandise.

Recreation facility, outdoor means land, **buildings** and **structures** used for sports and recreational activities conducted outdoors other than motorcycle, **automobile**, go-kart and dog racing and outdoor shooting. Typical **uses** include sports fields, swimming pools, hockey rinks, tennis courts, bowling greens, fitness trails and skateboard parks. This **use** may include **accessory** seating areas for spectators and **accessory buildings** for washrooms, change rooms and equipment storage and **accessory** food and beverage services.

Recreation vehicle means a vehicle or trailer designed or used primarily for accommodation during travel or recreation, and includes motorhomes and park model **recreational vehicles**, travel trailers, fifth wheel trailers, campers, any trailer designed to provide any form of accommodation, utility and boat trailers, boats, jet skis and off-road vehicles.

Recycling depot means land, **buildings** and **structures** used for the collection and temporary storage of recyclable materials, but does not involve the processing of recyclable materials (other than compaction); the storage of paints, solvents or other hazardous materials; or outdoor compaction and storage.

Recycling facility means land, **buildings** and **structures** used for the collection, storage, sorting and shipping of recyclable materials, but not including **automobiles** or **automobile** parts, large equipment or wood waste.

Research and development facility means land, **buildings** and **structures** used for scientific or industrial research, investigation, testing, analysis, experimentation and product development, and may include **accessory office**, conference, and training facilities.

Residential building means a **one-family dwelling**, **two-family dwelling**, **townhouse** or **apartment**.

Residential hotel means **buildings** and **structures** used to provide accommodation to the traveling public and persons temporarily residing in the City, in units which contain individual sanitary facilities including water closet and wash basin, and which may contain cooking facilities, in respect of which:

- (1) The stay of any individual is limited to a maximum of 180 days in a calendar year; and
- (2) A guest register is required to be kept pursuant to the *Hotel Guest Registration Act*.

Residential use means the occupancy or **use** of a **building** or part thereof as a **dwelling unit**, and specifically excludes the **use** of a **building** or part thereof as accommodation for the traveling public, except where permitted as a **bed and breakfast**.

Residential Zone means any **Zone** with short forms starting with “R”, “RS” or “RH”.

Restaurant means **buildings** and **structures** 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**.

Restaurant, drive-through means a **restaurant** where food and beverages are provided to patrons seated within an **automobile** and includes any associated speaker system or electronic message board required for such service.

Retail store means land, **buildings** and **structures** where goods are offered or kept for sale at retail, and includes storage on or about the store premises of limited quantities of such goods sufficient only to service such premises. This **use** may include **consignment sales**, a **second hand dealer** or a **convenience store**, but does not include any other retail sales **use** specifically permitted by this Bylaw.

Rural Residential Zone means any **Zone** with a short form starting with ‘RR’.

S

School means land, **buildings** and **structures** used to provide education to a body of students in accordance with the *School Act*, including **preschools**, elementary, middle and high **schools**.

Second hand dealer includes every person carrying on the trade or business or purchasing or selling any second hand goods or who keeps a store, shop, or other place of business for the purpose of carrying on such trade or business, but does not include a retail merchant or trader who in good faith accepts as a trade-in any chattel as part only of the consideration for the sale by him of another chattel where the balance of the sale consideration is paid or payable in money, the lawful currency of Canada, and who subsequently sells the trade-in.

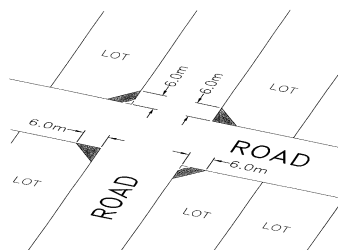
Secondary suite means an accessory dwelling unit located within a one-family dwelling.

Senior citizens apartment – see **apartment, senior citizens**.

Setback means the shortest distance from a **lot line** or other feature to a **building** or **structure**.

Shopping centre means commercial premises located in one or more **buildings** designed as an integrated unit.

Sight triangle means the area formed by a triangle in the angle formed by the intersection of two **highway** right-of-way boundaries, or boundaries produced and bounded by a line joining two points in those boundaries, 6.0 m (19.7 ft) from the point of intersection, as shown shaded in the drawing below:



Sign means any device or medium including its supporting **structure** visible from any **highway** or **lot** other than the one on which it is located and which is used to attract attention for advertising, information or identification purposes.

Silviculture means land used for growing, cultivating, protection and harvesting of forest products grown on the same site, but does not include the manufacturing or processing of any forest products.

Special wholesale means land, **buildings** and **structures** used for retail sale of goods to the public from a **warehouse**-style facility.

Streamside Protection and Enhancement Area (SPEA) means an area, as defined in the *Riparian Areas Regulation*:

- (1) Adjacent to a stream that links aquatic to terrestrial ecosystems and includes both existing and potential riparian vegetation and existing and potential adjacent upland vegetation that exerts an influence on the stream; and
- (2) The size of which is determined according to the regulation on the basis of an assessment report provided by a qualified environmental professional in respect of a development proposal.

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, including any satellite dish antenna, heat pump, gas meter, propane tank or other attached mechanical equipment, but excluding any fence, beehive, retaining wall, underground sewage disposal facility, and paved or concrete surface.

Suite means a dwelling unit that is accessory to a one-family dwelling and may not be located within the one-family dwelling (secondary suite) or within an accessory building (garden suite or carriage suite).

T

Taxi office means an **office** from which taxis are dispatched, but does not include the parking, storage or marshalling of taxi.

Temporary construction and real estate marketing office means **buildings** and **structures** used during the construction period for the management of construction activities or marketing of real estate located on or near a **development** site in respect of which a Building Permit has been issued and has not expired.

Theatre, drive-in means land, **buildings** and **structures** consisting of an outdoor movie screen, a projection booth and a parking area used for the viewing of movies from within **automobiles** and may include **accessory** food and beverage sales.

Tourist information centre means land, **buildings** and **structures** used to provide information about attractions, lodging, maps and similar material to the travelling public or visitors to an area.

Townhouse means:

- (1) At least three **dwelling units** on one **lot**; or
- (2) In the case of a **building** or land subdivided pursuant to the *Strata Property Act*, at least three **dwelling units** on the lands included within the strata plan; or
- (3) In the case of a **building** and land subdivided pursuant to the *Land Title Act*, at least three **dwelling units**, separated by party walls as defined by the *BC Building Code*;

where each **dwelling unit** is intended to be used as a permanent residence of one **family** (excluding any **accessory** rental **dwelling unit**, where permitted) and has a separate entrance at grade.

Training and education facility means land, **buildings** and **structures** where students are taught curriculum and/or provided training or certification with regards to a specific trade, service or skill and may include: **accessory** administration, athletic activities, food service, research facilities and student accommodation. Typical **uses** may include, but are not limited to: universities, colleges, tutoring, trade schools, and driving schools.

Transportation terminal means land, **buildings** and **structures** used for the arrival and departure of passengers travelling by air, rail, water, bus, taxi or other motor vehicle, and may include **accessory** facilities for the storage and forwarding of goods transported by those means. This **use** does not include a bus stop.

U

Unenclosed storage means an area not contained within a **building** or **structure** where materials and equipment including but not limited to: construction materials, equipment, solid fuels, lumber and new building materials, monuments and stone products, **utility** equipment, or other materials, goods, products, equipment or machinery other than salvage or scrap materials, derelict **automobiles** or **large automobiles**, and materials ordinarily placed in a landfill are stored, baled, placed, piled or handled.

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

Utility means land, **buildings** and **structures** used to provide water, sewer, electrical, telephone, and similar services.

V

Veterinary practice means the care and treatment of domestic animals by a registered veterinarian, including overnight hospitalization, but not including the care and treatment of farm livestock such as horses, cattle, sheep, goats or pigs, or the keeping or boarding of healthy animals, or the incineration or other disposal of animal carcasses.

Viniculture means the cultivation of grapes for winemaking.

W

Warehouse means a **buildings** or **structures** in which finished goods, products and materials are received and stored for distribution, including the packaging, repackaging, distribution and shipment of goods,

products and materials, but not including retail sales or the bulk storage and distribution of industrial fluids including, but not limited to: fuels, solvents or lubricants.

Watercourse means any natural or man-made depression with well-defined banks and a bed 0.6 m (2.0 ft) or more below the surrounding land giving direction to a current of water at least six months of the year, a marsh, pond, lake or stream having a drainage area of 2.0 km² (494.2 ac) or more.

Winery means land, **buildings** and **structures** used for the manufacturing and bottling of wine in accordance with the *Liquor Control and Licensing Act*. This **use** may also include **viniculture**, and **accessory** retail sales and service of wine and related products manufactured on-site.

Works yard means land, **buildings** and **structures** used for the storage, manufacturing, maintenance or repair of infrastructure, materials and equipment directly related to the construction and maintenance of infrastructure such as **highways** and **utilities**.

Z

Zone means a **Zone** established by Part 5 of this Bylaw.

1.02 Numbering

1.02.01 In the numbering used in this Bylaw, the first number indicates the Part of the Bylaw, the second number indicates the Section, the third number indicates the Subsection, the bracketed number indicates the Article, and the bracketed letter indicates the Clause, as follows:

8	Part
8.1	Section
8.1.2	Subsection
8.1.2(1)	Article
8.1.2(1)(a)	Clause

Part 2 GENERAL PROVISIONS

2.01 Application

- 2.01.01 The provisions of this Bylaw apply to the City of Langford shown on Schedule “A” (Zoning Map) which forms part of this Bylaw.

2.02 Requirements for Compliance

- 2.02.01 Land or the surface of water in the City of Langford may not be used, land may not be subdivided, **buildings** and **structures** on land or on the surface of water may not be constructed, altered, located or used, and **signs** may not be erected or located on any land except as specifically permitted by this Bylaw or the City of Langford Sign Bylaw.
- 2.02.02 All siting measurements must be made on a horizontal plane from the **natural boundary, lot line** or other feature specified in this Bylaw to the nearest portion of the **building, structure or use** in question.

2.03 Violation

- 2.03.01 Every person commits an offence under this Bylaw, who, being an owner or occupier of land or of the surface of water in the City of Langford:
- (1) Violates any property that is subject to regulation under this Bylaw, for the purpose of the provisions of this Bylaw;
 - (2) Causes or permits any act or thing to be done in contravention or violation of any of the provisions of this Bylaw;
 - (3) Neglects or omits to do anything required under this Bylaw;
 - (4) Carries out, causes or permits to be carried out any development of land or the surface of water in a manner prohibited by or contrary to any of the provisions of this Bylaw; and
 - (5) Fails to comply with an order, direction or notice given under this Bylaw; or prevents or obstructs or attempts to prevent or obstruct a person authorized under Section 2.04 from entering on property.

2.04 Administration and Enforcement

- 2.04.01 The City of Langford Bylaw Enforcement Officer and any other person designated by him to administer this Bylaw are authorized to enter, at any reasonable time, upon any property that is subject to regulation under this Bylaw for the purpose of determining whether the regulations are being observed.
- 2.04.02 No person may obstruct the Bylaw Enforcement Officer or any other designated person engaged in the administration or enforcement of this Bylaw.

2.05 Penalty

- 2.05.01 Every person who commits an offence against this Bylaw is liable, upon summary conviction, to a fine and penalty not exceeding \$10 000 and the costs of prosecution.
- 2.05.02 Each day during which an offence against this Bylaw is continued is deemed to constitute a new and separate offence.
- 2.05.03 The penalties imposed under Subsections 2.05.01 and 2.05.02 are in addition to and not in substitution for any other remedy that the City may have for a contravention of this Bylaw.

2.06 Non-compliance with Siting, Size and Shape Requirements

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

2.07 Non-Conforming Uses

- 2.07.01 The regulations governing **non-conforming uses** are set forth in the *Local Government Act*.
- 2.07.02 The lawful **use** of any land, **building** or **structure** existing at the time of the adoption of this Bylaw may be continued (subject to the provisions of the *Local Government Act*), although such **use** does not conform with the provisions of this Bylaw.

2.08 Units of Measurement

- 2.08.01 Metric measurements are used in this Bylaw.
- 2.08.02 Imperial measurements included in this Bylaw do not form part of this Bylaw and are intended only as a convenience for the reader. In most cases they have been rounded up or down to the nearest decimal point.

2.09 Section 514 Subdivision

- 2.09.01 Despite the minimum **lot** sizes established by this Bylaw for various Zones, the minimum **lot area** that may be subdivided in accordance with Section 514 of the *Local Government Act* in the Walfred Road area (as defined by Schedule "F") is 40.0 ha (98.8 ac), and no **lot** created by such a subdivision in that area may be less than 2.0 ha (4.9 ac) in **lot area**; and
- 2.09.02 Despite the minimum **lot areas** established by this Bylaw for various Zones, the minimum **lot area** that may be subdivided in accordance with Section 514 of the *Local Government Act* in a rural area (as defined by Schedule "P") is 40.0 ha (98.8 ac) and no **lot** created by such a subdivision in that area may be less than 4.0 ha (9.9 ac) in **lot area**.

2.10 Severability

- 2.10.01 If any provision of this Bylaw is for any reason held to be invalid by a decision of any Court of competent jurisdiction, the invalid provision shall be severed from the Bylaw and the decision that such provision is invalid shall not affect the validity of the remaining provisions of the Bylaw.

2.11 Development Permit Guidelines

- 2.11.01 Appendices A to V are adopted pursuant to Section 488(3) of the *Local Government Act* as guidelines pertaining to the Development Permit Areas designated in the Langford Official Community Plan.

Part 3 GENERAL REGULATIONS

3.01 Uses Permitted in Any Zone

3.01.01 Except where specifically excluded the following **uses, buildings and structures** are permitted in every Zone:

- (1) **Uses, buildings and structures** which are **accessory** to a **principal** permitted **use, building or structure** on the same **lot**.
- (2) **Utility** poles, underground electrical and telephone lines and telephone exchange **buildings**;
- (3) Pipelines, radio, television and transmission towers (except that transmission towers are not desirable within 150.0 m [492.1 ft] of any **Residential Zones** or **school** sites) and wires, traffic control devices, clock towers, and underground or submarine utility systems, which may be sited on any portion of a **lot**;
- (4) Water supply facilities including reservoirs, treatment plants, pumping stations intake structures and supply lines;
- (5) Sewage collection, treatment and supply facilities including treatment plants, sewage pumping stations, storm drainage retention ponds, and sewer mains and service lines;
- (6) Parks, playgrounds and playing fields, hiking and bicycling paths, horse riding trails and ecological reserves;
- (7) Road-side produce stands not exceeding a footprint 10.0 m² (107.6 ft²) and used for the retail sale of farm products that are grown or reared on the land upon which the stand is located;
- (8) Domestic composting of organic materials originating from a **lot** and used on that same **lot**, provided that the composting use does not cover more than 1% of the total **lot area**;
- (9) Filming of motion pictures, but not including **film production studios**; and
- (10) Facilities for police, fire or ambulance services; and
- (11) **Temporary construction and real estate marketing offices**, subject to Section 3.06.

3.02 Prohibited Uses

3.02.01 Any **use** not expressly permitted in this Bylaw is prohibited in every **Zone** and where a particular **use** is expressly permitted in one Zone, such **use** is prohibited in every **Zone** where it is not also expressly permitted.

3.02.02 The following **uses** are prohibited in every **Zone**:

- (1) Commercial airstrips;
- (2) Helipads other than those used for emergency landing or evacuation and those **accessory** to public safety **uses** such as **hospitals** or fire stations;

- (3) Disposal of any waste matter on land or in marine areas, except such waste matter as may lawfully be discharged pursuant to a permit under the *Environmental Management Act* or Regulations under that Act, or from the Capital Region Health Board;
- (4) The disposal or storage of hazardous or toxic waste;
- (5) The sale or distribution of *cannabis sativa* in any form and related drug paraphernalia, other than in a **licensed pharmacy**;
- (6) The occupancy of any trailer, **recreational vehicle**, camper, or other vehicle as a residence;
- (7) **Exotic dancing**;
- (8) **Escort service or dating service**; and
- (9) **Body rub parlours**.
- (10) Boiling of Blood, Bone, Soap, and Tripe;
- (11) Refining of Coal Oil;
- (12) Extracting Oil from Fish;
- (13) Storing Hides;
- (14) Tallow melting;
- (15) Slaughtering of animals;
- (16) Manufacturing of gas, alkali, sulphuric acid, chemical manure, nitric acid, sulphate and muriate of ammonia, chlorine or bleaching powder

3.03 Vehicle Storage

- (1) Except where specifically permitted, no **lot** with a **lot area** greater than or equal to 550.0m² (5,920.2ft²) may be used for the keeping of more than one **automobile** or **large automobile**, other than a farm vehicle or **recreation vehicle**, which is not completely enclosed in a **building** or **structure** and which does not have attached or affixed in the manner prescribed by the *Motor Vehicle Act* Regulations:
 - (a) Motor vehicle number plates and a decal for the current license year issued in respect of that **automobile** or **large automobile**; or
 - (b) An interim vehicle license issued in respect of that **automobile** or **large automobile** pursuant to the [Motor Vehicle Act](#) Regulations; or
- (2) Except where specifically permitted, no **lot** with a **lot area** less than 550.0 m² (5,920.2 ft²) may be used for the keeping of any farm vehicle or **recreation vehicle**;
- (3) No **lot** may be used for the keeping of detached parts of **automobiles** or **large automobiles**, unless the parts are completely enclosed in a permanent **building**;

3.03.02 No unlicensed **automobile** or **large automobile** of any type may be stored on a **lot** in a location between the **abutting highway** and the **front building line**.

3.03.03 No vacant **lot** in any **Residential Zone** may be used for the keeping of unlicensed **automobiles**, **large automobiles** or **automobile** parts.

3.04 Agricultural Land Reserve

3.04.01 Despite any regulation in this Bylaw, land designated as "Agricultural Land Reserve" pursuant to the *Agricultural Land Commission Act*, will 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*.

3.05 Accessory Buildings and Structures

3.05.01 Every Zone

The following regulations apply to **accessory buildings** and **structures** located in every **Zone**:

- (1) An **accessory building** or **structure** may not be used for human habitation, except as otherwise provided for in this Bylaw.
- (2) No **accessory building** may be located within 1.0 m (3.3 ft) of any **principal building**, or attached to any **principal building** by any means other than as provided in Article 3.05.01(3) below.
- (3) Where an **accessory building** is attached to a **principal building** by a foundation, floor, walls and roof it shall be considered part of the **principal building** and must comply in all respects with the requirements of this Bylaw applicable to a **principal building**.
- (4) Despite any **setback** requirement in any **Zone**, no **accessory building** may be located within 15.0 m (49.2 ft) of a **front lot line** unless it complies with the **front lot line setback** requirements applicable to the **principal building**.
- (5) A satellite dish antenna installed on the roof of a **building** may not extend above the maximum **height** permitted for the **building** upon which it is located.
- (6) A satellite dish antenna installed on the ground is subject to the **setbacks**, **lot coverage** and **height** regulations for **accessory buildings** and **structures** for the **Zone** in which it is located.
- (7) Metal containers designed and constructed for shipping may not be placed on any **lot** in conjunction with an existing **residential use**.
- (8) Eaves and gutters may project into the **accessory building setbacks** specified in this Section by not more than 1.0 m (3.3 ft), provided that a **setback** of at least 0.45 m (1.5 ft) is maintained.

3.05.02 **Agricultural, Residential, Rural Residential, Multiple Residential Zones, and Comprehensive Development Zones**

The following regulations apply to **accessory buildings** and **structures** located in **Agricultural, Residential, Rural Residential, Multiple Residential, and Comprehensive Development Zones**:

- (1) Despite any **setback** requirement in any **Zone**, no **building** or **structure** for an **agriculture use** may be located within 30.0 m (98.4 ft) of the **front lot line** or within 15.0 m (49.2 ft) of any other **lot line**.
- (2) Despite any **setback** requirement in any **Zone**, no **building** or **structure** for an **intensive agriculture use** may be located within 90.0 m (295.3 ft) of the **front lot line** or within 30.0 m (98.4 ft) of any other **lot line**.
- (3) The **height** of an **accessory building** shall not exceed the maximum **height** for a **building** or **structure** permitted in Part 6 of this Bylaw, with the exception that:
 - (a) Any **building** that is **accessory** to a **one-family dwelling** or **two-family dwelling** may not exceed a **height** equal to:
 - i. Either 4.5 m (14.8 ft) or 60% of the **height** of the **principal dwelling**, whichever is greater; or
 - ii. Two storeys, or the **height** of the **principal dwelling** where the **principal use** on the property is a **one-family dwelling** and the **lot area** is greater than or equal to 1,000.0 m² (0.3 ac); and
 - (b) Any **building** that is **accessory** to a multi-family residential **use** may not exceed 4.5 m (11.8 ft) in **height**.
- (4) The total floor area of all the buildings that are accessory to a residential use on any lot may not exceed 30m² (323ft²), except under the following circumstances.

Use	Lot Size	Maximum Total Floor Area
One-family residential	200m ² – 799m ²	65m ² (700ft ²)
One-family residential	800m ² – 999m ²	80m ² (861ft ²)
One-family residential	1,000m ² or greater	180m ² (1,937ft ²), plus an additional 10m ² of floor area for each additional 100m ² of lot area in excess of 1,000m ²
Multi-family residential	-	10m ² (107.6ft ²) per dwelling unit on the lot

Under no circumstance may accessory buildings and structures exceed the maximum site coverage regulations in part 6 of this bylaw.

- (5) Despite any **setback** requirement in any **Zone**, no **accessory building** may be located within 1.0 m (3.3 ft) of a **side lot line** or **rear lot line** or within 6.0 m (19.7 ft) of an **exterior side lot line** except in the CD3 Zone, and except where a common **garage** is erected on a common **lot line**, provided, however, that an **accessory building** in a **Multiple**

Residential Zone may not be located within 3.0 m (9.8 ft) of a **lot line** which **abuts** an **Agricultural, Rural Residential, or Residential Zone**.

- (6) The following regulations also apply to **accessory buildings** on **corner lots** in an **Agricultural, Rural Residential, Residential, Multiple Residential, or Comprehensive Development Zone**, except the CD3 Zone:
- (a) An **accessory building** on a **corner lot** may not be located closer to the **exterior side lot line** than the minimum **setback** for the **principal building**; and
 - (b) An **accessory building** on a **corner lot** may not be located within 2.0 m (6.6 ft) of any **rear lot line** that **abuts** a **lot** in an **Agricultural, Rural Residential, Residential, or Multiple Residential Zone**.

3.05.03 Commercial, Industrial and Institutional Zones

The following regulations apply to **accessory buildings** and **structures** located in **Commercial, Industrial, Institutional, and Comprehensive Development Zones**:

- (1) An **accessory building** on a **corner lot** may not be located closer to the **exterior side lot line** than required for the **principal building**; and
- (2) An **accessory building** may not be located within 3.0 m (9.8 ft) of any **rear lot line** that **abuts** a **lot** in an **Agricultural, Rural Residential, Residential, or Multiple Residential Zone**.

3.06 Temporary Buildings

3.06.01 Temporary **buildings** or **structures** may only be erected for the following purposes: **offices** for construction or real estate marketing coordination; and

3.06.02 The permitted temporary **buildings** or **structures** are only permitted for a period not to exceed the duration of construction.

3.07 Two-Family Dwellings

3.07.01 The following regulations apply to **two-family dwellings** in all Zones:

- (1) A **common wall** in a **two-family dwelling** must have, at any one storey level, a horizontal dimension of at least 15% of the total perimeter wall length of the **two-family dwellings** combined, measured at the outer surface of the exterior walls and the **common wall** including enclosed **garages** or **carports**.
- (2) Both **dwelling units** must contain a minimum of 4.5 m (14.8 ft) of linear wall length of habitable space facing the **front lot line** or **exterior side lot line** except that this regulation does not apply to the CD3 Zone or to **two-family dwellings** located on **lots** within an **Agricultural or Rural Residential Zone** if the **lot** is 4,000.0 m² (1.0 ac) or more in **lot area**.
- (3) A **suite** is prohibited in conjunction with any **two-family dwelling**.
- (4) The keeping of more than two **boarders** per **dwelling unit** is prohibited in any **two-family dwelling**.

3.08 Suites

A suite is permitted as an accessory use in a one-family dwelling, or other type of dwelling unit as permitted in Part 6 of this Bylaw. There are three types of suites – secondary suites, garden suites, and carriage suites. Only one suite is permitted per lot.

3.08.01 General Regulations for all Suites

- (1) There may only be one suite per lot;
- (2) The one-family dwelling to which a suite is accessory to must be owner-occupied;
- (3) The one-family dwelling to which a suite is accessory to must be located on a lot of not less than 550m² (5,920ft²) in area, except as otherwise permitted in Part 6 of this Bylaw;
- (4) An Occupancy Permit has been issued for the secondary suite;
- (5) One additional off-street parking space shall be provided for the exclusive use of the occupancy of a suite, and this space shall not be located in tandem with any parking space for the principal dwelling to which the secondary suite is accessory;
- (6) The suite and the one-family dwelling to which it is accessory must be a single real estate entity. Strata titling is not permitted.

3.08.02 Additional Regulations for Secondary Suites

- (1) The secondary suite must be completely contained within the one-family dwelling;
- (2) The secondary suite is not so intrusive so as to change the one-family nature of the one-family dwelling;
- (3) The secondary suite must have a floor area of not more than 90m² (969ft²) or 40% of the habitable area of the building in which it is located, whichever is less.

3.08.03 Regulations for Garden suites and Carriage Suites

- (1) Garden suites and carriage suites are not permitted on lots within the “City Centre” designation as delineated in the Official Community Plan;
- (2) Garden suites or carriage suites must be completely contained in a detached accessory building;
- (3) Garden suites or carriage suites may not be located;
 - (a) Within 3m (9.8ft) of the primary dwelling;
 - (b) Within 1m (3.2ft) of any rear lot line;
 - (c) Within 1m (3.2ft) of any interior side lot line;
 - (d) Within 3m (9.8ft) of any front lot line or exterior side lot line, except that no garage or carport that faces either a front or exterior side lot line may be located within 5.5m (18ft) of that lot line;

- (4) A garden suite or carriage suite is only permitted on a lot having a width greater than or equal to 11m (36.1ft) and a depth greater than or equal to 29m (95.1ft);
- (5) Only one driveway per lot is permitted;
- (6) Rooftop patios are not permitted;
- (7) Garden suites or carriage suites must be connected to municipal sanitary sewer or provide confirmation of adequate septic capacity prior to the issuance of a building permit;
- (8) All accessory buildings and structures on the lot including garden suites and carriage suites may not exceed the maximum footprint set out in section 3.05.02(4) or the maximum lot coverage of the applicable zone in Part 6 of this Bylaw;
- (9) If a suite already exists within the primary dwelling it must be decommissioned prior to the issuance of a building permit for the garden suite or carriage suite. The following must occur:
 - (a) Removal of the kitchen which includes the stove, oven, and sink, OR the removal of the shower/bathtub and;
 - (b) Remove the exterior access OR sufficiently open access to the principal dwelling.

3.08.04 Additional Regulations for Garden Suites

- (1) Permitted only on lots over 550m² unless otherwise noted in Part 6 of this Bylaw;
- (2) Must be located behind the rear building line of the one-family dwelling;
- (3) The suite may not have a gross floor area of more than 65m² (700ft²);
- (4) Height maximum of 4.5m (14.8ft).

3.08.05 Additional Regulations for Carriage Suites

- (1) Permitted only on lots over 1000m² (10,764ft²) unless otherwise noted in Part 6 of this Bylaw;
- (2) Must be located in front of the rear building line of the one-family dwelling;
- (3) The suite may not have a gross floor area of more than 90m² (969ft²);
- (4) Height maximum of two storeys;
- (5) Ground floor of the carriage suite must be exclusively used for vehicle parking;
- (6) Are not permitted on panhandle lots;
- (7) On lots over 4000m² (1 acre);
 - (a) Section 3.08.05(2) does not apply;
 - (b) Permitted on panhandle lots, despite Section 3.08.05(6);

- (c) Ground floor may contain uses other than a garage, including but without limiting the generality of the foregoing: workshop, storage, or art studio;
- (8) Where permitted on lots less than 1000m² (10,764ft²) as per Part 6 of this Bylaw:
 - (a) May not be located within an accessory building that has a building footprint of more than 60m² (645ft²);
 - (b) May not have a gross floor area of more than 60m² (645ft²);
 - (c) May only be located on lots with laneway access, corner lots, or on a lot that shares a driveway with an adjacent lot that benefits from a registered reciprocal access easement;
 - (d) May be located on lots with a minimum width of 9.5m (31ft) and a minimum depth of 29m (95ft) provided that the lot has direct vehicle access from a highway, laneway, access route in a bare land strata plan, registered access easement, or other secondary access route;
 - (e) The one-family dwelling to which the carriage suite is accessory may not contain vehicle parking;
 - (f) Notwithstanding the definition of “height” in Part 1, Section 3.05.02(3), and 3.08.05(4), the highest point of the roof of the carriage suite may not exceed the height of 85% of the highest point of the roof of the one-family dwelling, as measured from the average finished grade of the lot.

3.09.01 All Three Types

Three types of **home occupation** are permitted depending on the type of **dwelling unit** in which the **home occupation** is conducted and the size of the **lot** on which it is located. The following regulations apply to all three types of **home occupations**.

- (1) The types of **home occupations** permitted are determined as follows:
 - (a) A **home office** is permitted as an **accessory use** in any **dwelling unit**, including **one-** and **two-family dwellings, suites, manufactured homes, and apartment units**;
 - (b) A **home business** is permitted as an **accessory use** to a **one-** or **two-family dwelling** located on a **lot** with a **lot area** less than 4,000.0 m² (1.0 ac); and
 - (c) A **home industry** is permitted as an **accessory use** to a **one-** or **two-family dwelling** located on a **lot** with a **lot area** of 4,000.0 m² (1.0 ac) or larger.
- (2) **Home occupations** may not alter the residential character of the properties on which the commercial activity takes place, and more specifically may not:
 - (a) Cause or result in any variation or alteration in the external residential appearance of the land and premises in which it is carried on;
 - (b) Produce noise, vibration, smoke, dust, odour, litter, or heat, other than that normally associated with a dwelling;
 - (c) Create or cause any fire hazard, electrical interference;

- (d) In the case of a **bed and breakfast home business**, cause an increase in demand for, or usage of, on-site parking or parking on the adjacent street beyond one vehicle per room used for guest sleeping accommodation for guests; or
 - (e) In the case of all other **home occupations**, cause an increase in demand for, or usage of, on-site parking or parking on the adjacent street beyond what would normally be associated with two visitors per hour to residential premises between the hours of 9:00 am and 6:00 pm, Monday to Friday, and one visitor per hour at other times.
- (3) The following **uses** are prohibited for all types of **home occupation**:
- (a) Dance instruction or performance area except dancing lessons for children under 16 years old in classes of six or fewer;
 - (b) Orchestra or band training;
 - (c) Restaurant;
 - (d) Manufacturing, welding, or any other **light industrial use**;
 - (e) The salvage or repair, or both, of **automobiles** or **large automobiles**;
 - (f) Business that requires the marshalling of **automobiles** or **large automobiles**;
 - (g) Storage of more than one **automobile** or **large automobile** over 8,600.0 kg GVW on lots with a **lot area** less than 4,000.0 m² (1.0 ac); and
 - (h) Retail or wholesale sale of goods except for goods manufactured or produced as part of a **home occupation**;
- (4) **Home occupations** must be conducted entirely within a **dwelling unit**, except that on lots with greater than or equal to 550.0 m² (5,920.2 ft²) of **lot area**, **home occupations** may be conducted within an **accessory building** provided that minimum on-site parking requirements are satisfied.
- (5) Despite Article 3.09.01(4), **catering** must be contained within a **one-family dwelling**.
- (6) Not more than 25% of the **gross floor area** of a **dwelling unit** may be used for **home occupation** purposes.
- (7) No storage of materials, commodities, or finished products is permitted in connection with the operation of a **home occupation** other than within a permitted **building** or within a contractor's yard as provided for in article 3.09.04(1).
- (8) Except for one unilluminated **sign** not exceeding 0.2 m² (2.2 ft²) in area, no **sign** or other advertising matter may be exhibited or displayed on the premises or **lot** where a **home occupation** is conducted.
- (9) The operator of every **home occupation** must obtain a Business License issued by the City of Langford.
- (10) The operator of every **home occupation** must comply with all licencing, health and other application regulations of British Columbia and the Capital Regional District.

- (11) Any **home occupation** that is a food services establishment as defined in the Food Premises Regulation under the *Public Health Act* must be approved by the Medical Health Officer prior to operation.
- (12) A **home occupation** may not employ more than one employee who does not reside on the premises.
- (13) In addition to the off-street parking spaces required for the **dwelling unit**, parking for **home occupations** shall be provided in accordance with Part 4.
- (14) No **automobiles** that are used by the proprietor of a **home office** or by another person engaged in the business with which the **home office** is associated, may be kept or parked on the premises at which the **home office** is carried on, with the sole exception of **automobiles** used by the proprietor or any other resident of the premises for purposes unrelated to the **home office**.
- (15) A **pet grooming** business, as a **home occupation**, must be conducted entirely within a **dwelling unit** or permitted **accessory building**. Dogs or cats that are awaiting grooming or that have been groomed must be kept indoors, and must not be allowed to roam, or be leashed, penned or caged outdoors.

3.09.02 Home Offices

The following regulations apply to **home offices**:

- (1) A **home office** may not serve customers on the **lot** on which the **home office** is located nor cause an increase in demand for, or usage of, on-site parking or parking on the adjacent street.
- (2) Not more than 25% of the **gross floor area** of a **dwelling unit**, and not more than 65.0 m² (699.7 ft²) of total **gross floor area** on any **lot** may be used for **home office** purposes.

3.09.03 Home Businesses

The following regulations apply to **home businesses**:

- (1) The following **uses** and no others are permitted as **home businesses**:
 - (a) **Artist or craftsperson studio** and **household equipment and appliance service and repair**, but excluding boat building and refurbishing, auto refurbishing, cabinet making and furniture making;
 - (b) **Bed and breakfast** limited to two rental rooms;
 - (c) **Catering** in a **one-family dwelling**;
 - (d) **Community care facility**, subject to Section 3.26;
 - (e) **Office**;
 - (f) **Personal service establishment**, limited to a single patron at any given time; **Pet grooming**; and

- (g) The husbandry and rearing for sale of fish, amphibians, reptiles, invertebrates, or birds in enclosed **buildings** for wholesale or retail sale, but specifically excluding on-site processing for food.
- (2) A **home business** other than a **bed and breakfast**, **home occupation daycare** or **community care facility** must not occupy more than 25% of a **dwelling unit**, and not more than 65.0 m² (699.7 ft²) of **gross floor area** on any **lot**.
- (3) A **community care facility**, for the care of not more than eight persons or as a residence for no more than 10 persons, not more than six of whom are persons in care, is permitted as an **accessory use** in a **one-family dwelling**.
- (4) A **home occupation daycare**, for the care of not more than eight children, is permitted as an **accessory use** in a **one-family dwelling**, **two-family dwelling**, or **townhouse** unit.

3.09.04 Home Industries

The following regulations apply to home **industries**:

- (1) All of the **uses** permitted in Article 3.09.03(1), the following **uses**, and no others are permitted as **home industries**:
 - (a) Small scale manufacturing which is carried on entirely within the **dwelling unit** or an **accessory building** including the fabrication of cabinets and furniture;
 - (b) Contractor's yard, provided that no more than two **automobiles** or **large automobiles** used in the **home industry** may be stored on the **lot** and no more than 500.0 m² (5,382.0 ft²) of **lot area** may be used for outdoor storage;
 - (c) **Breeding kennels** subject to Section 3.11; and
 - (d) Propagation of plants, shrubs, fruits and vegetables for sale.
- (2) A **home industry** must not occupy more than 25% of a **dwelling unit**, and not more than 90.0 m² (968.8 ft²) of **gross floor area** on any **lot**.
- (3) Any **accessory building** used for a **home industry** must be screened from **abutting lots** in a **Rural Residential**, **Residential**, or **Multiple Residential Zone** by a continuous **landscape and screening area** not less than 1.0 m (3.3 ft) in width containing a shrub, hedge, or fence screen of a minimum **height** of 1.8 m (5.9 ft) at time of planting.

3.09.05 Bed and Breakfasts

The following additional regulations apply to **bed and breakfasts**:

- (1) Not more than four guests may be accommodated at any one time.
- (2) Not more than two bedrooms may be used to accommodate guests.
- (3) No rental of equipment or material is permitted except to guests.
- (4) A **bed and breakfast** may only be conducted within a **principal** dwelling or an approved **suite** and may only be operated in conjunction with the owners' concurrent residency of the property.

3.09.06 **Garage Sales**

The following regulations apply to **garage sales** on residential **lots**:

- (1) **Garage sales** are only permitted on **lots** occupied by a **one-family dwelling**, a **two-family dwelling**, or a **townhouse**.
- (2) No residential property shall be used for a **garage sale** more than three times within a twelve month period, and no single **garage sale** may be conducted for more than two consecutive days.

3.10 **Boarding Kennels**

3.10.01 In addition to the regulations for **home industries** in Section 3.09, the following regulations apply to **boarding kennels** in any Zone in which they are a permitted **use**:

- (1) A **boarding kennel** is permitted as an **accessory use** on a **lot** with a **lot area** of 4.0 hectares (9.9 ac) or larger.
- (2) The **buildings** and land associated with the **boarding kennel** use may not occupy more than 15% of the total **lot area**.
- (3) Accommodation for not more than 30 animals may be provided on the **lot**.
- (4) No **building** or land area used for dog boarding may be located:
 - (a) Within 30.0 m (99.4 ft) of any **lot line**;
 - (b) Within 90.0 m (295.3 ft) of a residence existing at the time of construction or expansion of the **boarding kennel** facility unless such residence is occupied by the owner or a full-time employee of the **boarding kennel**;
 - (c) Within the **setback** distance from a **natural boundary** prescribed in Section 3.16 of this Bylaw; or
 - (d) In between the **front building line** of the **principal residential building** on a **lot** and the **abutting highway**.
- (5) In addition to the off-street parking spaces required by Part 4 of this Bylaw, one parking space per five dog or cat enclosures must be provided for patrons of a **boarding kennel**.
- (6) All dogs and cats must be kept within a **building** from 8:00 p.m. to 7:00 a.m. on the following day.
- (7) All **buildings** and land areas used by dogs as part of the boarding kennel must be screened from **residential uses**, institutional **uses**, and **highways** by a **landscape and screening area** not less than 1.0 m (3.3 ft) in width containing a shrub, hedge, or fence screen of not less than 1.8 m (5.9 ft) in **height**, at the time of planting.
- (8) A **boarding kennel** and its operation must also comply with the requirements of the Langford Animal Control Bylaw.

3.11 Breeding Kennels

3.11.01 In addition to the regulations for **home industries** in Section 3.09, the following regulations apply to **breeding kennels** in any Zone in which they are a permitted **use**:

- (1) A **breeding kennel** is permitted as an **accessory use** on a **lot** with a **lot area** of 4,000.0 m² (1.0 ac) or larger.
- (2) The **buildings** and land associated with the **breeding kennel use** may not occupy more than 15% of the total **lot area**.
- (3) Accommodation for not more than six dogs or cats over the age of four months may be provided on the **lot**.
- (4) No **building** used for dog breeding may be located:
 - (a) Within 30.0 m (98.4 ft) of a **front lot line** or **exterior side lot line**;
 - (b) Within 10.0 m (32.8 ft) of an **interior side lot line** or **rear lot line**;
 - (c) Within 90.0 m (295.3 ft) of a residence existing at the time of construction or expansion of the **breeding kennel** facility unless such residence is occupied by the owner or a full-time employee of the **breeding kennel**;
 - (d) Within the **setback** distance from a **natural boundary** prescribed in Section 3.16 of this Bylaw; or
 - (e) In front of the **front building line** of the **principal residential building**.
- (5) In addition to the off-street parking spaces required by Part 4 of this Bylaw, one space must be provided for patrons of a **breeding kennel**.
- (6) All dogs and cats must be kept within a **building** from 8:00 p.m. to 7:00 a.m.
- (7) A **breeding kennel** and its operations must also comply with the requirements of the Langford Animal Control Bylaw.

3.12 The Keeping of Animals for Domestic Purposes

3.12.01 The keeping of horses, cattle, sheep, and goats for domestic purposes is permitted as an **accessory use** to the **residential use** of a **one-family dwelling** on any **lot** with an area of at least 4,000.0 m² (1.0 ac) in any **Residential Zone**, subject to the following regulations:

- 1) Horses, cattle, sheep and goats are limited to one animal for each 4,000.0 m² (1.0 ac) of **lot area**;
- 2) Horses, cattle, sheep and goats must be kept in a secure, fenced enclosure;
- 3) No **building** or **structure** used for the keeping of horses, cattle, sheep or goats or **unenclosed storage** of feed or manure may be located within 30.0 m (98.4 ft) of any **front lot line** or within 15.0 m (49.2 ft) of any other **lot line**;
- 4) The **accessory use** permitted by this Subsection includes the sale of meat, milk, milk products and wool produced on the premises;

- 5) The **accessory use** permitted by this Subsection includes the sale of manure produced on the premises, provided that the manure is securely bagged, if stored or displayed for sale within 15.0 m (49.2 ft) of any Lot Line.

3.12.02 The keeping of domestic poultry and rabbits is permitted as an **accessory use** to the **residential use** of a **one-family dwelling** on any **lot** greater than or equal to 4,000.0 m² (1.0 ac) in **lot area** in any **Residential Zone**, subject to the following regulations:

- (1) The number of chickens, ducks, pigeons and rabbits, in total, that may be kept on any **lot** is limited to one for each 166.0 m² (1,786.8 ft²) of **lot area**;
- (2) Roosters are only permitted on land that is in the Agricultural Land Reserve (ALR);
- (3) Domestic poultry must be kept in a secure, fenced enclosure;
- (4) No **building** or **structure** erected for the purpose of keeping chickens, ducks, pigeons or rabbits or unenclosed storage of feed or manure may be sited within 3.0 m (9.8 ft) of any **rear lot line** or **side lot line**, or closer to a **front lot line** than the front face of the **principal dwelling**;
- (5) No **building** or **structure** used for the keeping of domestic poultry other than chickens, ducks or pigeons or **unenclosed storage** of feed or manure may be located within 30.0 m (98.4 ft) of any **front lot line** or within 15.0 m (49.2 ft) of any other **lot line**;
- (6) The **accessory use** permitted by this Subsection includes the sale of meat, eggs, fur and feathers produced on the premises; and
- (7) The **accessory use** permitted by this Subsection includes the sale of manure produced on the premises, provided that the manure is securely bagged, if stored or displayed for sale within 15.0 m (49.2 ft) of any **lot line**.

3.12.03 The keeping of chickens, ducks, pigeons and rabbits for domestic purposes is permitted as an **accessory use** to the **residential use** of a **one-family dwelling** on any **lot** with a **lot area** less than 4,000.0 m² (1.0 ac) but not less than 550.0 m² (5,920.2 ft²) in any **Residential Zone** subject to the following conditions:

- (1) The number of chickens, ducks, pigeons and rabbits, in total, that may be kept on any **lot** is limited to four);
- (2) Chickens, ducks, pigeons and rabbits must be kept in a secure, fenced enclosure;
- (3) **Buildings** or **structures** that are erected for the purpose of keeping chickens, ducks, pigeons or rabbits may not exceed a cumulative **gross floor area** of 10.0 m² (107.6 ft²) per **lot**;
- (4) The siting and size of **buildings** or **structures** that are erected for the purpose of keeping chickens, ducks, pigeons or rabbits are subject to the requirements of this Subsection 3.12.03 where the requirements are different from those contained in Section 3.05 of this Bylaw, and the **gross floor area** of such **buildings** and **structures** may be excluded from the calculation of **accessory building** area under that Section;
- (5) No **buildings** or **structures** erected for the purpose of keeping chickens, ducks, pigeons or rabbits or any **unenclosed storage** of feed or manure may exceed a height of 2.4 m (7.9 ft);
- (6) No **building** or **structure** erected for the purpose of keeping chickens, ducks, pigeons and rabbits for domestic purposes or unenclosed storage of feed or manure may be sited within 3.0 m (9.8 ft) of any **rear lot line** or **side lot line**, or closer to a **front lot line** than the front face of the **principal dwelling**;

- (7) The **accessory use** permitted by this Subsection includes the sale of eggs, meat, feathers and fur produced on the premises; and
- (8) The slaughter of chickens, ducks pigeons or rabbits is prohibited on any **lot** less than 4,000.0 m² (1.0 ac) in **lot area**.

3.12.04 The keeping of bees and beehives for domestic purposes including the sale of honey produced on the premises is permitted as an **accessory use** to the **residential use** of a **one-family dwelling** on any **lot** in any **Residential Zone** with a **lot area** of at least 550.0 m² (5,920.2 ft²) subject to the following conditions:

- (1) The number of beehives shall not exceed two for any **lot** with a **lot area** greater than or equal to 550.0 m² (5,920.2 ft²) and less than or equal to 800.0 m² (8,611.1 ft²);
- (2) The number of beehives shall not exceed one per 400.0 m² (4,305.6 ft²) of **lot area** on **lots** greater than 800.0 m² (8,611.1 ft²) in **lot area**; and
- (3) All beehives must be sited to the rear of the **front building line** of any **principal building** and at least 3.0 m (9.8 ft) from any **lot line**.

3.13 Unenclosed Storage

3.13.01 Commercial, Industrial, and Business Park Zones

Where permitted in this Bylaw, **unenclosed storage** in the Industrial and **Business Park Zones** is subject to the following regulations unless otherwise expressly permitted in this Bylaw:

- (1) The **unenclosed storage use** must not be located within 6.0 m (19.7 ft) of any **lot line** which does not **abut** a **lot** in a **Commercial, Business Park, or Industrial Zone**;
- (2) The **unenclosed storage use** must not discharge or emit across **lot lines**:
 - (a) Odours, toxic or noxious matter or vapour;
 - (b) Heat, glare, or radiation; or
 - (c) Recurrently generated ground vibration.
- (3) The maximum **height** of any **unenclosed storage use** may not be more than 3.5 m (11.5 ft) if the **lot abuts** any **lot** not located within an **Industrial Zone** or the BP1 Zone.
- (4) Where an **unenclosed storage use** is located on a **lot** which **abuts** any **highway** or **lot** not located within an **Industrial Zone** or the BP1 Zone, the **unenclosed storage use** must be completely screened to a **height** of at least 2.5 m (8.2 ft) by **buildings** or a solid decorative fence located within a **landscape and screening area** not less than 1.5 m (4.9 ft) in width, or both. No display or storage of materials shall exceed a **height** of 1.8 m (5.9 ft) within 6.0 m (19.7 ft) of the **landscape and screening area**.
- (5) Loading areas or truck yards associated with the **unenclosed storage use** must be screened as required in article 3.13.01(4).

3.14 Recycling Facilities

3.14.01 Recycling facilities are permitted in the CS1, CS2, M1, M2, and M3 Zones subject to the following requirements:

- (1) The maximum area for **unenclosed storage** and sorting area is 2,000.0 m² (0.5 ac); and
- (2) The use must comply with the regulations for **unenclosed storage** in Section 3.13 of this Bylaw.

3.15 Commercial Composting Facilities

3.15.01 In-vessel **commercial composting** of organic materials is permitted in any **Industrial Zone** or as otherwise permitted in Part 6 of this Bylaw, subject to the following requirements:

- (3) The minimum **lot area** is 1,500.0 m² (16,145.9 ft²); and
- (4) Despite Section 3.13 of this Bylaw, the maximum **height** of stored topsoil, measured to the uppermost point of a topsoil pile, is 5.0 m (16.4 ft) and the uppermost point must be located at least two times its **height** from any **lot line**.

3.16 Flood Control and Environmental Protection

3.16.01 Despite any other regulation in this Bylaw, no **building** or any part thereof may be constructed, reconstructed, moved, or extended, nor may any **manufactured home** or **structure** be located:

- (1) Within 30.0 m (98.4 ft) of the **natural boundary** of any **watercourse**;
- (2) 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:
 - (a) Less than 0.6 m (2.0 ft) above the two hundred year flood level as designated in the Official Community Plan; and
 - (b) Less than 1.5 m (4.9 ft) above the **natural boundary** of the sea or any other lake, swamp or pond; and
 - (c) Less than 1.5 m (4.9 ft) above the **natural boundary** of any other **watercourse**.
- (3) Article 3.16.01(2) does not apply to:
 - (a) An alteration of an existing **building** or **structure** used as a residence that does not involve an addition exceeding 25% of the **gross floor area** of the **building** or **structure** prior to the alteration; or
 - (b) Farm **buildings** other than **dwelling units** and closed sided livestock housing; or
 - (c) Closed-sided livestock housing, if such livestock housing is elevated 1.0 m (3.3 ft) above the natural ground elevation; or
 - (d) An industrial **building**, if such **building** is flood proofed to an elevation equal to the two hundred year flood level as designated in the Official Community Plan.

3.16.02 No fill may be placed to support a **building** or **structure**, within 30.0 m (98.4 ft) of the **natural boundary** of any **watercourse**.

3.16.03 Municipal pumphouses and pump houses for irrigation purposes on either agricultural land or golf courses are exempt from Subsections 3.16.01 and 3.16.02.

3.17 Location and Siting of Buildings and Structures

3.17.01 Swimming Pools

No permanent swimming pool may be located in any required **setback** from a **front lot line** or within 3.0 m (9.8 ft) of any **side lot line** or **rear lot line**.

3.17.02 Underground Structures

The whole or any part of a **structure** below finished ground elevation, other than a swimming pool, may be sited on any portion of a **lot**.

3.17.03 Visibility at Intersections

No person may place or permit to be placed or grow, or permit to be grown, any tree, shrub, plant, fence, or other structure within a **sight triangle** above an elevation such that an object 0.9 m (3.0 ft) above the surface elevation of one **highway** is obstructed if viewed from a point 0.9 m (3.0 ft) above the surface elevation of the other **highway**.

3.18 Projections into Required Setbacks

3.18.01 The following features may project into a required **setback**, to the extent specified in Table 1:

Table 1: Permitted Projections into Required Setbacks

Feature	Lot Size	Setback Required by Part 6 of this Bylaw	Type of Lot Line	Permitted Projection
Principal building , except those features noted separately below	All lots	From exterior side lot line	Exterior side lot line abutting a highway less than 4.5 m (14.8 ft) wide	Principal building may be located a minimum of 2.0 m (6.6 ft) from the exterior side lot line
Fireplaces, chimneys, eaves, gutters, bay windows, and ornamental features such as cornices, pilasters, belts courses, sills	All lots	3.0 m (9.8 ft) or greater	All types	Setback for the projecting feature only may be reduced by not more than 1.0 m (3.3 ft)
	All lots	Less than 3.0 m (9.8 ft)	Interior side lot line only	Setback for the projecting feature only may be reduced to 0.9 m (3.0 ft)
				Setback for projecting eaves and gutters only may be reduced to 0.45 m (1.5 ft)
Steps, sunlight control projections, canopies, balconies, decks (not including deck posts), or porches	Greater than or equal to 380.0 m ² (4,090.3 ft ²)	n/a	All types	Setback for the projecting feature only may be reduced by not more than 1.0 m (3.3 ft)
	Less than 380 m ² (4,090.3 ft ²)	n/a	Front or rear lot line only	Setback for the projecting feature only may be reduced by not more than 1.0 m (3.3 ft)

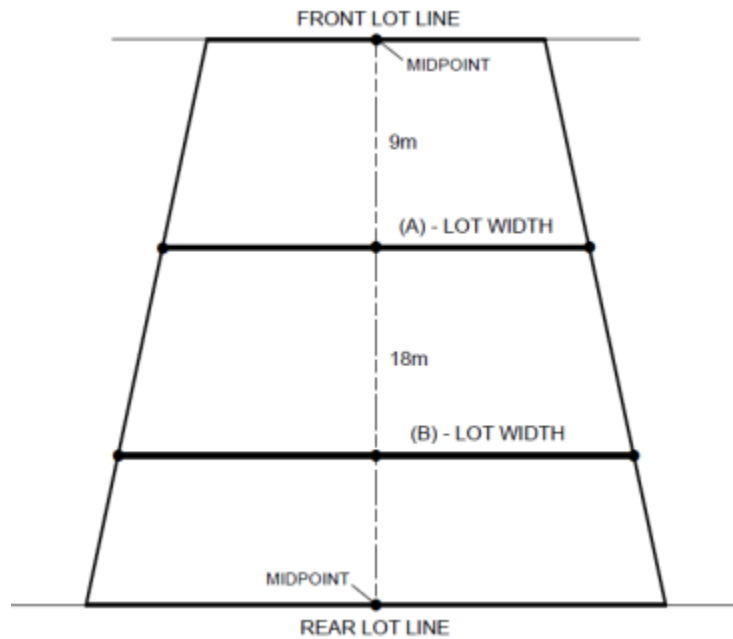
3.19 Calculation of Lot Width and Depth

3.19.01 Dimensions of **lots** are calculated as follows except where otherwise specified in Part 6 of this Bylaw.

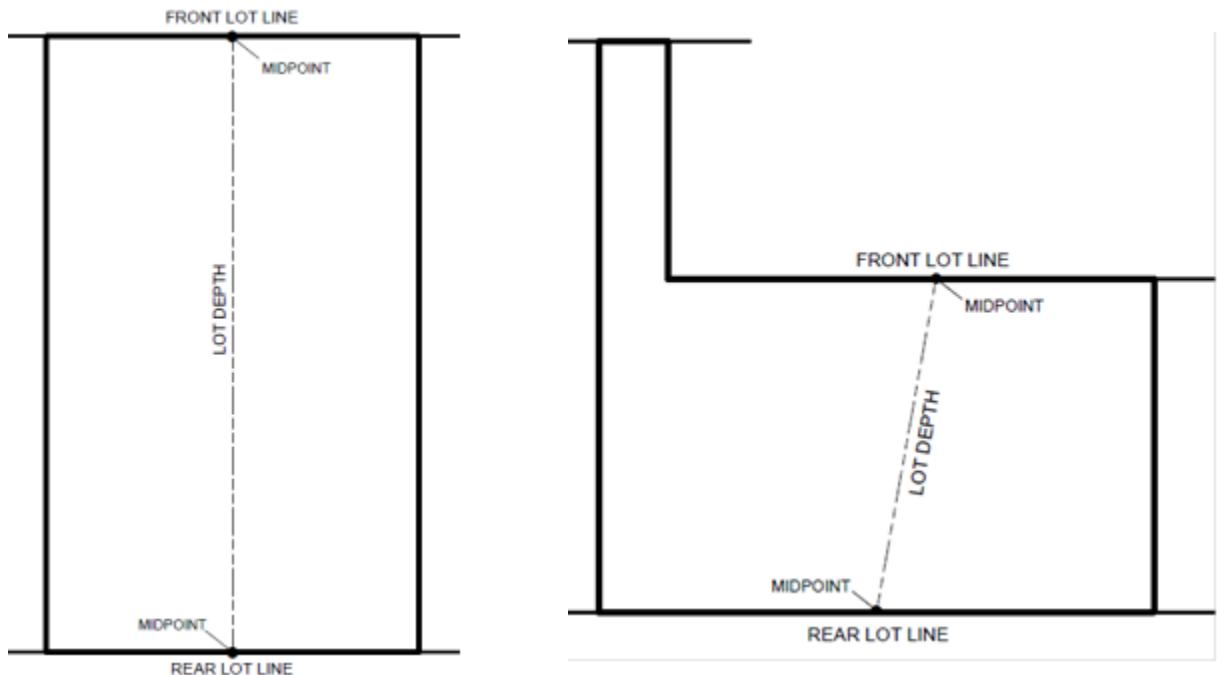
(1) **Lot width** will be the lesser of the following measurements:

- (a) The length of a line perpendicular to a line connecting the midpoints of the **front lot line** and **rear lot line** and 9.0 m (29.5 ft) to the rear of the **front lot line**; and

- (b) The length of a line perpendicular to a line connecting the midpoints of the **front lot line** and **rear lot line** and 18.0 m (59.1 ft) to the rear of the **front lot line**.



- (2) **Lot depth** will be the length of a line connecting the mid-points of the **front lot line** and **rear lot line**.



3.20 Height Exceptions

- 3.20.01 The **height** regulations specified elsewhere in this Bylaw do not apply to church spires, church belfries, church domes, fire and hose towers, public observation towers, transmission towers, chimneys, radio towers, or elevator and ventilating machinery penthouses provided that no such

structure covers more than 20% of the **lot** or, if located on a **building**, not more than 10% of the roof area of the **principal building** on that **lot**, or to stadiums, utility poles, flag poles bearing the flag of Canada or British Columbia, or **drive-in theatre** projection screens.

3.21 Landscaping and Screening

3.21.01 All Zones

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, in every Zone except as otherwise expressly required or permitted in this Bylaw.

- (1) The minimum width for **landscape and screening areas** required by this Bylaw is 1.0 m (3.3 ft).
- (2) Wherever possible, **landscape and screening areas** shall retain existing trees and natural vegetation, other than invasive species, and add planting that enhances the natural environment.
- (3) Required **landscape and screening areas** must not be located on septic fields, and a septic field must not be located in a required **landscape and screening area**, unless approved in writing by the Vancouver Island Health Authority.
- (4) Where a landscape plan is required to be submitted as part of a Development Permit application, the provisions of this Bylaw will apply in addition to those contained in the City of Langford Landscape Policy No. 6630-00 and the applicable Development Permit guidelines.

3.21.02 Residential, Multiple Residential, Commercial, Industrial, and Institutional Zones

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 in **Multiple Residential, Commercial, Industrial and Institutional Zones** except as otherwise expressly required or permitted in this Bylaw.

- (1) All planted areas (trees, shrubs, groundcover, lawn, raised beds and planters in a **landscape and screening area** must be serviced and maintained by an underground automatic irrigation system.
- (2) On **lots** within a **Multiple Residential Zone**, a landscape screen must be provided along any **interior side lot line** extending back from the **front building line** of the **principal building** to the **rear lot line**, and along the **rear lot line**. It must consist of a continuous **landscape and screening area** of at least 1.0 m (3.3 ft) in width containing a decorative fence of a minimum **height** of 1.8 m (5.9 ft) and decorative planting.
- (3) **Landscape and screening areas** between vehicle parking areas and **highways** must be provided with a low hardy shrub or hedge at a minimum **height** of 1.2 m (3.9 ft) at the time of planting that effectively screen vehicle headlights.

3.21.03 Fences

- (1) The **height** of a fence is, for the purposes of this Bylaw, the vertical distance from the average finished ground level at any point along the fence to the highest part of the fence directly above.

- (2) Fences may be constructed within any required **setback**, other than that portion of a **lot** that is within a **sight triangle**, and that portion of a **lot** that is within a designated Interface Fire Hazard or Riparian Development Permit Area unless either authorized by a Development Permit or specifically exempted from the requirements of a Development Permit.
- (3) Fences **abutting** a **highway** within the required **setback** from a **front lot line** in all **zones** shall not exceed a **height** of 1.2 m (3.9 ft) and shall be constructed of wrought iron, picket or similar style providing less than complete visual screening.
- (4) The following regulations apply to fences on **lots** containing **one-family dwellings, two-family dwellings** or **townhouse uses**:
 - (a) Fences along **interior side lot lines** and **rear lot lines** (where not **abutting** a **highway**) shall not exceed a **height** of 1.8 m (5.9 ft);
 - (b) Despite Article 3.21.03(3), that portion of a fence **abutting** a **highway** that is at least 1.8 m (5.9 ft) to the rear of the **front building line** may exceed 1.2 m (3.9 ft) in **height** but shall not exceed a **height** of 1.8 m (5.9 ft) and may be constructed with a solid style.
- (5) Ornamental features such as arbours or gates are exempt from the **height** restrictions of this Subsection.

3.22 Compliance with Lot Area Regulations

- 3.22.01 **Lots** created by subdivision must comply with the minimum and average **lot area** regulations set out in Part 6 of this Bylaw except that a park to be dedicated upon deposit of the subdivision plan need not comply with those regulations.
- 3.22.02 For the purposes of this Bylaw, average **lot area** is the sum of the **lot areas** of the proposed **lots** divided by the number of proposed **lots**:
- 3.22.03 The average and minimum **lot** sizes in Part 6 of this Bylaw do not apply:
 - (1) If the **lot** being created is to be used solely for the unattended equipment necessary for the operation of facilities referred to in articles 3.01.01(2) and (3) of this Bylaw or for a community water or sewer system, a community gas distribution system, a community radio or telephone receiving antenna, a radio or television broadcasting antenna, a telecommunication relay, an automatic telephone exchange, an air or marine navigational aid, an electrical substation or generating station road access, and any other similar public service or utility and the owner grants to the City of Langford a covenant under the Land Title Act restricting the **use** of the **lot** to that **use** and prohibiting the disposal of that **lot** except through dedication to the City of Langford.
 - (2) If the **lot** being created is for park **use**, an ecological reserve, or dedication to the Crown.
- 3.22.04 The **Approving Officer** may approve a subdivision consolidation containing **lots** with **lot areas** or **lot widths** less than the requirements in this Bylaw if:
 - (1) The subdivision consolidation creates a lesser number of **lots**; and
 - (2) The smallest **lot** created is larger than the smallest of the **lots** being consolidated.

3.23 Enforcement of Siting Regulations

- 3.23.01 Every application for a Building Permit must provide a plan signed by a B.C. Land Surveyor showing the location on the **lot** of all existing and proposed **buildings, structures** and sewage absorption fields in relation to **lot** and **Zone** boundaries, **watercourses**, wells and the sea, and in relation to other **buildings** on the **lot**, unless the Building Inspector determines that the provision of such plan is not reasonably necessary to establish whether proposed **buildings, structures** and sewage absorption fields comply with the siting requirements of this Bylaw.
- 3.23.02 Every applicant for a Development Permit or a Development Variance Permit must provide a plan as described in Subsection 3.23.01 unless the City of Langford Council makes the determination referred to in that Section.

3.24 Conversion of Building Use

- 3.24.01 **Buildings** may be converted, altered, or remodeled for another **use**, provided that the converted **building** conforms to all the provisions and regulations prescribed in this Bylaw for the **Zone** in which it is located, as well as any applicable provisions and regulations of the BC Building Code and the City of Langford Building and Plumbing Bylaw.

3.25 Covenants Against Building and Subdivision

- 3.25.01 Where, under this Bylaw, an owner of land is required or authorized to grant a covenant restricting subdivision or development, the covenant must be granted to the City of Langford in priority to all financial charges and delivered in registerable form satisfactory to the City prior to the granting of the approval or authorization in respect of which the covenant is required. The covenant must indemnify the City of Langford in respect of any fees or expenses it may incur as a result of a breach of the covenant by the covenantor.

3.26 Community Care Facilities and Group Daycares

- 3.26.01 In addition to, and despite any other regulations for **community care facilities** in any **Zone** in this Bylaw, the following regulations apply to **community care facilities** in any **Zone** in which they are a permitted **use**:
- (1) A **community care facility** may not exist in conjunction with any other permitted **use** on the same property;
 - (2) With the sole exception of a **home occupation daycare**, a **community care facility** is not permitted as a **home occupation** in a **two-family dwelling**, a **townhouse**, an **apartment**, or a **mobile home**;
 - (3) Despite Article 3.26.01(1), a **community care facility** may be operated as a **home occupation**, subject to Section 3.09, provided that the **one-family dwelling** in which the **community care facility** is operated is occupied by the caretaker or proprietor of the **community care facility**;
 - (4) Despite Article 3.26.01(1), a **community care facility** may be operated as a **home occupation**, subject to Section 3.09, in conjunction with a **home office use** within the same **one-family dwelling** ;
 - (5) Despite Article 3.26.01(1), a **community care facility** may be operated on the same **lot** as any institutional **use**; and

- (6) Despite Article 3.26.01(1), a **community care facility** may be operated on the same **lot** as any other **use** in the CT3 Zone.

3.26.02 The following regulations apply to **group daycares** in any **Zone** in which they are a permitted **use**:

- (1) In **Residential Zones**, a **group daycare** is permitted only where the **dwelling unit** is occupied by the proprietor of the **group daycare**, and only in a **one-family dwelling** or a permitted **accessory building** associated with a **one-family dwelling**;
- (2) In **Commercial** and **Institutional Zones**, a **group daycare** is permitted as a stand-alone **use**;
- (3) In the C8, C8A, MU1, and MU1A Zones, a **group daycare** is only permitted within commercially designated space on the ground floor;
- (4) A **group daycare** limited to a capacity of 20 children is permitted on **lots** with **lot areas** less than or equal to 1,099.0 m² (11,829.5 ft²);
- (5) A **group daycare** limited to a capacity of 36 children is permitted on **lots** with **lot areas** greater than 1,099.0 m² (11,829.5 ft²);
- (6) **Group daycares** permitted by Article 3.26.02(5) must not be sited within 15.0 m (49.2 ft) of any **lot line abutting** a **lot** occupied by a **one-family dwelling** or **two-family dwelling**;
- (7) **Group daycares** in a **Residential Zone** and **home occupation daycares** are not permitted in conjunction with a suite;
- (8) Despite any provision of Section 3.09 of this Bylaw, and in addition to the off-street parking spaces required for the **dwelling unit** by Part 4 of this Bylaw, a **group daycare** in a **Residential Zone** shall provide two off-street parking spaces for pick-up and drop-off and one additional parking space per non-resident employee; and
- (9) Despite Article 3.26.02(4), a **group daycare** with a capacity of up to 28 children is permitted on the lot legally described as Lot 11, Section 5, Esquimalt District, Plan 7165 (2758 Peatt Rd).
- (10) Despite Section 3.05, children's play equipment associated with a **group daycare** in non-**residential zones** may be located a minimum of 1.0 m (3.3 ft) from any **lot line**.

3.26.03 A **group daycare** or **community care facility** shall provide a 1.8 m (5.9 ft) high decorative solid wood fence along all **lot lines abutting** a **lot** containing a **one-family dwelling** or **two-family dwelling**.

3.27 Temporary Commercial Use and Temporary Industrial Use Permit Areas

3.27.01 All land within the City of Langford as shown on Schedule "A" (Zoning Map) is designated as an area where Temporary Commercial Use Permits may be issued in accordance with Section 921 of the *Local Government Act*.

3.27.02 All land within the City of Langford as shown on Schedule "A" (Zoning Map) is designated as an area where Temporary Industrial Use Permits may be issued in accordance with Section 921 of the *Local Government Act*.

- 3.27.03 Council may require, as a condition of issuance of a Temporary Use Permit, that development meet the current requirements of the applicable Development Permit Area.
- 3.27.04 Council may require the following information in regards to the land for which a Temporary Use Permit is being sought either as a condition of issuance, or prior to issuance of a Temporary Use Permit:
- (1) A geotechnical evaluation;
 - (2) An environmental impact assessment;
 - (3) A wildfire hazard assessment;
 - (4) A stormwater management and drainage plan;
 - (5) A groundwater management plan;
 - (6) A soil removal plan;
 - (7) An acoustical analysis and sound attenuation plan;
 - (8) A traffic analysis and traffic impact mitigation plan;
 - (9) A parking study and parking plan;
 - (10) A site lighting plan; and
 - (11) An analysis of the impact of the proposal on the visual quality of the site from surrounding properties.

Part 4 PARKING REGULATIONS

Section 4.01 – Off-Street Parking

4.01.01 Required Number of Off-Street Parking Spaces

When any new **use** of land, **buildings** or **structures** takes place or when any existing **use** of land, **buildings** or **structures** is enlarged or increased in capacity, provision must be made for off-street vehicular parking spaces and bicycle parking spaces in accordance with the standards set out in this Section. The number of off-street parking spaces required in respect of particular **uses** is set out in Table 1, and where a particular **use** is not listed the number required for the listed **use** that is most similar in parking demand characteristics shall apply. Furthermore, where a rezoning application is submitted to establish a land **use** not listed in Table 1, Council may require a Parking Demand Study to be provided as part of that rezoning application and subsequently add a parking requirement to Table 1. Where calculations of the required number of off-street parking spaces results in fractional numbers, calculations will be rounded to the nearest whole number (e.g. 4.5 shall be rounded to 5; 4.45 shall be rounded to 4).

Table 1 – Off-Street Parking Requirements (GFA = Gross Floor Area)		
Land Use Category	Minimum Number of Parking Spaces Required	
I. RESIDENTIAL		
Affordable housing developed in accordance with the City of Langford Affordable Housing Policy	1 per dwelling unit	
Apartment in City Centre and the Mixed Use Employment Centre designation as shown on Map 2 in Bylaw No. 1200, unless otherwise specified in this bylaw.	1.25 spaces per dwelling unit with two bedrooms or less, of which 0.25 shall be designated for visitor parking; 2.25 spaces per dwelling unit with more than 2 bedrooms, of which 0.25 shall be designated for visitor parking;	
Apartment outside City Centre and the Mixed Use Employment Centre designation as shown on Map 2 in Bylaw No. 1200, unless otherwise specified in this bylaw.	2.75 spaces per dwelling unit with two bedrooms or less, of which 0.25 shall be designated for visitor parking; 3.75 spaces per dwelling unit with more than 2 bedrooms, of which 0.25 shall be designated for visitor parking;	
Apartments within the CD1, CD3, CD4, RCBM1 and RCBM2, and CD12 Zones	1.5 per dwelling unit plus 1 per 4 dwelling units assigned to visitors only	
Assisted living	1 per 4 dwelling units	
Boarders , the keeping of	1 per sleeping unit	
Dwelling unit in Area 3 of the CD1 Zone	2 per dwelling unit	
Mobile home or modular home	2 per home site	Visitor Parking Spaces (in addition to #/home site)
		1 per 5 home sites or part thereof
One-family dwelling	2 per dwelling unit	
Suite	1 per dwelling unit	
Townhouse (subdivided pursuant to the <i>Strata Property Act</i>)	2 per dwelling unit	Visitor Parking Spaces (in addition to #/unit)

		< 10 units	2
		11 to 15 units	3
		16 to 20 units	4
		21+ units	5
Townhouse (subdivided pursuant to the <i>Land Title Act</i>)	3 per dwelling unit OR 2 per dwelling unit when a minimum of 1 on-street parking space per every 3 dwelling units is created within the frontage of the subject property		
Two-family dwelling	2 per dwelling unit		
II. COMMERCIAL			
Animal hospital or veterinary practice	1 per 28.0 m ² (301.4 ft ²) GFA		
Auction	1 per 20.0 m ² (215.3 ft ²) GFA		
Automobile rental and sale, minor Automobile repair and service, minor	Minimum of 4 for customers and staff plus 1 per 55.0 m ² (592.0 ft ²) GFA of Office and sales area combined, and 3 per service bay for customer vehicles		
Automobile rental and sale, major Automobile repair and service, major	Greater of: 3 and 1 per 100.0 m ² (1,076.4 ft ²) GFA 3 per service bay		
Banquet and catering facility	Greater of: 1 per 5 seats and 1 per 30.0 m ² (322.8 ft ²) GFA		
Bed and breakfast	1 per rental room plus required parking for any other uses		
Building and lumber supply store (< 929.0 m ² (10,000 ft ²) GFA)	1 per 20.0 m ² (215.3 ft ²) GFA of retail floor area		
Building and lumber supply store (> 929.0 m ² (10,000 ft ²) GFA)	1 per 35.0 m ² (376.7 ft ²) GFA of retail floor area		
Business support service	1 35.0 m ² (376.7 ft ²) GFA		
Car wash	2 per wash bay		
Caretaker dwelling unit	1 per caretaker dwelling unit		
Commercial uses in the C6A and C6B Zones	1 per 25.0 m ² (269.1 ft ²) GFA		
Commercial uses in the C6C Zone	1 per 30.0 m ² (322.9 ft ²) GFA		
Commercial uses in the C10 Zone	1 per 30.0 m ² (322.9 ft ²) GFA		
Commercial uses in Downtown Pedestrian Commercial Area as shown on Map 21 in Bylaw No. 1200	1 per 35.0 m ² (376.7 ft ²) GFA		
Commercial uses on the property legally described as Lot A, Section 5, Esquimalt District, Plan 19712 (2871 Jacklin Road)	1 per 30.0 m ² (322.9 ft ²) of commercial GFA		
Commercial uses on the property legally described as Lot 12, Section 5, Esquimalt District, Plan 7165 in the C8 Zone	7		
Convenience store	1 per 35.0 m ² (376.7 ft ²) GFA or a minimum of 4		
Equipment sales, service, repair and rental, minor	Greater of: 3 and 1 per 45.0 m ² (484.4 ft ²) GFA		
Fitness centre	1 per 25.0 m ² (269.1 ft ²) GFA		
Financial institution and drive-through financial institution	1 per 22.0 m ² (236.8 ft ²) GFA		
Funeral parlour	Greater of 1 per 4 seats and 1 per 5.6 m ² (60.2 ft ²) of assembly space		
Gasoline service station	2		
Gasoline service station with convenience store	10 plus required parking for additional uses such as automobile repair		

Group daycare limited to a capacity of 41 children and dance studio limited to a GFA of 80.0 m ² (861.1 ft ²) on the property legally described as Lot 29, Section 1, Range 2 West, Highland District, Plan 13385 (2285 Bellamy Road)	6
Home business other than a home occupation daycare	1 per business for patrons plus 1 per non-resident employee
Home industry	2 per business for patrons plus 1 per non-resident employee
Home occupation daycare , other than in a one-family dwelling	1 for pick-up and drop-off and 1 per non-resident employee
Hotel	1 per rental room
Hotel with restaurant or conference facility	1 per rental room plus 1 per 4 seats in a restaurant , or 1 per 5 seats in a conference facility
Household equipment and appliance service and repair	1 per 50.0 m ² (538.2 ft ²) GFA
Laundromat/Coin-op Dry Cleaning Without Dry Cleaners	Greater of: 1 per 19.0 m ² (204.5 ft ²) GFA and 1 per 2 washing machines
Laundry/With Dry Cleaners	1 per 20.0 m ² (215.3 ft ²) GFA
Licensed premises	1 per 35.0 m ² (376.7 ft ²) GFA where liquor is served
Liquor store	1 per 13.0 m ² (139.9 ft ²) GFA
Office	1 per 35.0 m ² (376.7 ft ²) GFA
Office (medical or dental)	1 per 25.0 m ² (269.1 ft ²) GFA
Personal service establishment	1 per 20.0 m ² (215.3 ft ²) GFA
Recycling depot	1 per 47.0 m ² (505.9 ft ²) of building area
Restaurant and drive-through restaurant	1 per 4 seats
Retail store >2,000.0 m ² (21,527.8 ft ²) GFA	1 per 30.0 m ² (322.9 ft ²) GFA
Retail store <2,000.0 m ² (21,527.8 ft ²) GFA) selling furniture, appliances, carpets or similar Uses	1 per 80.0 m ² (861.1 ft ²) GFA
Retail store > or = 2,000.0 m ² (21,527.8 ft ²) GFA selling furniture, appliances, carpets or similar Uses	1 per 100.0 m ² (1,076.4 ft ²) GFA
Shopping centre	1 per 20.0 m ² (215.3 ft ²) GFA
Sign shop	1 per 40.0 m ² (430.6 ft ²) GFA
Taxi office	2 plus 1 per taxi dispatched from the premises
Tires sales/repair	2 in addition to 2 spaces per service bay
Transportation terminal	1 per 30.0 m ² (322.9 ft ²) GFA
TV/radio station	1 per 40.0 m ² (430.6 ft ²) GFA
Uses not specifically listed in this Table	1 per 20.0 m ² (215.3 ft ²) GFA
III. INDUSTRIAL	
Commercial uses in the Business Park Zones , excluding the BP3 Zone	1 per 45.0 m ² (484.4 ft ²) GFA
Commercial or business uses in the BT1 Zone, except as otherwise specified	1 per 30.0 m ² (322.9 ft ²) GFA
Heavy industrial uses	1 per 90.0 m ² (968.8 ft ²) GFA
Light and general industrial uses	1 per 45.0 m ² (484.4 ft ²) GFA
Manufacturing	1 per 100.0 m ² (1,076.4 ft ²) GFA
Mini-Storage Facility (individual units)	1 per 185.0 m ² (1,991.3 ft ²) GFA
Mini-Storage Facility (warehouse style)	1 per 400.0 m ² (4,305.6 ft ²) GFA

Special wholesale	1 per 100.0 m ² (1,076.4 ft ²) GFA	
Uses in the BP3 Zone	1 per 100.0 m ² (1,076.4 ft ²) GFA; or 1 per 25.0 m ² (269.1 ft ²) GFA for a medical office	
Warehouse (storage)	1 per 200.0 m ² (2,152.8 ft ²) GFA	
IV. INSTITUTIONAL		
Ambulance station	1 per 20.0 m ² (215.3 ft ²) GFA	
Business support service (post office)	1 per 20.0 m ² (215.3 ft ²) GFA	
Community care facility	1 per 3 beds	
Fire station	1 per 40.0 m ² (430.6 ft ²) GFA	
Group daycare	2 plus 1 per staff person plus required parking for any other uses	
Home occupation daycare	1 plus 1 per non-resident staff person, in addition to the required parking for any other use on the same lot .	
Hospital	Greater of: 1.8 per bed and 1 per 56.0 m ² (602.8 ft ²) GFA	
Place of worship	Greater of: 1 per 8.0 m ² (86.1 ft ²) GFA of assembly area and office , based on maximum permitted occupancy and 1 per 10 seats	
Police station	1 per employee	
Preschool	1 per 5 children (minimum of 4 spaces)	
School (K-grade 10)	2 per 25 students	
School (grades 11-12)	4.5 per 25 students	
Training and education facility	1 per 30.0 m ² (322.9 ft ²) GFA	
University	1 per 50.0 m ² (538.2 ft ²) GFA	
V. MARINE		
Marine Repair and Service	3 per service bay	
Marine Sales and Rental	1 plus 1 per 45 m ² (484.4 ft ²) GFA of sales and office area combined	
VI. RECREATIONAL/CULTURAL		
Archery/shooting range	1 per target corridor	
Arena/roller/ice skating rink	Greater of 1 per 60.0 m ² (645.8 ft ²) of rink surface and 1 per 3 seats	
Batting cage	1 per cage	
Bowling alley/bowling green	3 per alley	
Campground	1 per site	Visitor Parking Space (in addition to #/site)
		1 per 6 sites
Charitable facility or cultural facility	1 per 10.0 m ² (107.6 ft ²) GFA	
Curling rink	1 per employee plus 4 per ice sheet	
Equestrian facility	1 per boarded and rental horse plus 1 per employee	
Entertainment establishment	1 per 14.0 m ² (150.7 ft ²) GFA	
Fitness centre on land legally described as Lot 1, Sections 79 and 80, Esquimalt District, Plan VIP51550 except parts in Plans VIP66561 and VIP74375 (1060 Henry Eng Place)	29	
Golf course	4 per golf hole	
Golf course, miniature	1 per hole plus 1 space per 2 employees	
Golf driving range	1 per tee plus 1 space per 2 employees	
Recreation facility, indoor	1 per 20.0 m ² (215.3 ft ²) GFA	
Stadium	1 per 3 seats	
Swimming pool (public)	1 per 5.0 m ² (53.8 ft ²) of pool water surface	
Tennis/racquetball courts	3 per court	
Theatre (including cinemas)	1 per 4 seats	
Tourist attraction	1 per 4 persons capacity	

Table 2 – Bicycle Parking Requirements (GFA = Gross Floor Area)	
Land Use Category	Minimum Number of Bicycle Parking Spaces Required
RESIDENTIAL	
Apartment	1 per dwelling unit
Assisted living	1 per 15 dwelling units
Townhouse	1 per dwelling unit
COMMERCIAL	
Hotel	1 per 15 rental rooms
Office	1 per 250.0 m ² (2,691.0 ft ²) GFA for the first 5,000 m ² (53,819.6 ft ²) and 1 per 500.0 m ² (5,382.0 ft ²) GFA for any additional area.
Shopping centre and retail store >2,000.0 m ² (21,527.8 ft ²) GFA	1 per 250.0 m ² (2,691.0 ft ²) GFA for the first 5,000 m ² (53,819.6 ft ²) and 1 per 500.0 m ² (5,382.0 ft ²) GFA for any additional area.
INDUSTRIAL	
Industrial use	1 per 950.0 m ² (10,225.7 ft ²) GFA
INSTITUTIONAL	
Community care facility	1 per 15 dwelling units
Cultural facility or library	1 per 100.0 m ² (1,076.4 ft ²) GFA
Hospital	1 per 500.0 m ² (5,382.0 ft ²) GFA plus 6 in a rack at each entrance
Place of Worship	1 per 50 occupants, based on maximum permitted occupancy
School (Elementary)	1 per 10 employees plus 1 per 10 students
School (Junior Secondary/Middle)	1 per 10 employees plus 1 per 8 students
School (Senior Secondary)	1 per 10 employees plus 1 per 8 students
Training and education facility	1 per 10 employees plus 1 per 5 students
University	1 per 10 employees plus 1 per 5 students (full-time, max attendance)
CULTURAL & RECREATIONAL	
Bowling alley, curling rink	1 per 2 alleys or sheets
Fitness centre	1 per 80.0 m ² (861.1 ft ²) of surface area
Recreation facility, stadium, arena, pool, cultural facility, assembly occupancy, and/or similar places with spectator facilities	1 per 100.0 m ² (1,076.4 ft ²) GFA

4.01.02 Parking Spaces and Aisle Dimensions

Vehicle parking spaces and aisles provided must be in accordance with the following standards:

Table 1 – Dimensions of Parking Spaces and Aisles					
Parking Angle in Degrees	Width of Space	Depth of Space Perpendicular to Manoeuvring Aisle	Width of Space Parallel to Manoeuvring Aisle	Overall Depth of Manoeuvring Aisle	Width of Manoeuvring Aisle
0	7.0 m (23.0 ft)	2.6 m (8.5 ft)	7.0 m (23.0 ft)	8.9 m (29.2 ft)	3.7 m (12.1 ft)
30	2.6 m (8.5 ft)	5.0 m (16.4 ft)	5.2 m (17.1 ft)	13.7 m (44.9 ft)	3.7 m (12.1 ft)
45	2.6 m (8.5 ft)	5.7 m (18.7 ft)	3.7 m (12.1 ft)	15.5 m (50.9 ft)	4.1 m (13.5 ft)
60	2.6 m (8.5 ft)	6.0 m (19.7 ft)	3.0 m (9.8 ft)	17.6 m (57.7 ft)	5.6 m (18.4 ft)

90	2.6 m (8.5 ft)	5.5 m (18.0 ft)	2.6 m (8.5 ft)	18.0 m (59.1 ft)	7.0 m (23.0 ft) – may be reduced to 6.7 m (22.0 ft) for in- building and underground private parking in multi-family residential developments
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- (1) If a parking space **abuts** an obstruction, wall or fence of more than 0.3 m (1.0 ft) in **height** on one side, the clear width of the parking space must be at least 2.7 m (8.9 ft). If a parking space is obstructed on two sides, the clear width of the parking space must be at least 3.0 m (9.8 ft).

4.01.03 Access to Parking Spaces

- (1) All required parking spaces must be freely accessible from a **highway** or access easement registered in favour of the City of Langford.
- (2) All parking spaces must be kept clear and unobstructed when not occupied by vehicles.

4.01.04 Location of Parking Spaces

- (1) The off-street parking requirement for commercial and visitor uses may be reduced by up to 10%, provided that a cash contribution of \$7,500 per parking space required but not provided is paid to the City, and reduced by up to 15% provided that a cash contribution of \$11,000 is paid to the City in respect of each space by which the parking requirement is reduced beyond 10%.
- (2) Off-street parking is permitted in any required **setback** from any **lot line**, and in any **Zone** except that;
 - (a) In all **Multiple Residential Zones**, off-street parking **may not** be located in any required **setback** from a **front lot line**;
 - (b) In all **Institutional Zones**, off-street parking **may not** be located in any required **setback** from a **front lot line**;
 - (c) On a **corner lot** located in a Residential Small Lot Zone, off-street parking **may not** be located in any required **setback** from an **exterior side lot line**;
 - (d) On a **corner lot** occupied by a **two-family dwelling** in the R2 Zone, off-street parking **may not** be located in any required **setback** from an **exterior side lot line**;
 - (e) On a **corner lot** occupied by any multi-family dwelling in any **Multiple Residential Zone**, off-street parking **may not** be located in any required **setback** from an **exterior side lot line**.
- (3) Where a lot contains both commercial and multi-family residential uses, the off-street parking spaces required for visitor parking for the multi-family residential use may be counted towards the parking required for commercial uses provided that a covenant in

favour of the City is registered on title restricting the use of the parking spaces in accordance with this Article.

- (4) A required parking space may be open or enclosed, and may be outside, under, within, or on the roof of a building.
- (5) Small car parking spaces are permitted subject to the following:
 - (a) Small car parking spaces may only account for a maximum of one third of the total parking spaces required for all uses;
 - (b) The depth of the spaces for small cars for 90 degree parking may be reduced from 5.5m (18ft) to 4.5m (15ft); and
 - (c) Small car parking spaces must be clearly marked "small car use only".

4.01.05 Payment in Lieu of Required Off-Street Parking

- (1) Required parking spaces for all uses shall be provided on the same site as the building or use in respect of which the spaces are required, except that for any permitted commercial use in a commercial zone, a mixed-use commercial and residential zone, a business park zone, or any part of a Comprehensive Development Zone where a commercial use is permitted, an owner or occupier may comply with subsection (a) or (b):
 - (a) Provided a building, structure, or use for which application for payment in lieu is not located more than 150m (492ft) from a Municipal parking facility, the Municipality will accept a payment in lieu of the number of on-site parking spaces. The payment shall be eleven thousand dollars (\$11000) per parking space required.
 - (b) Required parking spaces may be provided on land other than that in respect of which the spaces are required, provided that:
 - (i) The parking site is located within a distance of 150m (492ft) from the site where the building, structure, or use requiring provision of parking is located or carried on; and
 - (ii) An easement or covenant in favour of the municipality is registered against the title of the parking site, requiring that it is to be used to provide the required number of parking spaces for the building, structure or use which requires the parking.
 - (iii) Clauses (a) and (b) shall not apply to properties which have direct access to highways controlled by the Ministry of Transportation. Parking on those properties shall be in accordance with the most recent edition of the *Parking and Trip Generation Rates Manual* of the Province of British Columbia Ministry of Transportation and Highways, High Planning and Policy Branch, or Section 4.01 of this Bylaw, whichever is greater.

4.01.06 Maintenance Requirements for Off-Street Parking Areas

- (1) Every off-street parking space in a **Multiple Residential Zone** or Neighbourhood Public House Zone and the access thereto must be hard-surfaced and demarcated, if the number of parking spaces exceeds two and if the access is from a **highway** which is hard-surfaced.
- (2) Every off-street parking space in a **Commercial Zone** and a **Business Park Zone** and the

access thereto must be hard-surfaced and demarcated if the access is from a **highway** which is hard-surfaced.

- (3) Every off-street parking space in an **Industrial Zone** and the access thereto must be hard-surfaced and demarcated if such space is located in front of the **principal building**. Any area at the rear or the side of the **principal building** provided or required for off-street parking need not be hard-surfaced, but must be surfaced so as to minimize the carrying of dirt or foreign matter upon the highway.
- (4) For the purposes of this Subsection, "hard-surfaced" means the provision of durable, dust-free road surface construction of concrete, asphalt or similar material.
- (5) Any lighting of parking spaces must be so arranged as to direct the light exclusively on the parking area at illumination levels of 11 Lux or less.

4.01.07 Accessible Parking

- (1) In addition to parking spaces for disabled persons required by the Building Code, all commercial **uses** must provide a minimum of one parking space for disabled persons where Table 1 of Section 4.01.01 requires the provision of more than 10 and fewer than 30 off-street parking spaces, excluding those required for **dwelling units**, and for every 50 parking spaces of part thereof in excess of 30.
- (2) Accessible parking stalls must be sized and located as follows:
 - (a) With minimum width of 3.7 m (12.1 ft) and a minimum depth of 5.8 m (19.0 ft) or a minimum width of 2.8 m (9.2 ft), provided an additional 1.2 m (3.9 ft) wide loading zone is included and is shared with an **abutting** accessible parking space. The minimum functional width of each accessible space must be 3.7 m (12.1 ft);
 - (b) Marked with an international symbol of accessibility for the disabled in conformance with the B.C. Building Code; and
 - (c) Connected to the **building** entrance by a marked access route that avoids travel behind parked vehicles.

Section 4.02 – Off-Street Loading

4.02.01 Off-Street Loading Spaces

The owners or occupiers of any **building** in any **zone** must provide off-street loading spaces in accordance with the following requirements:

Use of Building Site	Gross Floor Area	Required Number of Off-Street Loading Spaces
Retail store, industrial use, warehouse, or similar use	300.0 m ² to 500.0 m ² (3,229.2 ft ² to 5,382.0 ft ²)	1 space
	500.0 m ² to 2,500.0 m ² (5,382.0 ft ² to 26,909.8 ft ²)	2 spaces
	Each additional 2,500.0 m ² (26,909.8 ft ²) or fraction thereof	1 additional space
Office, assembly occupancy, hospital,	300.0 m ² to 3,000.0 m ² (3,229.2 ft ² to 32,291.7 ft ²)	1 space

institutional Use, utility , school or other similar use	Each additional 3,000.0 m ² (32,291.7 ft ²) or fraction thereof	1 additional space
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4.02.02 Access to Loading and Unloading Space

Access to the loading space must be so arranged that no backing or turning movements of vehicles going to and from the site causes interference with traffic on the **abutting highways**.

4.02.03 Location of Loading and Unloading Space

All loading spaces must be located on the site in such a way that all materials and commodities loaded or unloaded can be easily collected or distributed within the site from or to all tenants or occupants.

4.02.04 Size of Loading and Unloading Space

Every loading space must be of adequate size and with adequate access thereto, to accommodate the types of vehicles which will be loading or unloading but in no case may the space be less than 30.0 m² (322.9 ft²) in area or less than 2.5 m (8.2 ft) in width or provide less than 4.0 m (13.1 ft) of overhead clearance.

Part 5 ESTABLISHMENT OF ZONES

5.01 Division into Zones

- 5.01.01 The City of Langford is divided into the **zones**, the geographic boundaries of which are as shown on the Zoning Maps designated as Schedule “B” that forms part of this Bylaw.

5.02 Zone Boundaries

- 5.02.01 Where a **zone** boundary is shown on Schedule “B” as following any **highway**, right-of-way of stream, the centre line of such **highway**, right-of-way or stream is the **zone** boundary.
- 5.02.02 Where a **zone** boundary shown on Schedule “B” does not follow a legally defined line and no dimensions are shown by which the boundary could otherwise be located, the location of the boundary must be determined by scaling from Schedule “B”.

5.03 Lots Divided by a Zone Boundary

- 5.03.01 If a **lot** is divided by one or more **zone** boundaries, each of the **lot** portions enclosed by the **lot** boundaries and the **zone** boundaries must be considered as a separate **lot** for the purposes of determining the requirements of this Bylaw in respect of subdivision.
- 5.03.02 In the circumstances described in Subsection 5.03.01, the number of dwellings permitted on a **lot** must be calculated with reference to the areas of the portions of the **lot** lying within each **zone**, and dwellings may only be constructed if and to the extent that the density regulation for the **zone** in which the construction is to occur is complied with.
- 5.03.03 In the circumstances described in Subsection 5.03.01, if one of the portions of the **lot** is in an **Agricultural Zone**, any dwelling permitted in respect of that portion of the **lot** may, despite any other provision of this Bylaw, be constructed on another portion of the **lot**.

5.04 Short Form of Zones

- 5.04.01 The **zone** categories, **zone** designations and the short forms used in this Bylaw are:

Agricultural Zones

Agriculture 1	AG1
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Rural Residential Zones

Rural Residential 1	RR1
Rural Residential 2	RR2
Rural Residential 3	RR3
Rural Residential 4	RR4
Rural Residential 5	RR5
Rural Residential 6	RR6
Rural Residential 6A	RR6A
Rural Residential 7	RR7
Rural Agriculture and Eco-Tourism	RAE1

Residential Zones

One-Family Residential	R1
One- and Two-Family Residential	R2
One- and Two-Family Residential 2A	R2A
One-Family Residential	R4
Residential Small Lot	RS1
Residential Small Lot 2	RS2
Residential Small Lot 3	RS3
Residential Small Lot 4	RS4
Mobile Home Park	RH1
Residential Townhouse 1	RT1
Residential Townhouse 2	RT2

Multiple Residential Zones

Low Density Attached Housing	RM1
Attached Housing	RM2
Attached Housing A	RM2A
Apartment	RM3
Apartment A	RM3A
Apartment – Senior Citizens	RM4
Medium-Density Apartment	RM7
Medium-Density Apartment A	RM7A
Assisted Living Medium Density Apartment	RM8
Medium-Density Apartment	RM9
Cluster Housing Residential	CH1
Cluster Housing Residential	CH2
Cluster Housing Residential	CH3
Cluster Housing Residential	CH4

Commercial Zones

Neighbourhood Commercial	C1
District Commercial	C3
Office Commercial	C5
Neighbourhood Public House	C6
Neighbourhood Mixed Use	C6A
Neighbourhood Mixed Use	C6B
Neighbourhood Mixed Use McCallum	C6C
Community Town Centre Pedestrian	C8
Community Town Centre Pedestrian A	C8A
Belmont Market and Residences	C10
Service Commercial	CS1
Commercial Industrial	CS3
Tourist Commercial – Motel	CT1
Tourist Commercial – Campground	CT2
Tourist Commercial – Hotel	CT3
Commercial Recreation	CR1
Marina Commercial	CR2
Mixed Use Residential Commercial	MU1
Mixed Use Residential Commercial A	MU1A
Mixed Use Residential Commercial 2	MU2

Industrial/Business Park Zones

Business Park 1 – Millstream Road West	BP1
Business Park 1A – Millstream Road East	BP1A

Business Park 2 – Sooke Road	BP2
Business Park 2A – Sooke Road West	BP2A
Business Park 3 – Amy Road	BP3
Business Park 4 – Millstream Road North	BP4
Business and Technology Park	BT1
Business Park 5 – McCallum Rd South	BP5
Business Park 6 – Gardner Creek	BP6
Business Park 7 – Henry Eng Pl	BP7
Special Wholesale	W1
Large Format Business	W2

Industrial Zones

Light Industrial	M1
General Industrial	M2
Heavy Industrial	M3

Institutional Zones

Neighbourhood Institutional	P1
Neighbourhood Institutional	P1A
Neighbourhood Institutional	P1B
Community Institutional	P2
Utility	P3
Park and Open Space	P4
Amenity	AM

Comprehensive Development Zones

Comprehensive Development – Goldstream Meadows	CD1
Comprehensive Development – Hull’s Field	CD2
Comprehensive Development – Westhills	CD3
Comprehensive Development – Olympic View	CD4
Resort Community of Bear Mountain 1	RCBM1
Resort Community of Bear Mountain 2	RCBM2
Comprehensive Development – Sooke/Jacklin	CD7
Comprehensive Development – Valley View	CD8
Comprehensive Development – Baker View Heights	CD9
Comprehensive Development – Boulder Ridge	CD10
Comprehensive Development – South Skirt Mountain	CD12
Comprehensive Development – South Walfred	CD13
Comprehensive Development – Hazelwood/Luxton	CD14
Comprehensive Development – McCormick Meadows	CD15
Comprehensive Development – Katie’s Pond	CD18
Comprehensive Development – Eagle Ridge	CD20
Comprehensive Development – Radiant Way	CD21

Part 6
ZONE REGULATIONS

Section 6.01 – Agriculture 1 (AG1) Zone

The intent of the AG1 Zone is to permit agricultural and limited non-agricultural uses on land designated as Agricultural Land Reserve (ALR).

6.01.01 Permitted Uses

The following **uses** and no others are permitted in the AG1 Zone, subject to approval by the Agricultural Land Commission, where required:

- (1) **Accessory buildings and structures**, subject to Section 3.05;
- (2) **Agriculture**;
- (3) **Boarding kennel**, on **lots** with a **lot area** greater than or equal to 4.0 ha (9.9 ac) and subject to Section 3.10;
- (4) **Breeding kennel**, subject to Section 3.11;
- (5) **Cemetery**;
- (6) **Dwelling, one-family**;
- (7) **Dwelling, two-family**, on **lots** with a **lot area** greater than or equal to 835.0 m² (8,987.9 ft²) and subject to Section 3.07;
- (8) **Farm use**;
- (9) **Golf course**;
- (10) **Group daycare**, subject to Subsection 3.26.02;
- (11) **Home occupation**, subject to Section 3.09;
- (12) **Intensive agriculture**, on **lots** with a **lot area** greater than or equal to 4.0 ha (9.9 ac);
- (13) **Secondary suite** in a **one-family dwelling**, subject to Section 3.08;
- (14) The keeping of not more than four **boarders** in a **one-family dwelling**;
- (15) Uses **accessory** to a **principal use** permitted in this **Zone**; and
- (16) Uses permitted by Section 3.01 of this Bylaw.

6.01.02 Subdivision Lot Requirements

- (1) No **lot** having a **lot area** less than 4.0 ha (9.9 ac) may be created by subdivision.
- (2) Despite Article (1), the **lot** legally described as Lot 6, Block B, Section 88, Metchosin District, Plan 1139 (3420 Luxton Road) may be subdivided into **lots** with **lot areas** of not less than 1.3 ha (3.2 ac).
- (3) Despite Article (1), the **lot** legally described as Parcel D (DD 144079I), Section 79, Metchosin District, Except Parcel No. 1 (DD 150993I) Thereof And Except Part In Plan VIP74070, may be subdivided into **lots** with **lot areas** of not less than 1.76 ha (4.4 ac).
- (4) Notwithstanding subsection 6.01.02(1), a lot having an area not less than 3,000m² (0.74 acres) may be created from land legally described as: Lot 5, Section 98, 99 and 100, Metchosin District, Plan 20923 Except Part in Plan VIP52592; and Lot 5, Block 3, Sectoins 89, 97, 98, 99, 100, 100A, 101 and 101A, Metchosin District, Plan 1817 except part in plan VIP52253.

6.01.03 Density of Development

- (1) There may not be more than one **residential building** on a **lot**.
- (2) Despite Article (1), one additional **one-family dwelling, modular home or mobile home** used for the sole purpose of housing farm employees may be located on a **lot** classified as a farm pursuant to the *Assessment Act*.
- (3) Despite Articles (1) and (2), one additional **one-family dwelling, modular home or mobile home** used for the sole purpose of housing an immediate family member of the owner may be located on a **lot** in accordance with the *Agricultural Land Commission's Agricultural Land Reserve Use, Subdivision and Procedure Regulation*.

6.01.04 Height and Size of Principal Use Buildings

- (1) No **building** or **structure** may exceed a **height** of 10.5 m (34.5 ft).
- (2) Despite Article (1), the **height** of a **building** for **agriculture** or **intensive agriculture use** may not exceed 12.0 m (39.4 ft).

6.01.05 Setbacks

- (1) No **building** or **structure** may be located:
 - (a) Within 7.5 m (24.6 ft) of any **front lot line**; or
 - (b) Within 3.0 m (9.8 ft) of any **side lot line**; except that no **garage or carport** whose vehicle access crosses an **exterior side lot line** may be located within 5.5 m (18.0 ft) of the **exterior side lot line**; or
 - (c) Within 10.0 m (32.8 ft) of any **rear lot line**; and
- (2) Despite Article (1), the siting of any **building** or **structure** used for **agriculture** or **intensive agriculture** must comply with Section 3.05 of this Bylaw.

- (3) Despite Article (1), the siting of any **building, structure** or open space used by dogs as part of a **boarding kennel** or **breeding kennel** must comply with Sections 3.10 and 3.11 of this Bylaw.

Section 6.10 – Rural Residential 1 (RR1) Zone

The intent of the RR1 Zone is to permit one-family residential uses on large rural lots.

6.10.01 Permitted Uses

The following **uses** and no others are permitted in the RR1 Zone:

- (1) **Accessory buildings and structures**, subject to Section 3.05;
- (2) **Community garden**;
- (3) **Dwelling, one-family**;
- (4) **Home occupation**, subject to Section 3.09;
- (5) **Secondary suite, garden suite, or carriage suite** in a **one-family dwelling**, subject to Section 3.08;
- (6) The keeping of not more than two **boarders** in a **one-family dwelling**;
- (7) **Uses accessory** to a **principal use** permitted in this **Zone**; and
- (8) **Uses** permitted by Section 3.01 of this Bylaw.

6.10.02 Subdivision Lot Requirements

- (1) No **lot** having a **lot area** less than 1,500.0 m² (0.37 ac) may be created by subdivision.
- (2) No **lot** having a **lot width** less than 20.0 m (65.6 ft) may be created by subdivision.
- (3) No **lot** having a **lot depth** less than 34.0 m (111.5 ft) may be created by subdivision.
- (4) Despite Article 6.10.02(1), no **lot** having a **lot area** less than 1.0 ha (2.47 ac) may be created by subdivision unless that **lot** is serviced by the municipal sanitary sewer system.

6.10.03 Density of Development

- (1) There may not be more than one **residential building** on a **lot**, exclusive of either a garden suite or carriage suite;
- (2) The **gross floor area** of any dwelling may not exceed 600.0 m² (6,458.4 ft²).
- (3) **Residential buildings** and **accessory buildings** combined may not exceed a **floor area ratio** of 0.55.

6.10.04 Lot Coverage

- (1) **Lot coverage** of the **residential building** may not exceed 35%.
- (2) **Lot coverage** of all **buildings** and **structures** may not exceed 50%.

6.10.05 Height and Size of Principal Use Buildings

No **building** or **structure** may exceed a **height** of 9.0 m (29.5 ft).

6.10.06 Setbacks

No **building** or **structure** may be located:

- (1) Within 7.5 m (24.6 ft) of any **front lot line**; or
- (2) Within 3.0 m (9.8 ft) of any **interior side lot line**; or
- (3) Within 7.5 m (24.6 ft) of any **exterior side lot line**; or
- (4) Within 7.5 m (24.6 ft) of any **rear lot line**.

Section 6.11 – Rural Residential 2 (RR2) Zone

The intent of the RR2 Zone is to permit one- and two-family residential uses on moderately large rural lots.

6.11.01 Permitted Uses

The following **uses** and no others are permitted in the RR2 Zone:

- (1) **Accessory buildings and structures**, subject to Section 30.5;
- (2) **Agriculture**;
- (3) **Boarding kennel**, on **lots** with a **lot area** greater than or equal to 4.0 ha (9.9 ac) and subject to Section 3.10;
- (4) **Breeding kennel**, subject to Section 3.11;
- (5) **Community garden**;
- (6) **Cemetery**;
- (7) **Dwelling, one-family**;
- (8) **Dwelling, two-family**, on **lots** with a **lot area** greater than or equal to 835.0 m² (8,987.9 ft²) and subject to Section 3.07;
- (9) **Equestrian facility**;
- (10) **Golf course**;
- (11) **Group daycare**, subject to Subsection 3.26.02;
- (12) **Home occupation**, subject to Section 3.09;
- (13) **Intensive agriculture**, on **lots** with a **lot area** greater than or equal to 4.0 ha (9.9 ac);
- (14) **Secondary suite, garden suite, or carriage suite** in a **one-family dwelling**, subject to Section 3.08;
- (15) The keeping of not more than four **boarders** in a **one-family dwelling**;
- (16) **Uses accessory** to a **principal use** permitted in this **Zone**; and
- (17) **Uses** permitted by Section 3.01 of this Bylaw.

6.11.02 Subdivision Lot Requirements

- (1) No **lot** having a **lot area** less than 4.0 ha (9.9 ac) may be created by subdivision.
- (2) Despite Article (1), the **lot** legally described as Lot 6, Block B, Section 88, Metchosin District, Plan 1139 (3420 Luxton Road) may be subdivided into **lots** with **lot areas** of not less than 1.3 ha (3.2 ac).
- (3) Despite Article (1), the **lot** legally described as Lot A, Section 83, Metchosin District, Plan 18993 (3504 Happy Valley Rd) may be subdivided into **lots** with **lot areas** not less than 1,100.0 m² (11,840.3 ft²) and the **lot** legally described as Lot 1, Sections 83 and 84, Metchosin District, Plan VIP64069 (3512A Happy Valley Rd) may be subdivided into **lots** with **lot areas** not less than 685.0 m² (7,373.3 ft²).

6.11.03 Density of Development

- (1) There may not be more than one **residential building** on a **lot**, exclusive of either a garden suite or carriage suite;.
- (2) Despite Article (1), one additional **one-family dwelling** used for the sole purpose of housing farm employees may be located on a **lot** classified as a farm pursuant to the *Assessment Act*, where such **lot** is 4.0 ha (9.9 ac) or more in **lot area**.

6.11.04 Height and Size of Principal Use Buildings

- (1) No **building** or **structure** may exceed a **height** of 10.5 m (34.4 ft).
- (2) Despite Article (1), the **height** of a **building** for **agriculture** or **intensive agriculture use** may not exceed 12.0 m (39.4 ft).

6.11.05 Setbacks

- (1) No **building** or **structure** may be located:
 - (a) Within 7.5 m (24.6 ft) of any **front lot line**; or
 - (b) Within 3.0 m (9.8 ft) of any **side lot line**; except that no **garage or carport** whose vehicle access crosses an **exterior side lot line** may be located within 5.5 m (18.0 ft) of the **exterior side lot line**; or
 - (c) Within 10.0 m (32.8 ft) of any **rear lot line**.
- (2) Despite Article (1), the siting of any **building** or **structure** used for **agriculture** or **intensive agriculture** must comply with Section 3.05 of this Bylaw.
- (3) Despite Article (1), the siting of any **building**, **structure** or open space used by dogs as part of a **boarding** or **breeding kennel** must comply with Sections 3.10 and 3.11 of this Bylaw.
- (4) Despite Article 3.08.03(3)(a) a carriage suite may be located not less than 2.5m (8.2ft) from a one-family dwelling on the lot legally described as Lot A, Section 83, Metchosin District, Plan 18993, PID 003-673-413 (3504 Happy Valley Rd.).

Section 6.12 – Rural Residential 3 (RR3) Zone

The intent of the RR3 Zone is to permit one-family residential uses on smaller rural lot.

6.12.01 Permitted Uses

The following **uses** and no others are permitted in the RR3 Zone:

- (1) **Accessory buildings and structures**, subject to Section 3.05;
- (2) **Community garden**;
- (3) **Dwelling, one-family**;
- (4) **Dwelling, two-family**, on the property legally described as Lot 5, Section 80, Metchosin District, Plan 7142, Except Parcel "A" (DD 247137-I) Thereof (3622 Happy Valley Road) and subject to Section 3.07;
- (5) **Group daycare**, subject to Subsection 3.26.02;
- (6) **Home occupation**, subject to Section 3.09;
- (7) **Secondary suite, garden suite, or carriage suite** in accordance with Section 3.08
- (8) The keeping of not more than four **boarders** in a **one-family dwelling**;
- (9) **Uses accessory** to a **principal use** permitted in this **Zone**; and
- (10) **Uses** permitted by Section 3.01 of this Bylaw.

6.12.02 Subdivision Lot Requirements

- (1) No **lot** having a **lot area** less than 1.0 ha (2.5 ac) may be created by subdivision.
- (2) No **lot** having a **lot width** less than 16.0 m (52.5 ft) may be created by subdivision.
- (3) No **lot** having a **building envelope** with a width or depth less than 7.0 m (23.0 ft) nor an area less than 186.0 m² (2,002.1 ft²) may be created by subdivision.
- (4) Despite Article 6.12.02(1), on land whose legal description is set out in Table 1 of Schedule "AD", the minimum **lot area** for subdivision may be 550.0 m² (5,920.2 ft²) if the owner of the land proposed to be subdivided pays to the City the amount specified in Column 4 of Table 1 of Schedule "AD" prior to the time of subdivision.

6.12.03 Density of Development

There may not be more than one **residential building** on a **lot**, exclusive of either a garden suite or carriage suite.

6.12.04 Regulations for Two-Family Dwelling Use

A **two-family dwelling** is subject to the regulations of the R2 Zone and not the regulations of this **Zone**.

6.12.05 Lot Coverage

Lot coverage of all **buildings** and **structures** may not exceed 50%.

6.12.06 Height and Size of Principal Use Buildings

No **building** or **structure** may exceed a **height** of 9.0 m (29.5 ft).

6.12.07 Setbacks

No **building** or **structure** may be located:

- (1) Within 6.0 m (19.7 ft) of any **front lot line** or **rear lot line**; or
- (2) Within 1.5 m (4.9 ft) of any **interior side lot line**; or
- (3) Within 4.5 m (14.8 ft) of any **exterior side lot line**; except that no **garage or carport** whose vehicle access crosses an **exterior side lot line** may be located within 5.5 m (18.0 ft) of the **exterior side lot line**.

Section 6.13 – Rural Residential 4 (RR4) Zone

The intent of the RR4 Zone is to permit one- and two-family residential uses on smaller rural lots with sanitary sewer service, and to maintain large lots where community sanitary sewer is not provided.

6.13.01 Permitted Uses

The following **uses** and no others are permitted in the RR4 Zone:

- (1) **Accessory buildings and structures**, subject to Section 3.05;
- (2) **Agriculture**;
- (3) **Boarding kennel**, subject to Section. 3.10;
- (4) **Breeding kennel**, subject to Section. 3.11;
- (5) **Community garden**;
- (6) **Dwelling, one-family**;
- (7) **Dwelling, two-family**, on **lots** with a **lot area** greater than or equal to 835.0 m² (8,987.9 ft²), a **lot width** greater than or equal to 18.0 m (59.1 ft), and subject to Section 3.07;
- (8) **Group daycare**, subject to Subsection 3.26.02;
- (9) **Home occupation**, subject to Section 3.09;
- (10) **Intensive agriculture**, on **lots** with a **lot area** greater than or equal to 4.0 ha (9.9 ac);
- (11) **Secondary suite garden suite**, or **carriage suite** in a **one-family dwelling**, in accordance with Section 3.08;
- (12) The keeping of not more than four **boarders** in a **one-family dwelling**;
- (13) **Uses accessory** to a **principal use** permitted in this **Zone**; and
- (14) **Uses** permitted by Section 3.01 of this Bylaw.

6.13.02 Subdivision Lot Requirements

- (1) No **lot** having a **lot area** less than 0.4 ha (1.0 ac) may be created by subdivision.
- (2) Despite Article 6.13.02(1), no **lot** having a **lot area** less than 40.0 ha (98.8 ac) may be created by subdivision unless that **lot** is serviced by the municipal sanitary sewer system.
- (3) Despite Articles 6.13.02(1) and (2), a **lot** having a **lot area** less than 2,000.0 m² (0.5 ac) may be created by subdivision from land legally described as Lot 3, Sections 98 and 99, Metchosin District, Plan 20923 Except Part in Plan CIP51472 (2983 Sooke Rd); Lot 5, Sections 98, 99 and 100, Metchosin District, Plan 20923 Except Part in Plan VIP52595 (2965 Sooke Rd); and Lot 5, Block 3, Sections 89, 97, 98, 99, 100, 100A, 101 and 101A,

Metchosin District, Plan 1817 Except Part in Plan VIP52253 (2961 Sooke Rd).

- (4) Despite Article 6.13.02(2), on properties legally described as Strata Lot 1 and 2, Section 26, Goldstream District, Strata Plan VIS5460 Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as shown on Form V (1319 and 1323 Ravensview Dr), no **lot** having a **lot area** less than 0.70 ha (1.7 ac) may be created by subdivision in the Rural Residential 4 (RR4) Zone, unless that **lot** is serviced by a municipal sanitary sewer system, except that no **lot** created under this regulation may contain a **secondary suite garden suite**, or **carriage suite**.
- (5) Despite Article 6.13.02(2), a **lot** with a **lot area** less than 40.0 ha (98.8 ac) but not less than 2.7 ha (6.7 ac) may be created by subdivision without connection to the municipal sanitary sewer system on the property legally described as That Portion of the Southerly 11 Chains of Section 81, Metchosin District, Lying Westerly of the Happy Valley Road, Except Those Parts in Plans 28272 and VIP52319 (3690 Happy Valley Rd).
- (6) Despite Article 6.13.02(2), on properties legally described as Strata Lot 1 and 2, Section 26, Goldstream District, Strata Plan VIS5460 Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown of Form V (1319 and 1323 Ravensview Dr), no **lot** having a **lot area** less than 0.7 ha (17.3 ac) may be created by subdivision, unless the **lot** is serviced by a municipal sanitary sewer system. No **lot** created under this regulation may contain a **secondary suite**.

6.13.03 Other Regulations for Two-Family Dwellings

Despite the other regulations in this Section, **two-family dwellings** are prohibited on **panhandle lots**.

6.13.04 Density of Development

- (1) There may not be more than one **residential building** per **lot**, exclusive of either a garden suite or carriage suite;
- (2) Despite Article 6.04.04(1), on land legally described as Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, and 16, Section 26, Goldstream District, Plan VIP68970 there may be two **one-family dwellings** on a **lot** if:
 - (a) Neither of the buildings has a **gross floor area** less than 85% of the **gross floor area** of the other **building**, and neither **building** has a **building footprint** greater than 242.0 m² (2,604.9 ft²);
 - (b) Each of the **buildings** is oriented to the fronting street;
 - (c) Neither of the **buildings** has a width or depth less than 9.7 m (31.8 ft);
 - (d) Neither of the **buildings** contains a **secondary suite** nor have a garden suite or carriage suite

6.13.05 Lot Coverage

Lot coverage of all **buildings** and **structures** may not exceed either 30% or 1,000.0 m² (10,763.9 ft²);

6.13.06 Height and Size of Principal Use Buildings

- (1) No **building** or **structure** may exceed a **height** of 10.5 m (34.4 ft).
- (2) Despite Article (1), the **height** of a **building** for **agriculture** or **intensive agriculture use** may not exceed 12.0 m (39.4 ft).

6.13.07 Setbacks

- (1) No **building** or **structure** may be located:
 - (a) Within 7.5 m (24.6 ft) of any **front lot line**; or
 - (b) Within 3.0 m (9.8 ft) of any **side lot line**; except that no **garage** or **carport** whose vehicle access crosses an **exterior side lot line** may be located within 5.5 m (18.0 ft) of the **exterior side lot line**; or
 - (c) Within 10.0 m (32.8 ft) of any **rear lot line**.
- (2) Despite Article (1), the siting of any **building** or **structure** used for **agriculture** or **intensive agriculture** must comply with Section 3.05 of this Bylaw.

Section 6.14 – Rural Residential 5 (RR5) Zone

The intent of the RR5 Zone is to permit one-family residential uses on smaller rural lots with community sanitary sewer service, and to maintain large lot areas where community sanitary service is not provided.

6.14.01 Permitted Uses

The following **uses** and no others are permitted in the RR5 Zone:

- (1) **Accessory buildings and structures**, subject to Section 3.05;
- (2) **Community garden**;
- (3) **Dwelling, one-family**;
- (4) **Dwelling, two-family**, subject to Section 3.07;
- (5) **Group daycare**, subject to Subsection 3.26.02;
- (6) **Home occupation**, subject to Section 3.09;
- (7) **Secondary suite, garden suite, or carriage suite** in a **one-family dwelling**, subject to Section 3.08;
- (8) The keeping of not more than four **boarders** in a **one-family dwelling**;
- (9) The keeping of **animals for domestic purposes**, on a **lot** with a **lot area** greater than or equal to 4,000.0 m² (0.99 ac);
- (10) **Uses accessory** to a **principal use** permitted in this **Zone**; and
- (11) **Uses** permitted by Section 3.01 of this Bylaw.

6.14.02 Subdivision Lot Requirements

- (1) No **lot** having a **lot area** less than 0.4 ha (1.0 acre) may be created by subdivision.
- (2) Despite Article 6.05.02(1), no **lot** having a **lot area** less 40.0 ha (98.8 ac) may be created by subdivision unless that **lot** is serviced by the municipal sanitary sewer system.

6.14.03 Density of Development

- (1) There may not be more than one **residential building** on a **lot**, exclusive of either a garden suite or carriage suite;
- (2) Despite Article 6.14.03(1), there may be two **residential buildings** on the property legally described as Lot 1, Block 2, Section 86, Metchosin District, Plan 1524 (3294 Happy Valley Road) if:
 - (a) Each **building** is oriented towards the street;
 - (b) The **gross floor area** of one **building** is not less than 85% of the **gross floor area** of the other **building**;

- (c) Each **building** has a separate driveway; and
- (d) Neither **building** on a single **lot** has a **secondary suite, garden suite, or carriage suite**.

6.14.04 Height and Size of Principal Use Buildings

No **building** or **structure** may exceed a **height** of 10.5 m (34.4 ft).

6.14.05 Setbacks

- (1) No **building** or **structure** may be located:
 - (a) Within 7.5 m (24.6 ft) of any **front lot line**; or
 - (b) Within 3.0 m (9.8 ft) of any **side lot line**, except that no **garage or carport** whose vehicle access crosses an **exterior side lot line** may be located within 5.5 m (18.0 ft) of that **exterior side lot line**; or
 - (c) Within 10.0 m (32.8 ft) of any **rear lot line**.
- (2) Despite Article (1), a **building** or **structure** in a building strata plan may, for the purpose of aiding in the orientation of a dwelling to the street, be located within 1.5 m (4.9 ft) of a **rear lot line**, where that **lot line abuts** an **interior side lot line** of another **lot** AND where the **setback** to the **interior side lot line** has been increased to at least 10.0 m (32.8 ft).

Section 6.15 - Rural Residential 6 (RR6) Zone

The intent of the RR6 Zone is to permit one-family residential uses and carriage housing on conventional sized lots.

6.15.01 Permitted Uses

The following **uses** and no others are permitted in the RR6 Zone:

- (1) **Accessory buildings and structures**, subject to Section 3.05;
- (2) **Community garden**;
- (3) **Dwelling, one-family**;
- (4) **Group daycare** , subject to Subsection 3.26.02;
- (5) **Home occupation**, subject to Section 3.09;
- (6) **Secondary suite, garden suite, or carriage suite** on lots 500m² or greater and in accordance with Section 3.08;
- (7) The keeping of not more than four **boarders** in a **one-family dwelling**;
- (8) **Uses accessory** to a **principal use** permitted in this **Zone**; and **Uses** permitted by Section 3.01 of this Bylaw.

6.15.02 Subdivision Lot Requirements

- 1) No **lot** having a **lot area** less than 1.0 ha (2.5 ac) may be created by subdivision.
- 2) No **lot** having a **lot width** less than 14.0 m (45.9 ft) may be created by subdivision.
- 3) No **lot** having a **building envelope** with a width or depth less than 7.0 m (23.0 ft) nor an area less than 186.0 m² (2,002.1 ft²) may be created by subdivision.
- 4) Notwithstanding Subsection 6.15.02(1), on land whose legal description is set out in Table 1 of Schedule AD, the minimum parcel area for subdivision may be 500m² (5,382 ft²) if the owner of the land proposed to be subdivided:
 - a) Pays to the City the amount specified in Column 4 of table 1 of Schedule AD, prior to the time of subdivision.

6.15.03 Density of Development

There may not be more than one **residential building** on a **lot**, exclusive of any **secondary suite, garden suite, or carriage suite**.

6.15.04 Lot Coverage

Lot coverage of all **buildings and structures** may not exceed 50%.

6.15.05 Height and Size of Principal Use Buildings

No **building** or **structure** may exceed a **height** of 9.0 m (29.5 ft).

6.15.06 Setbacks

No **building** or **structure** may be located:

- (1) Within 4.5 m (14.8 ft) of any **front lot line**, except that no **garage or carport** whose vehicle access crosses a **front lot line** may be located within 5.5 m (18.0 ft) of the **front lot line**; or
- (2) Within 5.5 m (18.0 ft) of any **rear lot line**; or
- (3) Within 1.5 m (4.9 ft) of any **interior side lot line**; or
- (4) Within 3.0 m (9.8 ft) of any **exterior side lot line**; except that no **garage or carport** whose vehicle access crosses an **exterior side lot line** may be located within 5.5 m (18.0 ft) of the **exterior side lot line**.

Section 6.16 – Rural Residential 6A (RR6A) Zone

The intent of the RR6A Zone is to permit one-family residential uses and carriage housing on conventional sized lots.

6.16.01 Permitted Uses

The following **uses** and no others are permitted in the RR6A Zone:

- (1) **Accessory buildings and structures**, subject to Section 3.05;
- (2) **Community garden**;
- (3) **Dwelling, one-family**;
- (4) **Group daycare**, subject to Subsection 3.26.02;
- (5) **Home occupation**, subject to Section 3.09;
- (6) **Secondary suite, garden suite, or carriage suite** in accordance to Section 3.08;
- (7) The keeping of not more than four **boarders** in a **one-family dwelling**;
- (8) **Uses accessory** to a **principal use** permitted in this **Zone**; and
- (9) **Uses** permitted by Section 3.01 of this Bylaw.

6.16.02 Subdivision Lot Requirements

- (1) No **lot** having a **lot area** less than 1.0 ha (2.5 ac) may be created by subdivision.
- (2) No **lot** having a **lot width** less than 14.0 m (45.9 ft) may be created by subdivision.
- (3) No **lot** having a **building envelope** with a width or depth less than 7.0 m (23.0 ft) nor an area less than 186.0 m² (2,002.1 ft²) may be created by subdivision.
- (4) Despite Article 6.16.02(1), on land whose legal description is set out in Table 1 of Schedule “AD”, the minimum **lot area** for subdivision may be 550.0 m² (5,920.2 ft²) if the owner of the land proposed to be subdivided pays to the City the amount specified in Column 4 of Table 1 of Schedule “AD”, prior to the time of subdivision.
- (5) No land may be subdivided into bare land strata lots having an average **lot area** of less than 1.0 ha (2.5 acres), if any of the strata **lots** in the strata plan has a **lot area** of less than 550.0 m² (5,920.2 ft²).

6.16.03 Density of Development

There may not be more than one **residential building** on a **lot**, exclusive of any garden suite or carriage suite.

6.16.04 Lot Coverage

Lot coverage of all **buildings** and **structures** may not exceed 50%.

6.16.05 Height and Size of Principal Use Buildings

No **building** or **structure** may exceed a **height** of 9.0 m (29.5 ft).

6.16.06 Setbacks

No **building** or **structure** may be located:

- (1) Within 4.5m (14.8 ft) of any **front lot line**, except that no **garage or carport** whose vehicle access crosses a **front lot line** may be located within 5.5 m (18.0 ft) of the **front lot line**; or
- (2) Within 5.5m (18.0 ft) of any **rear lot line**; or
- (3) Within 1.5 m (4.9 ft) of any **interior side lot line**; or
- (4) Within 3.0 m (9.8 ft) of any **exterior side lot line**, except that no **garage or carport** whose vehicle access crosses an **exterior side lot line** may be located within 5.5 m (18.0 ft) of the **exterior side lot line**.

Section 6.17 – Rural Residential 7 (RR7) Zone

The intent of the RR7 Zone is to permit one-family residential uses and carriage housing on larger lots.

6.17.01 Permitted Uses

The following **uses** and no others are permitted in the RR7 Zone:

- (1) **Accessory buildings and structures**, subject to Section 3.05;
- (2) **Community garden**;
- (3) **Dwelling, one-family**;
- (4) **Group daycare**, subject to Subsection 3.26.02;
- (5) **Home occupation**, subject to Section 3.09;
- (6) **Secondary suite, garden suite, or carriage suite** in accordance with Section 3.08
- (7) The keeping of not more than four **boarders** in a **one-family dwelling**;
- (8) **Uses accessory** to a **principal use** permitted in this **Zone**; and
- (9) **Uses** permitted by Section 3.01 of this Bylaw.

6.17.02 Subdivision Lot Requirements

- (1) No **lot** having a **lot area** less than 1.0 ha (2.5 ac) may be created by subdivision.
- (2) No **lot** having a **lot width** less than 16.0 m (52.5 ft) may be created by subdivision.
- (3) No **lot** having a **building envelope** with a width or depth less than 7.0 m (23.0 ft) nor an area less than 186.0 m² (2,002.1 ft²) may be created by subdivision.
- (4) Despite Article 6.17.02(1), on land whose legal description is set out in Table 1 of Schedule “AD”, the minimum **lot area** for subdivision may be 800.0 m² (8,611.1 ft²) if the owner of the land proposed to be subdivided pays to the City the amount specified in Column 4 of Table 1 of Schedule “AD” prior to the time of subdivision.
- (5) No land may be subdivided into bare land strata **lots** having an average **lot area** of less than 1.0 ha (2.5 ac), if any of the strata **lots** in the strata plan have a **lot area** of less than 800.0 m² (8,611.1 ft²).

6.17.03 Density of Development

- (1) There may not be more than one **residential building** on a **lot**;
- (2) Despite Article 6.17.03(1), on lots with an area of no less than 400m² outside of any area protected by a non-disturbance covenant, a garden suite or carriage suite shall be permitted;

- (3) A **residential building** that encroaches onto a **lot** in the RR7 Zone on the date of adoption of Langford Zoning Bylaw, Amendment No. 441 (New RR7 (Rural Residential 7 – Klahanie) Zone), 2015 is deemed not to be a **residential building** on the **lot** for the purposes of Article 6.17.03(1).

6.17.04 Lot Coverage

Lot coverage of all **buildings** and **structures** may not exceed 35%.

6.17.05 Height and Size of Principal Use Buildings

No **building** or **structure** may exceed a **height** of 9.0 m (29.5 ft).

6.17.05 Setbacks

No **building** or **structure** may be located:

- (1) Within 6.0 m (19.7 ft) of any **front lot line** or **rear lot line**; or
- (2) Within 3.0 (9.8 ft) m of any **interior side lot line**; or
- (3) Within 4.0 m (13.1 ft) of any **exterior side lot line**, except that no **garage or carport** whose vehicle access crosses an **exterior side lot line** may be located within 5.5 m (18.0 ft) of the **exterior side lot line**.

Section 6.18 – Rural Agriculture and Eco-Tourism (RAE1) Zone

The intent of the RAE1 Zone is to permit a mix of residential, agricultural/agri-tourism, eco-tourism and educational uses.

6.18.01 Permitted Uses

The following **uses** and no others are permitted in the RAE1 Zone:

General Uses:

- (1) **Accessory buildings and structures**, subject to Section 3.05;
- (2) **Uses accessory** to a **principal use** permitted in this **Zone**;
- (3) **Uses** permitted by Section 3.01 of this Bylaw;

Agricultural Uses:

- (4) **Agriculture**;
- (5) **Commercial nursery and greenhouse**;
- (6) **Equestrian facility**;
- (7) **Intensive agriculture** on **lots** with a **lot area** of 4.0 ha (9.9 acres) or more;

Educational Uses:

- (8) **Preschool**;
- (9) **School** ;

Agri-Tourism and Eco-Tourism Uses:

The following **uses** are permitted as **accessory uses** to any agricultural or educational **use**:

- (10) **Campground**;
- (11) **Dormitory**, consisting of a single unit (cabin) or multiple units (bunkhouses);
- (12) Rental of recreational equipment including, but not limited to: bicycles, kayaks and canoes, horses, clothing and outdoor gear;

Residential Uses:

- (13) **Dwelling, one-family**;
- (14) **Home occupation**, subject to Section 3.09; and

- (15) **Secondary suite** in a **one-family dwelling**, subject to Section 3.08.

6.18.02 Subdivision Lot Requirements

- (1) No **lot** having a **lot area** less than 0.4 ha (1.0 acre) may be created by subdivision.
- (2) Despite Article 6.18.02(1), no **lot** having a **lot area** less than 40.0 ha (98.8 ac) may be created by subdivision unless that **lot** is serviced by the municipal sanitary sewer system.

6.18.03 Density of Development

- (1) There may not be more than one **one-family dwelling** per **lot**.

6.18.04 Lot Coverage

- (1) **Lot coverage** of all **buildings** and **structures** may not exceed 20% or 1,000.0 m² (10,763.9 ft²).

6.18.05 Height and Size of Principal Use Buildings

- (1) No **building** or **structure** may exceed a **height** of 10.5 m (34.5 ft); and
- (2) Despite Article (1), the **height** of a **building** for **agriculture** or **intensive agriculture use** may not exceed 12.0 m (39.4 ft).

6.18.06 Setbacks

- (1) No **building** or **structure** may be located:
- (a) Within 10.0 m (32.8 ft) of any **rear lot line**;
 - (a) Within 7.5 m (24.6 ft) of any other **lot line**; and
- (2) Despite Article (1), the siting of any **building** or **structure** used for **agriculture** or **intensive agriculture** must comply with Section 3.05 of this Bylaw.

Section 6.20 – One-Family Residential (R1) Zone

The intent of the R1 Zone is to permit one-family residential uses on conventional sized lots with community sanitary sewer service, and to retain larger lot sizes in area that are not served by community sanitary sewer.

6.20.01 Permitted Uses

The following **uses** and no others are permitted in the R1 Zone:

- (1) **Accessory buildings and structures**, subject to Section 3.05;
- (2) **Community garden**;
- (3) **Dwelling, one-family**;
- (4) **Group daycare** , subject to Subsection 3.26.02;
- (5) **Home occupation**, subject to Section 3.09;
- (6) **Secondary suite, garden suite, or carriage suite** in accordance with Section 3.08;
- (7) The keeping of not more than four **boarders** in a **one-family dwelling**;
- (8) **Uses accessory** to a **principal use** permitted in this **Zone**; and
- (9) **Uses** permitted by Section 3.01 of this Bylaw.

6.20.02 Subdivision Lot Requirements

- (1) No **lot** having a **lot area** less than 1.0 ha (2.5 ac) may be created by subdivision , except that a **lot** of 550.0 m² (5,920.2 ft²) may be created by subdivision if the **lot** is served by community sanitary sewer.
- (2) Despite Article (1), the following subdivision lot requirements apply to **lots abutting** Langford, Glen or Florence Lake:
 - (a) No **lot** having a **lot area** less than 1,500.0 m² (16,145.9 ft²) may be created by subdivision, and the **Streamside Protection and Enhancement Area** (SPEA) designated by a qualified environmental professional in a riparian area assessment shall not be included in the **lot area** calculation for the purpose of determining compliance with this Article; and
 - (b) Despite Article 2(a), **lots** having **lot areas** of 950.0 m² (10,225.7 ft²) and more may be created by subdivision if the **Streamside Protection and Enhancement Area** (SPEA) designated by a qualified environmental professional in a riparian area assessment of the **lot** being subdivided is transferred to the City of Langford as Park at the time of subdivision.
 - (c) Notwithstanding article (2)(a), on land whose legal description is set out in Table 1 of schedule AD, the minimum lot area for subdivision of lots abutting Langford ,Glen, or Florence Lake may be as specified in t articles (i) and (ii) below, if the owner of

the land proposed to be subdivided pays to the City the amount specified in Column 4 of Table 1 of Schedule AD prior to Subdivision Approval:

- i. Lots with an area of 1,500m² (16,146ft²) or greater, including the area of the SPEA, may be created abutting Langford, Glen or Florence Lake; and
 - ii. Lots with an area of 550m² (5,920ft²) or greater may be created provided such lots are located directly behind a new lot created pursuant to article (i) above and do not abut Langford, Glen or Florence Lake;
- (3) No **lot** having a **lot area** of 850.0 m² (9,149.3 ft²) or greater may be created having a **lot width** less than 18.0 m (59.1 ft), and no **lot** having an area less than 850.0 m² (9,149.3ft²) may be created having a **lot width** less than 16.0 m (52.5 ft).
- (4) No **lot** having a **building envelope** with a width or depth less than 7.0 m (23.0 ft) nor an area less than 186.0 m² (2,002.1 ft²) may be created by subdivision.
- (5) Despite Article (3), no **lot** having a **lot area** less than 550.0 m² (5,920.2 ft²) which has a **lot width** less than 9.5 m (31.2 ft), a **building envelope** with a width or depth less than 7.0 m (23.0 ft), and a **building envelope** area less than 93.0 m² (1,001.0 ft²) may be created by subdivision.

6.20.03 Density of Development

There may not be more than one **residential building** on a **lot**, exclusive of any garden suite or carriage suite;

6.20.04 Lot Coverage

Lot coverage of all **buildings** and **structures** may not exceed 35% except that, for **lots** less than 550.0 m² (5,920.2 ft²) in **lot area**, **lot coverage** for all **buildings** and **structures** may not exceed 50%.

6.20.05 Height and Size of Principal Use Buildings

No **building** or **structure** may exceed a **height** of 9.0 m (29.5 ft).

6.20.06 Setbacks

- (1) No **building** or **structure** on a **lot** that is 850.0 m² (9,149.3 ft²) or greater in **lot area** may be located:
- (a) Within 7.5 m (24.6 ft) of any **front lot line** or **rear lot line**; or
 - (b) Within 1.5 m (4.9 ft) of any **interior side lot line** provided, however, that the sum of the **setbacks** from any two **interior side lot lines** is not less than 4.5 m (14.8 ft); or
 - (c) Within 4.5 m (14.8 ft) of any **exterior side lot line**, except that no **garage or carport** whose vehicle access crosses an **exterior side lot line** may be located within 5.5 m (18.0 ft) of the **exterior side lot line**.
- (2) No **building** or **structure** on a **lot** that is less than 850.0 m² (9,149.3 ft²) may be located:
- (a) Within 6.0 m (19.7 ft) of any **front lot line** or **rear lot line**;

- (b) Within 1.5 m (4.9 ft) of any **interior side lot line**;
 - (c) Within 4.5 m (14.8 ft) of any **exterior side lot line**, except that no **garage or carport** whose vehicle access crosses an **exterior side lot line** may be located within 5.5 m (18.0 ft) of the **exterior side lot line**.
- (3) Despite Article (2), no **building or structure** on a **lot** that is less than 550.0 m² (5,920.2 ft²) in **lot area** may be located:
- (a) Within 4.5 m (14.8 ft) of any **front lot line** , except that no **garage or carport** whose vehicle access crosses a **front lot line** may be located within 5.5 m (18.0 ft) of the **front lot line**. This setback may be reduced to 3.0 m (9.8 ft) where **automobile** access to the dwelling is provided from the rear by way of a rear lane or access route in a bare land strata plan and all parking is located at the rear of the dwelling; or
 - (b) Within 6.0 m (19.7 ft) of any **rear lot line**; or
 - (c) Within 3.0 m (9.8 ft) of any **exterior side lot line**, except that no **garage or carport** whose vehicle access crosses an **exterior side lot line** may be located within 5.5 m (18.0 ft) of the **exterior side lot line** ; or
 - (d) Within 1.2 m (3.9 ft) of any **interior side lot line**.

Section 6.21 – One- and Two-Family Residential (R2) Zone

The intent of the R2 Zone is to permit one- and two-family residential uses on conventional sized lots with community sanitary sewer service, and to retain larger lot sizes in areas that are not served by community sanitary sewer.

6.21.01 Permitted Uses

The following **uses** and no others are permitted in the R2:

- (1) **Accessory buildings and structures**, subject to Section 3.05;
- (2) **Community garden**;
- (3) **Dwelling, one-family**;
- (4) **Dwelling, two-family**, on **lots** with a **lot area** greater than or equal to 835.0 m² (8,987.9 ft²) and subject to Section 3.07;
- (5) **Group daycare**, subject to Subsection 3.26.02;
- (6) **Home occupation**, subject to Section 3.09;
- (7) **Mobile home or modular home**, on land legally described as Lot 12, Section 105, Esquimalt District, Plan 36621 (332 Selica Road);
- (8) **Secondary suite, garden suite, or carriage suite** in accordance with Section 3.08;
- (9) The **keeping of animals for domestic purposes**, subject to Section 3.12 on **lots** with a **lot area** greater than or equal to 4,000.0 m² (1.0 ac);
- (10) The keeping of not more than four **boarders** in a **one-family dwelling**; and
- (11) **Uses accessory** to a **principal use** permitted in this **Zone**; and
- (12) **Uses** permitted by Section 3.01 of this Bylaw.

6.21.02 Subdivision Lot Requirements

- (1) No **lot** having a **lot area** less than 1 .0 ha (2.5 ac) may be created by subdivision, except that a **lot** of 550.0 m² (5,920.2 ft²) or more may be created by subdivision if the **lot** is served by a community sanitary sewer.
- (2) Despite Article (1), the following Subdivision Lot Requirements apply to **lots abutting** Langford, Glen or Florence Lake:
 - (a) No **lot** having a **lot area** less than 1,500.0 m² (16 146 ft²) may be created by subdivision, and the **Streamside Protection and Enhancement Area** (SPEA) designated by a qualified environmental professional in a riparian area assessment shall not be included in the **lot area** calculation for the purpose of determining compliance with this Article; and

- (b) Despite Article 2(i), **lots** having **lot areas** of 950.0 m² (10,225.7 ft²) and more may be created by subdivision if the **Streamside Protection and Enhancement Area (SPEA)** designated by a qualified environmental professional in a riparian area assessment of the **lot** being subdivided is transferred to the City of Langford as Park at the time of subdivision.
- (c) Notwithstanding article (2)(a), on land whose legal description is set out in Table 1 of Schedule AD, the minimum lot area for subdivision of lots abutting Langford Glen or Florence Lake may be as specified in articles (i) and (ii) below, if the owner of the land proposed to be subdivided pays to the City the amount specified in Column 4 of Table 1 of Schedule AD prior to Subdivision Approval:
 - i. Lots with an area of 1,500m² (16,146ft²) or greater, including the area of the SPEA, may be created abutting Langford, Glen or Florence Lake; and
 - ii. Lots with an area of 550m² (5,920ft²) or greater may be created provided such lots are located directly behind a new lot created pursuant to article (i) above and do not abut Langford, Glen, or Florence Lake;
- (3) No **lot** having a **lot width** less than 16.0 m (52.5 ft) may be created by subdivision.
- (4) No **lot** having a **building envelope** with a width or depth less than 7.0 m (23.0 ft) nor an area less than 186.0 m² (2,002.1 ft²) may be created by subdivision.
- (5) Despite Article (3), no **lot** may be created by subdivision with a **lot area** less than 550.0 m² (5,920.2 ft²) which has a **lot width** less than 9.5 m (31.2 ft), a **building envelope** with a width or depth less than 7.0 m (23.0 ft) and a **building envelope** area less than 93.0 m² (1,001.0 ft²).

6.21.03 Density of Development

- (1) There may not be more than one **residential building** on a **lot**, exclusive of any garden suite or carriage suite;
- (2) Despite Article 6.21.03(1), there may be two **residential buildings** on a **lot** if:
 - (a) The **lot area** is not less than 835.0 m² (8,897.9 ft²) and not greater than 1,099.0 m² (11,829.5 ft²), or not greater than 1,404.0 m² (15,112.5 ft²) for property legally described as Lot 7, Section 1, Esquimalt District, Plan 7295.
 - (b) The **lot** was in existence on 1 January 2001; or
 - (c) In existence on 1 July 2001 for the properties legally described as:
 - i. Lot A, Section 81, Esquimalt District, Plan VIP72213;
 - ii. Lot B, Section 81, Esquimalt District, Plan VIP72213; and
 - iii. Lot 1 Section 84, Esquimalt District, Plan VIP72018; or
 - (d) Lot 1, Section 84, Esquimalt District, Plan VIP72018; or
 - (e) In existence on 1 May 2007 for the property legally described as Lot 24, Section 84, Esquimalt District, Plan VIP79168;

- (f) Each **building** is oriented towards the street, and in the case of **corner lots** one **building** may be oriented towards the front street, and the other **building** may be oriented towards the flanking side street;
- (g) Neither **building** is situated behind the other **building**, with the sole exception of those instances where two **buildings** form part of the same strata plan on a **corner lot**;
- (h) The **gross floor area** of one **building** is not less than 85% of the **gross floor area** of the other **building**;
- (i) Each **building** has a separate driveway; and
- (j) Neither **building** on a single **lot** may have a secondary suite, garden suite, or carriage suite.

6.21.04 Lot Coverage

Lot coverage of all **buildings** and **structures** may not exceed 35% except that, for **lots** less than 550.0 m² (5,920.2 ft²) in **lot area**, **lot coverage** for all **buildings** and **structures** may not exceed 50%

6.21.05 Height and Size of Principal Use Buildings

No **building** or **structure** may exceed a **height** of 9.0 m (29.5 ft).

6.21.06 Setbacks

- (1) No **building** or **structure** may be located:
 - (a) Within 6.0 m (19.7 ft) of any **front lot line** or **rear lot line**; or
 - (b) Within 1.5 m (4.9 ft) of any **interior side lot line**; or
 - (c) Within 4.5 m (14.8 ft) of any **exterior side lot line**, except that no **garage or carport** whose vehicle access crosses an **exterior side lot line** may be located within 5.5 m (18.0 ft) of the **exterior side lot line**.
- (2) Despite any other regulation in this Section, the **setback** from an **interior side lot line** for a **two-family dwelling** may not be less than 3.0 m (9.8 ft).
- (3) Despite Article (1), no **building** or **structure** on a **lot** that is less than 550.0 m² (5,920.2 ft²) in **lot area** may be located:
 - (a) Within 4.5 m (14.8 ft) of any **front lot line**, except that no **garage or carport** whose vehicle access crosses a **front lot line** may be located within 5.5 m (18.0 ft) of the **front lot line**. This **setback** may be reduced to 3.0 m (9.8 ft) where **automobile** access to the dwelling is provided from the rear by way of a rear lane or access route in a bare land strata plan and all parking is located at the rear of the dwelling; or
 - (b) Within 6.0 m (19.7 ft) of any **rear lot line**; or

- (c) Within 3.0 m (9.8 ft) of any **exterior side lot** Line, except that no **garage or carport** whose vehicle access crosses an **exterior side lot line** may be located within 5.5 m (18.0 ft) of the **exterior side lot line** ; or
- (d) Within 1.2 m (3.9 ft) of any **interior side lot line**.

6.21.07 Regulations for Two-Family Dwelling Use

In addition to the other regulations in this Section the following regulations apply to **two-family dwellings** in the R2 Zone:

- (1) **Two-family dwellings** are prohibited on **panhandle lots** and **lots abutting** Langford, Glen or Florence Lake.
- (2) The width of the **building envelope** may not be less than 14.0 m (45.9 ft).
- (3) In addition to all other regulations of this Bylaw, a continuous **landscape and screening area** of at least 1.0 m (3.3 ft) in width containing a shrub, hedge or fence screen of a minimum **height** of 1.8 m (5.9 ft), at time of planting, must be provided along any **interior side lot line** starting from 6.0 m (19.7 ft) to the rear of the **front lot line** and extending to the **rear lot line**.

Section 6.23 – Residential Small Lot (RS1) Zone

The intent of the RS1 Zone is to permit one-family residential uses on small lots serviced by community sanitary sewer within the urban core as an infill use, or in new neighbourhoods where community sanitary sewer is in place.

6.23.01 Permitted Uses

The following **uses** and no others are permitted in the RS1 Zone:

- (1) **Accessory buildings and structures**, subject to Section 3.05;
- (2) **Community garden**;
- (3) **Dwelling, one-family**;
- (4) **Dwelling, two-family**, on **lots** with a **lot area** greater than or equal to 835.0 m² (8,987.9 ft²), a **lot width** greater than or equal to 18.0 m (59.1 ft), and subject to Section 3.07;
- (5) **Home occupation**, subject to Section 3.09;
- (6) **Secondary suite** in a **one-family dwelling** on **lots** with **lot areas** greater than or equal to 550.0 m² (5,920.2 ft²) and subject to Section 3.08;
- (7) The keeping of not more than one **boarder** in a **one-family dwelling**;
- (8) **Uses accessory** to a **principal use** permitted in this **Zone**; and
- (9) **Uses** permitted by Section 3.01 of this Bylaw.

6.23.02 Subdivision Lot Requirements

- (1) No **lot** having a **lot area** less than 850.0 m² (9,149.3 ft²) may be created by subdivision.
- (2) Despite Article 6.23.02(1) above, on land whose legal description is set out in Table 1 of Schedule AD, the minimum **lot area** for subdivision of **lots** for a **one-family dwelling use** may be 370.0 m² (3,982.7 ft²) if the owner of the land proposed to be subdivided:
 - (a) Pays to the City the amount specified in Column 4 of Table 1 of Schedule AD prior to the time of subdivision.
- (3) No **lot** having a **lot width** less than 9.5 m (31.2 ft) may be created by subdivision.
- (4) No **lot** having a **building envelope** with a width or depth less than 7.0 m (23.0 ft) nor an area less than 93.0 m² (1,001.0 ft²) may be created by subdivision.
- (5) No **panhandle lots** may be created by subdivision.

6.23.03 Density of Development

There may not be more than one **residential building** on a **lot**.

6.23.04 Lot Coverage

Lot coverage of all **buildings** and **structures** may not exceed 40%.

6.23.05 Height and Size of Principal Use Buildings

No **building** or **structure** may exceed a **height** of 8.5 m (27.9 ft).

6.23.06 Setbacks

No **building** or **structure** may be located:

- (1) Within 4.5 m (14.8 ft) of any **front lot line**, except that no **garage or carport** whose vehicle access crosses a **front lot line** may be located within 5.5 m (18.0 ft) of the **front lot line**. This **setback** may be reduced to 3.0 m (9.8 ft) where **automobile** access to the dwelling is provided from the rear by way of a rear lane or strata title access route and all parking is located at the rear of the dwelling; or
- (2) Within 1.2 m (3.9 ft) of any **interior side lot line** ; or
- (3) Within 3.0 m (9.8 ft) of any **exterior side lot line**, except that no **garage or carport** whose vehicle access crosses an **exterior side lot line** may be located within 5.5 m (18.0 ft) of the **exterior side lot line**; or
- (4) Within 6.0 m (19.7 ft) of any **rear lot line**.

6.23.07 Regulations for Two-Family Dwellings

- (1) **Two-family dwellings** are prohibited on **panhandle lots**.
- (2) The width of the **building envelope** may not be less than 14.0 m (45.9 ft).
- (3) In addition to all other regulations of this Bylaw a continuous **landscape and screening area** of at least 1.0 m (3.3 ft) in width containing a shrub, hedge or fence screen of a minimum **height** of 1.8 m (5.9 ft), at time of planting, must be provided along any **interior side lot line** starting from 6.0 m (19.7 ft) to the rear of the **front lot line** and extending to the **rear lot line**.

Section 6.24 – Manufactured Home Park (RH1) Zone

The intent of the RH1 Zone is to permit manufactured homes in areas serviced by community sanitary sewer.

6.24.01 Permitted Uses

The following **uses** and no others are permitted in the RH1 Zone:

- (1) **Accessory buildings and structures**, subject to Section 3.05;
- (2) **Community garden**;
- (3) **Home office**, subject to Section 3.09;
- (4) **Manufactured home** parks subject to the provisions of the Capital Regional District Mobile Home Parks Bylaw No. 1, 1977 and amendments thereto;
- (5) **Uses accessory** to a **principal use** permitted in this **Zone**; and
- (6) **Uses** permitted by Section 3.01 of this Bylaw.

6.24.02 Subdivision Lot Requirements

- (1) No **lot** having a **lot area** less than 0.5 ha (1.3 ac) may be created by subdivision .
- (2) No subdivision plan may be approved unless each **lot** created by the subdivision has a **lot width** of at least 25.0 m (82.0 ft).

Section 6.25 – Residential Small Lot 2 (RS2) Zone

The intent of the RS2 Zone is to permit one-family and two-family residential uses on lots serviced by community sanitary sewer within the urban core as an infill use, or in new neighbourhoods where community sanitary sewer systems are in place, and provide an opportunity, through density bonusing, to create small lots.

6.25.01 Permitted Uses

The following **uses** and no others are permitted in the RS2 Zone:

- (1) **Accessory buildings and structures**, subject to Section 3.05;
- (2) **Community garden**;
- (3) **Dwelling, one-family**;
- (4) **Dwelling, two-family**, on **lots** with a **lot area** greater than or equal to 835.0 m² (8,987.9 ft²), a Lot Width greater than or equal to 18.0 m (59.1 ft), and subject to Section 3.07;
- (5) **Home occupation**, subject to Section 3.09;
- (6) **Secondary suite**, in a **one-family dwelling** on **lots** with a **lot area** greater than or equal to 550.0 m² (5,920.2 ft²), and subject to Section 3.08;
- (7) The keeping of not more than one **boarder** in a **one-family dwelling**;
- (8) **Uses accessory** to a **principal use** permitted in this ; and
- (9) **Uses** permitted by Section 3.01 of this Bylaw.

6.25.02 Subdivision Lot Requirements

- (1) No **lot** having a **lot area** less than 850 m² (9,149.3 ft²) may be created by subdivision.
- (2) No **lot** with a **lot width** less than 9.5 m (31.2 ft) may be created by subdivision.
- (3) No **lot** having a **building envelope** with a width or depth less than 7.0 m (23.0 ft) nor an area less than 93.0 m² (1,001.0 ft²) may be created by subdivision.
- (4) No **panhandle lots** may be created by subdivision.
- (5) Despite Article 6.25.02(1), on land whose legal description is set out in Table 1 of Schedule "AD", the minimum **lot area** for subdivision may be 300.0 m² (3,229.2 ft²) if the owner of the land proposed to be subdivided:

- (a) Pays to the City the amount specified in Column 4 of Table 1 of Appendix AD, prior to the time of subdivision;
- (b) Provides to the City the amenity specified in Column 4 of Table 1 of Appendix AD, prior to the time of subdivision; and
- (c) Enters into a housing agreement and covenant with the City in respect of at least the number of parcels in the subdivision indicated in Column 4 of Table 1 of Schedule "AD", which parcels may have a **lot area** of not less than 270.0 m² (2,906.3 ft²) and no more than two of which parcels may be contiguous along their **interior side lot lines**, requiring the owner to construct on each such parcel within 26 weeks of the deposit of the subdivision plan a **one-family dwelling** having a **gross floor area** of not less than 83.0 m² (893.4 ft²), restricting the selling price of the parcel and dwelling to \$165,000 for the first five years following deposit of the subdivision plan, and restricting the selling price of the parcel and dwelling for the following twenty years to \$165,000 plus \$2,000 for each full year that has elapsed following the expiry of the initial five-year period.

6.25.03 Density of Development

There may not be more than one **residential building** on a **lot**.

6.25.04 Lot Coverage

Lot coverage of all **buildings** and **structures** may not exceed 40%.

6.25.05 Height and Size of Principal Use Buildings

- (1) No **building** or **structure** on a **lot** greater than or equal to 550.0 m² (5,920.2 ft²) in **lot area** may exceed a **height** of 9.0 m (29.5 ft).
- (2) No **building** or **structure** on a **lot** less than 550.0 m² (5,920.2 ft²) in **lot area** may exceed a **height** of 8.5 m (27.9 ft).

6.25.06 Setbacks

- (1) No **principal building** may be located:
 - (a) Within 4.5 m (14.8 ft) of any **front lot line**, except that no **garage or carport** whose vehicle access crosses a **front lot line** may be located within 5.5 m (18.0 ft) of the **front lot line**. This **setback** may be reduced to 3.0 m (9.8 ft) where **automobile** access to the dwelling is provided from the rear by way of a rear lane or access route in a bare land strata plan and all parking is located at the rear of the dwelling; or
 - (b) Within 6.0 m (19.7 ft) of any **rear lot line**; or
 - (c) Within 3.0 m (9.8 ft) of any **exterior side lot line** except that no **garage or carport** whose vehicle access crosses an **exterior side lot line** may be located within 5.5 m (18.0 ft) of the **exterior side lot line**; or
 - (d) Within 1.2 m (3.9 ft) of any **interior side lot line**.

Small Lot Affordable Housing

- (2) Despite Article 6.25.06(1), on residential **lots** with **lot areas** greater than or equal to 270.0 m² (2,906.3 ft²) and less than 300.0 m² (3,229.2 ft²) no **principal building** may be located:
 - (a) Within 4.0 m (13.1 ft) from any **front lot line** , except that no **garage or carport** whose vehicle access crosses a **front lot line** may be located within 5.5 m (18.0 ft) of the **front lot line** This **setback** may be reduced to 3.0 m (9.8 ft) where **automobile** access to the dwelling is provided from the rear by way of a rear lane of access route in a bare land strata plan and all parking is located at the rear of the dwelling; or
 - (b) Within 6.0 m (19.7 ft) from any **rear lot line**; or
 - (c) Within 3.0 m (9.8 ft) of any **exterior side lot line**, except that no **garage or carport** whose vehicle access crosses an **exterior side lot line** may be located within 5.5 m (18.0 ft) of the **exterior side lot line**; or
 - (d) Within 1.2 m (3.9 ft) of any **interior side lot line**;

Accessory Buildings

- (3) No **accessory building** may be located:
 - (a) Within 1.0 m (3.3 ft) of the **principal building**; or
 - (b) Within 15.0 m (49.2 ft) of any **front lot line** unless it complies with the **front lot line setback** requirements applicable to the **principal building**; or
 - (c) Within 1.0 m (3.3 ft) of any **side lot line**; or
 - (d) Within 1.0 m (3.3 ft) of any **rear lot line**.
- (4) Despite Article 6.25.06(3), on residential **lots** with **lot areas** less than or equal to 300.0 m² (3,229.2 ft²), no **accessory building** may be located:
 - (a) Within 1.0 m (3.3 ft) of the **principal building**; or
 - (b) Within 5.5 m (18.0 ft) of any **front lot line**; or
 - (c) Within 1.0 m (3.3 ft) of any **side lot line**; or
 - (d) Within 1.0 m (3.3 ft) of any **rear lot line**.

6.25.07 Regulations for Two-Family Dwellings

- (1) **Two-family dwellings** are prohibited on **panhandle lots**.
- (2) The width of the **building envelope** may not be less than 14.0 m (45.9 ft).
- (3) In addition to all other regulations of this Bylaw a continuous **landscape and screening area** of at least 1.0 m (3.3 ft) in width containing a shrub, hedge or fence screen of a minimum **height** of 1.8 m (5.9 ft), at time of planting, must be provided along any **interior lot line** starting from 6.0 m (19.7 ft) to the rear of the **front lot line** and extending to the **rear lot line**.

Section 6.26 – One- and Two-Family Residential (R2A) Zone

The intent of the R2A Zone is to provide for one- and two-family residential uses on conventional sized lots in areas serviced by community sanitary sewer.

6.26.01 Permitted Uses

The following **uses** and no others are permitted in the R2A Zone:

- (1) **Accessory buildings and structures**, subject to Section 3.05;
- (2) **Community garden**;
- (3) **Dwelling, one-family**;
- (4) **Dwelling, two-family**, on **lots** with a **lot area** greater than or equal to 835.0 m² (8,987.9 ft²), a **lot width** greater than or equal to 18.0 m (59.1 ft), and subject to Section 3.07;
- (5) **Group daycare** with a maximum of one child per 100.0 m² (1,076.4 ft²) of **lot area**, subject to Subsection 3.26.02;
- (6) **Home occupation**, subject to Section 3.09;
- (7) **Secondary suite** in a **one-family dwelling**, subject to Section 3.08;
- (8) The keeping of not more than four **boarders** in a **one-family dwelling**;
- (9) **Uses accessory** to a **principal use** permitted in this **Zone**; and
- (10) **Uses** permitted by Section 3.01 of this Bylaw.

6.26.02 Subdivision Lot Requirements

- (1) No **lot** having a **lot area** less than 1,500.0 m² (0.4 ac), a **lot width** less than 16.0 m (52.5 ft), and a **building envelope** with a width or depth less than 7.0 m (23.0 ft) nor a **building envelope** area less than 186.0 m² (2,002.0 ft²) may be created by subdivision.
- (2) Despite Article 6.26.02(1), a **lot** having a **lot area** not less than 550.0 m² (5,920.2 ft²), a **lot width** not less than 16.0 m (52.5 ft), and a **building envelope** with a width or depth not less than 7.0 m (23.0 ft) and a **building envelope** area not less than 186.0 m² (2,002.0 ft²) may be created by subdivision on land whose legal description is set out in Table 1 of Schedule “AD” if the owner of the land proposed to be subdivided:
 - (a) Pays to the City the amount specified in Column 4 of Table 1 of Schedule “AD”, prior to the time of subdivision; and
 - (b) Enters into a housing agreement and covenant with the City in respect of at least the number of parcels in the subdivision indicated in Column 4 of Table 1 of Schedule “AD”, which parcels may have a **lot area** of not less than 270.0 m² (2,906.3 ft²) and no more than two of which parcels may be contiguous along their **interior side lot lines**, requiring the owner to construct on each such parcel within 26 weeks of the deposit of the subdivision plan a **one-family dwelling** having a **gross floor area** of not less than 83.0 m² (893.4 ft²), restricting the selling price of the parcel and dwelling to \$165,000 for the first five years following deposit of the subdivision plan, and restricting the selling price of the parcel and dwelling for the following twenty years

to \$165,000 plus \$2,000 for each full year that has elapsed following the expiry of the initial five-year period.

- (3) Despite Article 6.26.02(1), a **lot** with a **lot area** less than 550.0 m² (5,920.2 ft²), a **lot width** not less than 9.5 m (31.2 ft) and a **building envelope** area not less than 93.0 m² (1,001.0 ft²) may be created by subdivision using strata lot averaging.

6.26.03 Density of Development

- (1) There may not be more than one **residential building** on a **lot**, exclusive of any garden suite or carriage suite;
- (2) Despite Article 6.26.03(1), there may be two **residential buildings** on a **lot** if:
 - (a) The **lot area** is not less than 835.0 m² (8,987.9 ft²) and not greater than 1,099.0 m² (11,829.5 ft²);
 - (b) The **lot** was:
 - (i) In existence on 1 January 2001; or
 - (ii) In existence on 5 December 2006 for the property legally described as: Lot 9, Section 84, Metchosin District, Plan VIP82261 (3446 Happy Valley Road);
 - (c) Each **building** is oriented towards the street, and in the case of **corner lots** one **building** may be oriented towards the front street, and the other **building** may be oriented towards the flanking side street;
 - (d) Neither **building** is situated behind the other **building**, with the sole exception of those instances where two **buildings** form part of the same strata plan on a **corner lot**;
 - (e) The **gross floor area** of one **building** is not less than 85% of the **gross floor area** of the other **building**;
 - (f) Each **building** has a separate driveway; and
 - (g) Neither **building** on a single **lot** may have a secondary suite, garden suite or carriage suite.

6.26.04 Lot Coverage

Lot coverage of all **buildings** and **structures** may not exceed 35% except that, for **lots** less than 550.0 m² (5,920.2 ft²) in **lot area**, **lot coverage** for all **buildings** and **structures** may not exceed 50%.

6.26.05 Height and Size of Principal Use Buildings

No **building** or **structure** may exceed a **height** of 9.0 m (29.5 ft).

6.26.06 Setbacks

- (1) No **building** or **structure** may be located:
 - (a) Within 6 .0m (19.7 ft) of any **front lot line** or **rear lot line**; or

- (b) Within 1.5 m (4.9 ft) of any **interior side lot line**; or
 - (c) Within 4.5 m (14.8 ft) of any **exterior side lot line**, except that no **garage or carport** whose vehicle access crosses an **exterior side lot line** may be located within 5.5 m (18.0 ft) of the **exterior side lot line**.
- (2) Despite Article 6.26.06(1), on residential **lots** that are less than 550.0 m² (5,920.2 ft²) no **principal building** may be located:
- (a) Within 4.0 m (13.1 ft) from any **front lot line**, except that no **garage or carport** whose vehicle access crosses a **front lot line** may be located within 5.5 m (18.0 ft) of the **front lot line**. This **setback** may be reduced to 3.0 m (9.8 ft) where **automobile** access to the dwelling is provided from the rear by way of a rear lane of access route in a bare land strata plan and all parking is located at the rear of the dwelling; **or**
 - (b) Within 6.0 m (19.7 ft) from any **rear lot line**; or
 - (c) Within 3.0 m (9.8 ft) of any **exterior side lot line**, except that no **garage or carport** whose vehicle access crosses an **exterior side lot line** may be located within 5.5 m (18.0 ft) of the **exterior side lot line**; or
 - (d) Within 1.2 m (3.9 ft) of any **interior side lot line**.
- (3) Despite any other regulation in this Section, the **setback** from an **interior side lot line** for a **two-family dwelling** may not be less than 3.0 m (9.8 ft).

6.26.07 Regulations for Two-Family Dwelling Use

In addition to the other regulations in this Section the following regulations apply to **two-family dwellings** in the R2A Zone:

- (i) **Two-family dwellings** are prohibited on **panhandle lots**;
- (ii) The width of the **building envelope** may not be less than 14.0 m (45.9 ft);
- (iii) In addition to all other regulations of this Bylaw a continuous **landscape and screening area** of at least 1.0 m (3.3 ft) in width containing a shrub, hedge or fence screen of a minimum **height** of 1.8 m (5.9 ft), at time of planting, must be provided along any **interior side lot line** starting from 6.0 m (19.7 ft) to the rear of the **front lot line** and extending to the **rear lot line**

Section 6.27 – Residential Small Lot 3 (RS3) Zone

The intent of the RS3 Zone is to permit one- and two-family residential uses on lots serviced by community sanitary sewers within the urban core as an infill use, or in new neighbourhoods where a community sanitary sewer system is in place, and provide an opportunity, through density bonusing, to create small lots.

6.27.01 Permitted Uses

The following **uses** and no others are permitted in the RS3 Zone:

- (1) **Accessory buildings and structures**, subject to Section 3.05;
- (2) **Community garden**;
- (3) **Dwelling, one-family**;
- (4) **Dwelling, two-family**, on **lots** with a **lot area** greater than or equal to 835.0 m² (8,987.9 ft²), a **lot width** greater than or equal to 18.0 m (59.1 ft), and subject to Section 3.07;
- (5) **Dwelling, two-family**, on **lots** with a **lot area** greater than or equal to 835.0 m² (8,987.9 ft²), a **lot width** greater than or equal to 18.0 m (59.1 ft), and subject to Section 3.07 on land legally described as Lot 1, Section 84, Metchosin District, Plan 10609 (3497 Luxton Road);
- (6) **Home occupation**, subject to Section 3.09;
- (7) **Secondary suite** in a **one-family dwelling** on **lots** with **lot areas** greater than or equal to 550.0 m² (5,920.2 ft²) in accordance with Section 3.08;
- (8) **Secondary suite** in a **one-family dwelling**, on lots with areas greater than or equal to 400m² and a lot width greather than 12m in accordance with Section 3.08 on the properties legally described as: Lot 1, Section 116, Esquimalt District, Plan 22391 (2786 Wenger Terrace) and Lot 3, Section 84, Esquimalt District, Plan 21075 (939 Walfred).
- (9) **Secondary suite** in a **one-family dwelling**, subject to Section 3.08, on the properties legally described as Lots 1, 2 and 3, Block 1, Section 86, Metchosin District, Plan 1524 and The Northerly 74.6 Feet of Lot 2, Block 1, Section 86, Metchosin District, Plan 1524 (3300, 3310, 3326/3328 and 3306 Happy Valley Road); Lot 1, Section 86, Metchosin District, Plan 12293 (3344 Happy Valley Road); and Strata Lots 1 and 2, Section 86, Metchosin District, Strata Plan VIS2845 (3338 and 3340 Happy Valley Road);
- (10) The keeping of not more than one **boarder** in a **one-family dwelling**;
- (11) **Townhouse**, on land legally described as Lot 1, Section 84, Metchosin District, Plan 10609 (3497 Luxton Road);
- (12) **Townhouse** on the properties legally described as PID No.: 002-559-285 (3306 Happy Valley Rd); PID No.: 003-620-603 (3310 Happy Valley Rd); PID No.: 005-198-143 (3326 & 3328 Happy Valley Rd); PID No.: 018-357-776 (3338 Happy Valley Rd); PID No.: 018-357-784 (3340 Happy Valley Rd); PID No.: 004-491-823 (3344 Happy Valley Rd); and PID No. 000-156-884 (3416 Hazelwood Rd);
- (13) **Uses accessory** to a **principal use** permitted in this **Zone**; and

- (14) **Uses** permitted by Section 3.01 of this Bylaw.

6.27.02 Subdivision Lot Requirements

- (1) No **lot** having a **lot area** of less than 850.0 m² (9,149.3 ft²) may be created by subdivision.
- (2) No **lot** for a **one-family dwelling** may be created with a **lot width** of less than 9.0 m (29.5 ft) and no **lot** for a **townhouse** may be created with a **lot width** of less than 5.0 m (16.4 ft).
- (3) No **lot** created for a **one-family dwelling**, with the exception of those listed in Table 1 below, may be created having a **building envelope** width or depth of less than 6.0 m (19.7 ft) nor a **building envelope** area of less than 74.0 m² (796.5 ft²).
- (4) No **panhandle lot** may be created by subdivision.
- (5) Despite Article 6.27.02(1), on land whose legal description is set out in Table 1 of Schedule "AD", the minimum lot area for subdivision of lots for a one-family dwelling may be 220.0 m² (2,368.1 ft²) and the minimum lot area for a townhouse, where permitted in Subsection 6.27.01, may be 100.0 m² (1,076.4 ft²) if the owner of the land proposed to be subdivided:
 - (a) Pays to the City the amount specified in Column 4 of Table 1 of Schedule "AD", prior to the time of subdivision for one-family dwelling lots and prior to the issuance of a Building Permit for a **townhouse lot**;
 - (b) Enters into a housing agreement and covenant with the City in respect of at least the number of parcels in the subdivision indicated in Column 4 of Table 1 of Schedule "AD", which parcels may have a lot area of not less than 220.0 m² (2,368.1 ft²) and no more than two of which parcels may be contiguous along their interior side lot lines, requiring the owner to construct on each such parcel within 26 weeks of the deposit of the subdivision plan a one-family dwelling having a gross floor area of not less than 83.0 m² (893.4 ft²), restricting the selling price of the parcel and dwelling to \$165,000 for the first five years following the deposit of the subdivision plan, and restricting the selling price of the parcel and dwelling for the following twenty years to \$165,000 plus \$2,000 for each full year that has elapsed following the expiry of the initial five-year period; and
 - (c) Provides to the City the amenity specified in Column 4 of Table 1 of Schedule "AD" prior to the time of subdivision approval.
- (6) Despite Articles 6.27.02(6) and 6.27.02(2), the minimum **lot area** and minimum **lot width** for subdivision of **lots** for a **one-family dwelling use** may be further reduced for the properties listed in Table 1 below as indicated:

Table 1

Legal Description	Minimum Lot Size	Minimum Lot Width
The Northerly 74.6 Feet of Lot 2, Block 1, Section 86, Metchosin District, Plan 1524 (3306 Happy Valley Rd); Lot 2, Block 1, Section 86, Metchosin District, Plan 1524, Except the Northerly 74.6 Feet (3310 Happy Valley Rd); Lot 3, Block 1, Section 86, Metchosin District, Plan 1524 (3326 & 3328 Happy Valley Rd); Strata Lot 1, Section 86, Metchosin District, Strata Plan VIS2845 Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form 1 (3338 Happy Valley Rd); Strata Lot 2, Section 86, Metchosin District, Strata Plan VIS2845 Together with an Interest in the Common Property in Proportion to the Unit Entitlement as Shown on Form 1 (3340 Happy Valley Rd); and Lot 1, Section 86, Metchosin District, Plan 12293 (3344 Happy Valley Rd)	176.0 m² (1,894.5 ft²), provided that the one-family dwelling has one 0.0 m (0.0 ft) interior side yard setback	6.0 m (19.7 ft)
Parcel A (DD G360) of Lot 1, Section 85, Metchosin District, Plan 12469 (3416 Hazelwood Rd)	215.0 m² (2,314.2 ft²), except one lot included in the plan of subdivision may have a minimum lot area of 200.0 m² (2,152.8 ft²)	8.4 m (27.6 ft), except one lot included in the plan of subdivision may have a minimum lot width of 7.6 m (24.9 ft)
Lot 3, Section 84, Esquimaly District, Plan 21075 PID No.: 003-488-209 (939 Walfred Rd)	200m²	n/a

6.27.03 Density of Development

- (1) There may not be more than one **residential building** on a **lot**.
- (2) Despite Article (1), one or more additional **residential buildings** are permitted where **townhouse** units are to be subdivided with a strata plan pursuant to the *Strata Property Act*.
- (3) The total floor area of a one family-dwelling on lots less than 400m² on the property legally described as Lot 3, Section 84, Esquimalt District, Plan 21075; PID No.: 003-488-209 (939 Walfred Rd) may not exceed the total area of the lot upon which it is constructed.

6.27.04 Lot Coverage

- (1) **Lot coverage** of all **buildings** and **structures** may not exceed 50%.
- (2) **Lot coverage** of all **buildings** and **structures** on **lots** for **townhouses** or **two-family dwellings** with a **lot area** of less than 220.0 m² (2,368.1 ft²) may not exceed 60%.
- (3) **Lot coverage** for all **buildings** and **structures** on **lots** less than 220.0 m² (2,368.1 ft²) may not exceed 55%.

6.27.05 Height of Principal Use Buildings

- (1) No **building** or **structure** on a **lot** with a **lot area** greater than or equal to 550.0 m² (5,920.2 ft²) may exceed a **height** of 9.0 m (29.5 ft).
- (2) No **building** or **structure** on a **lot** with a **lot area** less than 550.0 m² (5,920.2 ft²) may exceed a **height** of 8.5 m (27.9 ft).
- (3) No **townhouse** may exceed a **height** of three storeys.
- (4) No **one-family dwelling** may exceed a **height** of three storeys on the properties legally described as:
 - (a) The Northerly 74.6 Feet of Lot 2, Block 1, Section 86, Metchosin District, Plan 1524 (3306 Happy Valley Rd);
 - (b) Lot 2, Block 1, Section 86, Metchosin District, Plan 1524, Except the Northerly 74.6 Feet (3310 Happy Valley Rd);
 - (c) Lot 3, Block 1, Section 86, Metchosin District, Plan 1524 (3326 & 3328 Happy Valley Rd);
 - (d) Strata Lot 1, Section 86, Metchosin District, Strata Plan VIS2845 Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form 1 (3338 Happy Valley Rd);
 - (e) Strata Lot 2, Section 86, Metchosin District, Strata Plan VIS2845 Together with an Interest in the Common Property in Proportion to the Unit Entitlement as Shown on Form 1 (3340 Happy Valley Rd);
 - (f) Lot 1, Section 86, Metchosin District, Plan 12293 (3344 Happy Valley Rd); and

- (g) Parcel A (DD G360) of Lot 1, Section 85, Metchosin District, Plan 12469 (3416 Hazelwood Rd).

6.27.06 Setbacks

- (1) No **one-family dwelling** or **two-family dwelling** may be located:
- (a) Within 3.0 m (9.8 ft) of any **front lot line**, except that no **garage or carport** whose vehicle access crosses a **front lot line** may be located within 5.5 m (18.0 ft) of a the **front lot line**. This **setback** may be reduced to 3.0 m (9.8 ft) where **automobile** access to the dwelling is provided from the rear by way of a rear lane or access route in a bare land strata plan and all parking is located at the rear of the dwelling; or
 - (b) Within 5.5 m (18.0 ft) of any **rear lot line**; or
 - (c) Within 3.5 m (11.5 ft) of any **exterior side lot line**, except that no **garage or carport** whose vehicle access crosses an **exterior side lot line** may be located within 5.5 m (18.0 ft) of the **exterior side lot line**; or
 - (d) Within 1.2 m (3.9 ft) of any **interior side lot line**.

Townhouses

- (2) No **townhouse building** may be located:
- (a) Within 3.0 m (9.8 ft) of any **front lot line**, except that no **garage or carport** whose vehicle access crosses a **front lot line** may be located within 5.5 m (18.0 ft) of a the **front lot line**. This **setback** may be reduced to 3.0 m (9.8 ft) where **automobile** access to the dwelling is provided from the rear by way of a rear lane or access route in a bare land strata plan and all parking is located at the rear of the dwelling; or
 - (b) Within 5.5 m (18.0 ft) of any **rear lot line**; or
 - (c) Within 1.2 m (3.9 ft) where the **abutting lot** is not a **townhouse**; or
 - (d) Within 3.5 m (11.5 ft) of any **exterior side lot line** except that no **garage or carport** whose vehicle access crosses an **exterior side lot line** may be located within 5.5 m (18.0 ft) of the **exterior side lot line**.

6.27.07 Regulations for Two-Family Dwellings

- (1) **Two-family dwellings** are prohibited on **panhandle lots**.
- (2) The width of the **building envelope** may not be less than 14.0 m (45.9 ft).
- (3) In addition to all other regulations of this Bylaw a continuous **landscape and screening area** of at least 1.0 m (3.3 ft) in width containing a shrub, hedge or fence screen of a minimum **height** of 1.8 m (5.9 ft), at time of planting, must be provided along any **interior side lot line** starting from 6.0 m (19.7 ft) to the rear of the **front lot line** and extending to the **rear lot line**.

Section 6.27A – Residential Small Lot 4 (RS4) Zone

The intent of the RS4 Zone is to permit one-family residential uses with secondary suites on lots serviced by community sanitary sewers within the urban core as an infill use, or in new neighbourhoods where a community sanitary sewer system is in place, and provide an opportunity, through density bonusing, to create small lots.

6.27A.01 Permitted Uses

The following **uses** and no others are permitted in the RS4 Zone:

- (1) **Accessory buildings and structures**, subject to Section 3.05;
- (2) **Community garden**;
- (3) **Dwelling, one-family**;
- (4) **Dwelling, two-family**, on **lots** with a **lot area** greater than or equal to 835.0 m² (8,987.9 ft²), a **lot width** greater than or equal to 18.0 m (59.1 ft), and subject to Section 3.07;
- (5) **Home occupation**, subject to Section 3.09;
- (6) **Secondary suite** in a **one-family dwelling** on **lots** with **lot areas** greater than or equal to 400.0 m² (4,305.6 ft²), subject to Section 3.08;
- (7) The keeping of not more than one **boarder** in a **one-family dwelling**;
- (8) Townhouse, only on those properties legally described as: That Portion of the Southerly 11 Chains of Section 81, Metchosin District, Lying Westerly of the Happy Valley Road, Except Those Parts in Plans 28272 and VIP52319 (3690 Happy Valley Rd); Lot 1, Section 81, Metchosin District, Plan 28272 Except That Part in Plan VIP74006 (3694 Happy Valley Rd); and those portions of Lot 2, Section 87, Metchosin District, Plan 31715 Except: Plans EPP70874 and EPP74392 (4342 West Shore Pkwy) located west west of the West Shore Parkway, and subject to Subsection 6.27A.08;
- (9) **Uses accessory** to a **principal use** permitted in this **Zone**; and
- (10) **Uses** permitted by Section 3.01 of this Bylaw.

6.27A.02 Subdivision Lot Requirements

- (1) No **lot** having a **lot area** of less than 850.0 m² (9,149.3 ft²) may be created by subdivision.
- (2) No **lot** with a **lot width** of less than 9.0 m (29.5 ft) may be created by subdivision.
- (4) No **lot** having a **building envelope** width or depth of less than 6.0 m (19.7 ft) nor a **building envelope** area of less than 74.0 m² (796.5 ft²) may be created by subdivision.
- (5) No **panhandle lot** may be created by subdivision.

- (6) Despite Article 6.27A.02(1), on land whose legal description is set out in Table 1 of Schedule “AD”, the minimum **lot area** for subdivision may be 400.0 m² (4,305.6 ft²) if the owner of the land proposed to be subdivided pays to the City the amount specified in Column 4 of Table 1 of Schedule “AD” prior to the time of subdivision.
- (7) Despite Article 6.27A.02(1), on that property legally described as Lot, Section 26, Goldstream District, Plan 24172 (2955 Irwin Rd) the minimum **lot area** for subdivision may be 260.0 m² (2,798.6 ft²) if the owner of the land proposed to be subdivided:
 - (a) Pays to the City the amount specified in Column 4 of Table 1 of Schedule AD, prior to the time of subdivision; and
 - (b) Does not exceed a maximum density of 18 **lots**.

6.27A.03 Density of Development

- (1) There may not be more than one **residential building** on a **lot**.
- (2) Despite Article 6.27A.03(1) there may be more than one **residential building** on a **lot** if those **residential buildings** contain a **townhouse use**.
- (3) Under no circumstances may the density of development on those properties legally described as That Portion of the Southerly 11 Chains of Section 81, Metchosin District, Lying Westerly of the Happy Valley Road, Except Those Parts in Plans 28272 and VIP52319 (3690 Happy Valley Rd) and Lot 1, Section 81, Metchosin District, Plan 28272 Except That Part in Plan VIP74006 (3694 Happy Valley Rd) exceed 125 Single Family Equivalent (SFE) **dwelling units**, and for the purpose of this Article, a **townhouse dwelling unit** shall be deemed to be equivalent to 0.66 SFE.

6.27A.04 Lot Coverage

Lot coverage of all **buildings** and **structures** may not exceed 50%.

6.27A.05 Height of Principal Use Buildings

- (1) No **building** or **structure** on a **lot** with a **lot area** greater than or equal to 550.0 m² (5,920.2 ft²) may exceed a **height** of 9.0 m (29.5 ft).
- (2) No **building** or **structure** on a **lot** with a **lot area** less than 550.0 m² (5,920.2 ft²) may exceed a **height** of 8.5 m (27.9 ft).

6.27A.06 Setbacks

- (1) No **principal building** may be located:
 - (a) Within 3.0 m (9.8ft) of any **front lot line**, except that no **garage or carport** whose vehicle access crosses a **front lot line** may be located within 5.5 m (18.0 ft) of the **front lot line**; or
 - (b) Within 5.5 m (18.0 ft) of any **rear lot line**; or
 - (c) Within 3.5 m (11.5 ft) of any **exterior side lot line**, except that no **garage or carport** whose vehicle access crosses an **exterior side lot line** may be located within 5.5 m (18.0 ft) of the **exterior side lot line**; or

- (d) Within 1.2 m (3.9 ft) of any **interior side lot line**.

6.27A.07 Regulations for Two-Family Dwellings

- (1) **Two-family dwellings** are prohibited on **panhandle lots**.
- (2) The width of the **building envelope** may not be less than 14.0 m (45.9 ft).
- (3) In addition to all other regulations of this Bylaw a continuous **landscape and screening area** of at least 1.0 m (3.3 ft) in width containing a shrub, hedge or fence screen of a minimum **height** of 1.8 m (5.9 ft), at time of planting, must be provided along any **interior side lot line** starting from 6.0 m (19.7 ft) to the rear of the **front lot line** and extending to the **rear lot line**.

6.27A.08 Regulations for Townhouses

- (1) **Townhouses** will be subject to the regulations of the RT1 Zone and not the regulations of this **Zone**.

Section 6.28 – Residential Townhouse (RT1) Zone

The intent of the RT1 Zone is to permit one-family and townhouse residential uses in areas serviced by community sanitary sewer.

6.28.01 Permitted Uses

The following **uses** and no other uses are permitted in the RT1Zone:

- (1) **Accessory buildings and structures**, subject to Section 3.05;
- (2) **Community garden**;
- (3) **Dwelling, one-family**, on property legally described at Lot 1 Section 84 Metchosin District Plan VIP67043 (3483 Happy Valley Rd);
- (4) **Home office**, subject to Section 3.09;
- (5) **Townhouse**;
- (6) Uses **accessory** to a **principal use** permitted in this **Zone**; and
- (7) **Uses** permitted under Section 3.01 of this Bylaw.

6.28.02 Subdivision Lot Requirements

- (1) No **lot** having a **lot area** less than 100.0 m² (1,076.4 ft²) may be created by subdivision.
- (2) No **lot** having a **lot width** less than 5.0 m (16.4 ft) may be created by subdivision.

6.28.03 Density of Development

- (1) Except as provided in Article (2), the **floor area ratio** may not exceed 0.5.
- (2) Despite Article 6.28.03(1), on land whose legal description is set out in Table 1 of Schedule "AD", the maximum **floor area ratio** may be increased to 1.0 if the owner of the land proposed to be developed pays to the City the amount specified in Column 4 of Table 1 of Schedule "AD" prior to the issuance of a Building Permit.

6.28.04 Regulations of Use for a One-Family Dwelling

A **one-family dwelling use** is subject to the regulations of the R2 Zone and not the regulations of this **Zone**.

6.28.05 Lot Coverage

Lot coverage of all **buildings and structures** may not exceed 60%.

6.28.06 Height and Size of Principal Use Buildings

No **building or structure** may exceed a **height** of 10.0 m (32.8 ft).

6.28.07 Setbacks

- (1) No **building** or **structure** may be located:
 - (a) Within 3.0 m (9.8 ft) of any **front lot line** , except that no **garage or carport** whose vehicle access crosses a **front lot line** may be located within 5.5 m (18.0 ft) of the **front lot line**; or
 - (b) Within 1.2 m (3.9 ft) of any **interior side lot lines abutting** any **Zone** other than the RT1 Zone; or
 - (c) Within 3.5 m (11.5 ft) of any **exterior side lot line**, except that no **garage or carport** whose vehicle access crosses an **exterior side lot line** may be located within 5.5 m (18.0 ft) of the **exterior side lot line**; or
 - (d) Within 5.5 m (18.0 ft) of any **rear lot line**.

Section 6.28A – Residential Townhouse (RT2) Zone

The intent of the RT2 Zone is to permit townhouse residential uses in areas serviced by community sanitary sewer.

6.28A.01 Permitted Uses

The following **uses** and no others are permitted in the RT2 Zone:

- (1) **Accessory buildings and structures**, subject to Section 3.05;
- (2) **Community garden**;
- (3) **Home office**, subject to Section 3.09;
- (4) **Townhouse**;
- (5) **Uses accessory** to a **principal use** permitted in this **Zone**; and
- (6) **Uses** permitted by Section 3.01 of this Bylaw.

6.28A.02 Subdivision Lot Requirements

- (1) No **lot** having a **lot area** less than 550.0 m² (5,920.2 ft²) may be created by subdivision.
- (2) Despite Article 6.28A.02(1), a **lot** having a **lot area** no less than 100.0 m² (1,076.4 ft²) may be created by subdivision, if the owner of the land proposed to be developed pays to the City the amount specified in Column 4 of Table 1 of Schedule “AD” prior to the issuance of a Building Permit.
- (3) No **lot** having a **lot width** less than 5.0 m (16.4 ft) may be created by subdivision.

6.28A.03 Density of Development

- (1) No lot may be developed having a density greater than one **dwelling unit** per 550.0 m² (5,920.2 ft²) of **lot area**.
- (2) Despite Article 6.28A.03(1), on land whose legal description is set out in Table 1 of Schedule “AD”, the maximum density may be one **dwelling unit** per 100.0 m² (1,076.4 ft²) of **lot area**, if the owner of the land proposed to be developed pays to the City the amount specified in Column 4 of Table 1 of Schedule “AD” prior to the issuance of a Building Permit.

6.28A.04 Lot Coverage

Lot coverage of all **buildings and structures** may not exceed 60%.

6.28A.05 Height and Size of Principal Use Buildings

No **building or structure** may exceed a **height** of two storeys.

6.28A.06 Setbacks

- (1) No **building** or **structure** may be located:
 - (a) Within 2.0 m (6.6 ft) of any **front lot line** , except that no **garage or carport** whose vehicle access crosses a **front lot line** may be located within 5.5 m (18.0 ft) of the **front lot line**; or
 - (b) Within 1.2 m (3.9 ft) of any **interior side lot line abutting** any **Zone** other than the RT2 Zone; or
 - (c) Within 1.5 m (4.9 ft) of any **exterior side lot line**, except that no **garage or carport** whose vehicle access crosses an **exterior side lot line** may be located within 5.5 m (18.0 ft) of the **exterior side lot line**; or
 - (d) Within 3.5 m (11.5 ft) of any **rear lot line abutting** any **Zone** other than the RT2 Zone.

Section 6.29 – One-Family Residential 4 (R4) Zone

The intent of the R4 Zone is to permit one-family residential uses with secondary suites on conventional sized lots in areas serviced by community sanitary sewers.

6.29.01 Permitted Uses

The following **uses** and no others are permitted in the R4 zone:

- (1) **Accessory buildings and structures**, subject to Section 3.05;
- (2) **Community garden**;
- (3) **Dwelling, one-family**;
- (4) **Group daycare** , subject to Subsection 3.26.02;
- (5) **Home occupation**, subject to Section 3.09;
- (6) **Secondary suite, garden suite, or carriage suite** in accordance with Section 3.08.
- (7) The keeping of not more than four **boarders** in a **one-family dwelling**;
- (8) **Uses accessory** to a **principal use** permitted in this **Zone**; and
- (9) **Uses** permitted by Section 3.01 of this Bylaw.

6.29.02 Subdivision Lot Requirements

- (1) No **lot** having a **lot area** less than 3,000.0 m² (32,291.7 ft²) may be created by subdivision.
- (2) No **lot** having a **lot width** less than 16.0 m (52.5 ft) may be created by subdivision.
- (3) No **lot** having a **building envelope** with a width or depth less than 7.0 m (23.0 ft) nor an area less than 186.0 m² (2,002.1 ft²) may be created by subdivision.
- (4) Despite Article 6.29.02(1), on land whose legal description is set out in Table 1 of Schedule “AD”, the minimum **lot area** for subdivision may be 550.0 m² (5,920.2 ft²) if the owner of the land proposed to be subdivided pays to the City the amount specified in Column 4 of Table 1 of Schedule “AD” prior to the time of subdivision.
- (5) No subdivision plan may be approved unless the **lots** created by the subdivision have an average **lot area** of at least 1,012.0 m² (0.3 ac).

6.29.03 Density of Development

There may not be more than one **residential building** on a **lot**, exclusive of any garden suite or carriage suite;

6.29.04 Lot Coverage

Lot coverage of all **buildings and structures** may not exceed 50%.

6.29.05 Height and Size of Principal Use Buildings

No **building** or **structure** may exceed a **height** of 9.0 m (29.5 ft).

6.29.06 Setbacks

No **building** or **structure** may be located:

- (1) Within 6 m.0 (19.7 ft) of any **front lot line** or **rear lot line**; or
- (2) Within 1.5 m (4.9 ft) of any **interior side lot line**; or
- (3) Within 4.5 m (14.8 ft) of any **exterior side lot line**, except that no **garage or carport** whose vehicle access crosses an **exterior side lot line** may be located within 5.5 m (18.0 ft) of the **exterior side lot line**.

Section 6.30 – Low Density Attached Housing (RM1) Zone

The intent of the RM1 Zone is to permit two-family, townhouse and apartment residential uses in areas serviced by community sanitary sewers.

6.30.01 Permitted Uses

The following **uses** and no others are permitted in the RM1 Zone:

- (1) **Accessory buildings and structures**, subject to Section 3.05;
- (2) **Apartment** with a maximum of five **dwelling units**;
- (3) **Community garden**;
- (4) **Dwelling, two-family**, subject to Section 3.07;
- (5) **Home occupation**, subject to Section 3.09;
- (6) **Townhouse**;
- (7) **Uses accessory** to a **principal use** permitted in this **Zone**; and
- (8) **Uses** permitted by Section 3.01 of this Bylaw.

6.30.02 Subdivision Lot Requirements

- (1) No **lot** with a **lot area** less than 1,800.0 m² (0.5 ac) may be created by subdivision.
- (2) No **lot** having a **lot width** less than 25.0 m (82.0 ft) may be created by subdivision.

6.30.03 Density of Development

- (1) There may not be more than one **dwelling unit** per 500.0 m² (5,382.0 ft²) of **lot area**.
- (2) The **floor area ratio** is limited to a maximum of 0.6, but may be increased to 0.75 if at least 75% of the required off-street parking is provided underground.

6.30.04 Lot Coverage

Lot coverage of all **buildings and structures** may not exceed 35%.

6.30.05 Height and Size of Principal Use Buildings

- (1) No **building or structure** may exceed a **height** of 9.0 m (29.5 ft).
- (2) No **townhouse building or two-family dwelling** may exceed a width of 50.0 m (164.0 ft) or six **dwelling units**, whichever is the lesser.

6.30.06 Setbacks

No **building** or **structure** may be located:

- (1) Within 7.5 m (24.6 ft) of any **front lot line**; or
- (2) Within 6 m.0 (19.7 ft) of any **interior side lot line**; or
- (3) Within 7.5 m (24.6 ft) of any **exterior side lot line**; or
- (4) Within 10.0 m (32.8 ft) of any **rear lot line**.

Section 6.31 – Attached Housing (RM2) Zone

The intent of the RM2 Zone is to permit two-family and townhouse residential uses in areas serviced by community sanitary sewers.

6.31.01 Permitted Uses

The following **uses** and no others are permitted in the RM2 Zone:

- (1) **Accessory buildings and structures**, subject to Section 3.05;
- (2) **Community garden**;
- (3) **Dwelling, two-family**, subject to Section 3.07;
- (4) **Home occupation**, subject to Section 3.09;
- (5) **Townhouse**;
- (6) **Uses accessory** to a **principal use** permitted in this **Zone**; and
- (7) **Uses** permitted by Section 3.01 of this Bylaw.

6.31.02 Subdivision Lot Requirements

- (1) No **lot** having a **lot area** less than 1,800.0 m² (0.5 ac) may be created by subdivision.
- (2) No **lot** having a **lot width** less than 18.0 m (59.1 ft) may be created by subdivision.

6.31.03 Density of Development

- (1) There may not be more than one **dwelling unit** per 285.0 m² (3,067.7 ft²) of **lot area**.
- (2) The **floor area ratio** is limited to a maximum of 0.6, but may be increased to a maximum of 0.75 if at least 75% of the required off-street parking is provided underground.

6.31.04 Lot Coverage

Lot coverage of all **buildings and structures** may not exceed 35%.

6.31.05 Height and Size of Principal Use Buildings

- (1) No **building or structure** may exceed a **height** of 9.0 m (29.5 ft).
- (2) No **townhouse building or two-family dwelling** may exceed a width of 50.0 m (164.0 ft) or six **dwelling units**, whichever is the lesser.

6.31.06 Setbacks

No **building** or **structure** may be located:

- (1) Within 7.5 m (24.6 ft) of any **front lot line**; or
- (2) Within 6.0 m (19.7 ft) of any **interior side lot line**; or
- (3) Within 7.5 m (24.6 ft) of any **exterior side lot line**; or
- (4) Within 10.0 m (32.8 ft) of any **rear lot line**.

Section 6.31A – Attached Housing (RM2A) Zone

The intent of the RM2A Zone is to permit two-family and townhouse residential uses in areas serviced by community sanitary sewers.

6.31A.01 Permitted Uses

The following **uses** and no others shall be permitted in the RM2A Zone.

- (1) **Accessory buildings and structures**, subject to Section 3.05;
- (2) **Community garden**;
- (3) **Dwelling, two-family**, subject to Section 3.07;
- (4) **Home occupation**, subject to Section 3.09;
- (5) **Townhouse**;
- (6) **Uses accessory** to a **principal use** permitted in this **Zone**; and
- (7) **Uses** permitted by Section 3.01 of this Bylaw.

6.31A.02 Subdivision Lot Requirements

- (1) No **lot** having a **lot area** less than 1,800.0 m² (0.5 ac) may be created by subdivision.
- (2) No **lot** having a **lot width** less than 18.0 m (59.1 ft) may be created by subdivision.

6.31A.03 Density of Development

- (1) Except as provided in Articles (2) and (3), **buildings** in the RM2A Zone shall not exceed a **floor area ratio** of 0.75.
- (2) Despite subsection 6.31A.03(1), on land whose legal description is set out in Table 1 of Schedule AD, the **floor area ratio** is 1.0, if the owner of the land proposed to be developed: Pays to the City the amount specified in Column 4 of Table 1 of schedule AD, prior to issuance of a building permit.
- (3) Despite Subsection 6.31A.03(1), the floor area ratio may be increased to a maximum of 1.5 if the owner of the land proposed to be developed provides a minimum of 50% of the parking spaces required by this Bylaw in an underground or under building parking structure, subject to compliance with the density bonus provisions specified in Subsection 6.31A.03(2).

6.31A.04 Lot Coverage

Lot coverage of all **buildings and structures** may not exceed 45%.

6.31A.05 Height and Size of Principal Use Buildings

- (1) No **building** or **structure** may exceed a **height** of three storeys.
- (2) No **townhouse building** or **two-family dwelling** may exceed a width of 50.0 m (164.0 ft) or six **dwelling units**, whichever is the lesser.

6.31A.06 Setbacks

No **building** or **structure** may be located:

- (1) Within 5.5 m (18 ft) of any **front lot line**; or
- (2) Within 5.5 m (18 ft) of any **exterior side lot line**; or
- (3) Within 7.5 m (25 ft) of atleast one interior side or rear lot line, and within 3.0 m (10ft) of the other interior side or rear lot line.

Section 6.32 – Apartment (RM3) Zone

The intent of the RM3 Zone is to permit two-family, townhouse and apartment residential uses in areas serviced by community sanitary sewers.

6.32.01 Permitted Uses

The following **uses** and no others are permitted in the RM3 Zone:

- (1) **Accessory buildings and structures**, subject to Section 3.05;
- (2) **Apartment**;
- (3) **Community garden**;
- (4) **Dwelling, two-family**, subject to Section 3.07;
- (5) **Home occupation**, subject to Section 3.09;
- (6) **Townhouse**;
- (7) **Uses accessory** to a **principal use** permitted in this **Zone**; and
- (8) **Uses** permitted by Section 3.01 of this Bylaw.

6.32.02 Subdivision Lot Requirements

- (1) No **lot** having a **lot area** less than 1,800.0 m² (0.5 ac) may be created by subdivision.
- (2) No **lot** having a **lot width** less than 18.0 m (59.1 ft) may be created by subdivision.

6.32.03 Regulations for Use for Townhouses and Two-Family Dwellings

A **townhouse** or **two-family dwelling** is subject to the regulations of the RM2 Zone and not the regulations of this **Zone**, except on that part of Lot 3, Section 5, Esquimalt District, Plan 3495, lying to the north east of a boundary parallel to and perpendicularly distant 75 feet from the north easterly boundary of said **lot**, where a **townhouse** or **two-family dwellings** is subject to the regulations of this **Zone**.

6.32.04 Density of Development

- (1) Except as provided in Articles (2) and (3), there may not be more than one **dwelling unit** per 200.0 m² (2,152.8 ft²) of **lot area**..
- (2) **Buildings** in the RM3 Zone may not exceed a **floor area ratio** of 1.0.
- (3) The **floor area ratio** may be increased to 1.25 if at least 75% of the required off-street parking is provided underground.

6.32.05 Lot Coverage

Lot coverage of all **buildings and structures** may not exceed 35%.

6.32.06 Height and Size of Principal Use Buildings

- (1) No **apartment building** may exceed a **height** of six storeys.
- (2) No **Townhouse** or **two-family dwelling** may exceed a **height** of 9.0 m (29.5 ft).

6.32.07 Setbacks

No **building** or **structure** may be located:

- (1) Within 7.5 m (24.6 ft) of any **front lot line**; or
- (2) Within 7.5 m (24.6 ft) of any **side lot line** or a distance equal to 0.6 multiplied by the **height** of the **building** in metres, whichever is less; or
- (3) Within 10.0 m (32.8 ft) of the **rear lot line** or a distance equal to the **height** of the **building** in metres, whichever is less.

Section 6.32A – Apartment (RM3A) Zone

The intent of the RM3A Zone is to permit two-family, townhouse and apartment residential uses in areas serviced by community sanitary sewers, and to provide, through density bonusing, for higher densities of development.

6.32A.01 Permitted Uses

The following **uses** and no others are permitted in the RM3A Zone:

- (1) **Accessory buildings and structures**, subject to Section 3.05;;
- (2) **Apartment**;
- (3) **Community garden**;
- (4) **Dwelling, two-family**, subject to Section 3.07;
- (5) **Home occupation**, subject to Section 3.09;
- (6) **Townhouse**;
- (7) **Uses accessory** to a **principal use** permitted in this **Zone**; and
- (8) **Uses** permitted by Section 3.01 of this Bylaw.

6.32A.02 Subdivision Lot Requirements

- (1) No **lot** having a **lot area** less than 1,800.0 m² (0.5 ac) may be created by subdivision.
- (2) No **lot** having a **lot width** less than 18.0 m (59.1 ft) may be created by subdivision.

6.32A.03 Density of Development

- (1) There may not be more than one **dwelling unit** per 550.0 m² (5,920.2 ft²) of **lot area**.
- (2) Despite Article 6.32A.03 (1), on land whose legal description is set out in Table 1 of Schedule “AD”, the density of development may exceed one **dwelling unit** per 550.0 m² (5,920.2 ft²), if the owner of the land proposed to be developed:
 - (a) Pays to the City the amount specified in Column 4 of Table 1 of Schedule “AD”, prior to issuance of a Building Permit; and
 - (b) Provides to the City the amenity specified in Column 4 of Table 1 of Schedule “AD”, prior to issuance of a Building Permit.
- (3) Despite Article 6.32A.03(2), **buildings** developed pursuant to Article (2) shall not exceed a maximum of one **dwelling unit** per 200.0 m² (2,152.8 ft²).
- (4) Under no circumstances may the **floor area ratio** exceed 1.0.

6.32A.04 Lot Coverage

Lot coverage of all **buildings** and **structures** may not exceed 35%.

6.32A.05 Height and Size of Principal Use Buildings

- (1) No **apartment building** may exceed a **height** of six storeys.
- (2) No **townhouse** or **two-family dwelling** may exceed a **height** of 9.0 m (29.5 ft).

6.32A.06 Setbacks

No **building** or **structure** may be located:

- (1) Within 7.5 m (24.6 ft) of any **front lot line**; or
- (2) Within 7.5 m (24.6 ft) of any **side lot line** or a distance equal to 0.6 multiplied by the **height** of the **building** in metres, whichever is less; or
- (3) Within 10.0 m (32.8 ft) of the **rear lot line** or a distance equal to the **height** of the **building** in metres, whichever is less.

Section 6.33 – Apartment – Senior Citizens (RM4) Zone

The intent of the RM4 Zone is to permit apartment residential uses for senior citizens in areas serviced by community sanitary sewers.

6.33.01 Permitted Uses

The following **uses** and no others are permitted in the RM4 Zone:

- (1) **Accessory buildings and structures**, subject to Section 3.05;
- (2) **Apartment, senior citizens**;
- (3) **Community garden**;
- (4) **Home occupation**, subject to Section 3.09;
- (5) **Uses accessory** to a **principal use** permitted in this **Zone**; and
- (6) **Uses** permitted by Section 3.01 of this Bylaw.

6.33.02 Subdivision Lot Requirements

No **lot** having a **lot area** less than 5,000.0 m² (1.2 ac) may be created by subdivision.

6.33.03 Density of Development

The total area of **buildings** and **structures** on any **lot** must not exceed the lesser of the following:

- (1) The sum of the following, in square metres:
 - (a) The number of one bedroom **dwelling units** on the **lot** times 93;
 - (b) The number of two bedroom **dwelling units** on the **lot** times 278; and
 - (c) The number of three bedroom **dwelling units** on the **lot** times 464; or
- (2) The area of a maximum **floor area ratio** of 0.6, or a maximum **floor area ratio** of 0.75 if at least 75% of the required off-street parking is provided underground.

6.33.04 Lot Coverage

Lot coverage of all **buildings** and **structures** may not exceed 16%.

6.33.05 Height and Size of Principal Use Buildings

No **building** or **structure** may exceed a **height** of six storeys.

6.33.06 Setbacks

No **building** or **structure** may be located:

- (1) Within 7.5 m (24.6 ft) of any **front lot line**; or
- (2) Within 7.5 m (24.6 ft) of any **side lot line** or a distance equal to 0.6 multiplied by the **height** of the **building** in metres, whichever is less; or
- (3) Within 10.0 m (32.8 ft) of the **rear lot line** or a distance equal to the **height** of the **building**, whichever is less.

Section 6.34 – Cluster Housing Residential (CH1) Zone

The intent of the CH1 Zone is to permit one-family, two-family and townhouse residential uses in a manner designed to cluster density within a smaller portion of the development site and preserve open space.

6.34.01 Permitted Uses

The following **uses** and no others are permitted in the Cluster Housing (CH1) Zone:

- (1) **Accessory building and structures**, subject to Section 3.05;
- (2) **Community garden**;
- (3) **Home office** , subject to Section 3.09;
- (4) **Dwelling, one-family**, at the location shown on Schedule “C” attached to and forming part of this Bylaw;
- (5) **Dwelling, one-family** in those locations identified as Lot A and B on Schedule “C”, provided that at least 17% of the maximum permitted **dwelling units** on Lot A are **one-family dwellings** or **two-family dwellings**;
- (6) **Dwelling, two-family**, at the location shown on Schedule “C” attached to and forming part of this Bylaw and subject to Section 3.07;
- (7) **Dwelling, two-family**, in those locations identified as Lot A and B on Schedule “C”, provided that at least 17% of the maximum permitted **dwelling units** on Lot A are **one-family dwellings** or **two-family dwellings**;
- (8) **Townhouse**, on **lots** with a **lot area** greater than or equal to 1,800.0 m² (0.5 ac) and a **lot depth** greater than or equal to 25.0 m (82.0 ft), in those locations identified as Lot A and B on Schedule “C”, provided that at least 17% of the maximum permitted **dwelling units** on Lot A are **one-family dwellings** or **two-family dwellings**;
- (9) **Uses accessory** to a **principal use** permitted in this **Zone**; and
- (10) **Uses** permitted by Section 3.01 of this Bylaw.

6.34.02 Density of Development

The maximum density on each of the **lots** identified on Schedule “C” is as follows:

- (1) Lot A: 413 **dwelling units**; and
- (2) Lot B: 76 **dwelling units**.

6.34.03 Height and Size of Principal Use Buildings

- (1) The height of any **residential building** shall not exceed 12.0 m (39.4 ft) or three storeys.
- (2) The height of any **accessory building** shall not exceed 5.0 m (16.4 ft).

- (3) No **townhouse building** or **structure** shall exceed a width of 50.0 m (164.0 ft) or six **dwelling units**, whichever is greater.

6.34.04 Setbacks

- (1) No **townhouse** may be located:
 - (a) Within 5.0 m (16.4 ft) of any **front lot line**, except that no **garage or carport** whose vehicle access crosses a **front lot line** may be located within 5.5 m (18.0 ft) of the **front lot line**; or
 - (b) Within 6.0 m (19.7 ft) of any **side lot line**, except that on a **corner lot** no **townhouse** may be located within 7.5 m (24.6 ft) of the **exterior side lot line**; or
 - (c) Within 7.5 m (24.6 ft) of any **rear lot line**.
- (2) No **one-family dwelling** or **two-family dwelling** may be located:
 - (a) Within 5.0 m (16.4 ft) of any **front lot line**, except that no **garage or carport** whose vehicle access crosses a **front lot line** may be located within 5.5 m (18.0 ft) of the **front lot line**; or
 - (b) Within 1.5 m (4.9 ft) of any **side lot line** and the sum of the **setbacks** from the two **side lot lines** shall not be less than 4.5 m (14.8 ft), except that on a **corner lot** no **one-family dwelling** or **two-family dwelling** may be located within 6.0 m (19.7 ft) of the **exterior side lot line**; or
 - (c) Within 7.5 m (24.6 ft) of any **rear lot line**.
 - (a) **Accessory buildings** are not permitted in any required front or side **setback**.

6.34.05 Lot Coverage

Lot coverage of all **buildings** and **structures** may not exceed 35%.

6.34.06 Subdivision Lot Requirements

The following regulations apply to all **lots** that may be created by subdivision:

- (1) Minimum **lot area** shall be 695.0 m² (7,480.9 ft²);
- (2) Minimum **lot width** shall be 16.0 m (52.5 ft); and
- (3) Minimum **lot depth** shall be 30.0 m (98.4 ft).

Section 6.35 – Cluster Housing Residential (CH2) Zone

The intent of the CH2 Zone is to permit one-family residential uses in a manner designed to cluster density within a smaller portion of the development site and preserve open space.

6.35.01 Permitted Uses

The following **uses** and no others are permitted in the CH2 Zone:

- (1) **Accessory buildings and structures**, subject to Section 3.05;
- (2) **Community garden**;
- (3) **Dwelling, one-family**;
- (4) **Group daycare** , subject to Subsection 3.26.02;
- (5) **Group daycare** with a maximum capacity of 76 children, on land legally described as Lot 1, Section 80, Metchosin District, Plan VIP70354 (1028 Lomalinda Drive)
- (6) **Home occupation**, subject to Section 3.09;
- (7) **Secondary suite** in a **one-family dwelling**, subject to Section 3.08;
- (8) The keeping of not more than four **boarders** in a **one-family dwelling**;
- (9) **Uses accessory** to a **principal use** permitted in this **Zone**; and
- (10) **Uses** permitted by Section 3.01 of this Bylaw.

6.35.02 Subdivision Lot Requirements

No **lot** having a **lot area** less than 1,400.0 m² (15,069.5 ft²) may be created by subdivision.

6.35.03 Density of Development

- (1) The maximum density on the property legally described as Parcel A (DD34484I), Section 80, Metchosin District, Except Part On Plan Attached to Conveyance Dated the 24th Day of July 1911 From David Albert Henry to the Canadian Northern Pacific Railway Company and Deposited Under DD 27589 and Except Parts in Plans 6887 and 7142 shall be eight **one-family dwellings** . This may be increased to 16 **one-family dwellings** if at least 45% of the property is dedicated as park and the applicant provides at its own cost, the installation of sewer services to the entire subdivision, prior to subdivision.
- (2) There may not be more than one **group daycare** on land legally described as Lot 1, Section 80, Metchosin District, Plan VIP70354 (1028 Lomalinda Drive).

6.35.04 Height and Size of Principal Use Buildings

No **building** or **structure** may exceed a **height** of 9.0 m (29.5 ft).

6.35.05 Setbacks

No **building** or **structure** may be located:

- (1) Within 7.5 m (24.6 ft) of any **front lot line** or **rear lot line**; or
- (2) Within 1.5 m (4.9 ft) of any **interior side lot line** provided, however, that the sum of the **setbacks** from any two **interior side lot lines** is not less than 4.5 m (14.8 ft); or
- (3) Within 6.0 m (19.7 ft) of any **exterior side lot line**.

6.35.06 Lot Coverage

Lot coverage of all **buildings** and **structures** may not exceed 35%.

Section 6.36 – Medium-Density Apartment (RM7) Zone

The intent of the RM7 Zone is to permit two-family, townhouse and apartment residential uses at a medium density in areas serviced by community sanitary.

6.36.01 Permitted Uses

The following **uses** and no others shall be permitted in the RM7 Zone.

- (1) **Accessory buildings and structures**, subject to Section 3.05;
- (2) **Apartment**;
- (3) **Community garden**;
- (4) **Dwelling, two-family**, subject to Section 3.07;
- (5) **Home occupation**, subject to Section 3.09;
- (6) **Townhouse**; and
- (7) **Uses accessory** to a **principal use** permitted in this **Zone**; and
- (8) **Uses** permitted by Section 3.01 of this Bylaw.

6.36.02 Subdivision Lot Requirements

- (1) No **lot** having a **lot area** less than 4,000.0 m² (1.0 ac) may be created by subdivision.
- (2) No **lot** having a **lot width** less than 20.0 m (65.6 ft) may be created by subdivision.
- (3) No **lot** having a **lot depth** less than 34.0 m (111.5 ft) may be created by subdivision.

6.36.03 Density of Development

- (1) Except as provided in Articles (2), (3), (4) and (5), **buildings** shall not exceed a **floor area ratio** of 1.0.
- (2) The **floor area ratio** may be increased to 1.15 if the owner provides at least 50% of the parking spaces required by this Bylaw in an underground parking structure, and by an additional 0.02 to a maximum of 1.25 for every additional 5% of the parking spaces so provided in excess of 50%.
- (3) The **floor area ratio** may be increased to 1.25 if the owner provides multiple-family residential **amenity space** of 5.0 m² (53.8 ft²) per **dwelling unit** in addition to the required usable open space.
- (4) The **floor area ratio** may be increased to 1.6 on a **lot** located in the shaded area shown on Schedule "AE".

6.36.04 Lot Coverage

- (1) **Lot coverage** of all **buildings** and **structures** may not exceed 50%;

- (2) **Lot coverage** of all **buildings** and **structures** with **heights** of three storeys or more located in the shaded area shown on Schedule “AE” may not exceed 75%.

6.36.05 Height and Size of Principal Use Buildings

- (1) No **apartment building** may exceed a **height** of six storeys.
- (2) No **townhouse** or **two-family dwelling** may exceed a **height** of 9.0 m (29.5 ft).

6.36.06 Setbacks

No **building** or **structure** may be located:

- (1) Within 7.5 m (24.6 ft) of any **front lot line**; or
- (2) Within 3.0 m (9.8 ft) of any **interior side lot line**; or
- (3) Within 7.5 m (24.6 ft) of any **exterior side lot line**; or
- (4) Within 3.0 m (9.8 ft) of any **rear lot line**; or
- (5) Within 7.5 m (24.6 ft) of any **rear lot line**, if that **lot line abuts**, or is separated only by a **highway**, from a **lot** in a **Residential Zone**.

Section 6.36A – Medium-Density Apartment A (RM7A) Zone

The intent of the RM7A Zone is to permit two-family, townhouse and apartment residential uses at a medium density in areas serviced by community sanitary sewer and to allow for increased densities through density bonussing.

6.36A.01 Permitted Uses

The following **uses** and no others are permitted in the RM7A Zone:

- (1) **Accessory buildings and structures**, subject to Section 3.05;
- (2) **Apartment**, except on the parcel legally described as Lot 3, Section 108, Esquimalt District, Plan 15809 Except Parts in Plans VIP71966 and VIP71969 (300 Phelps Ave); Lot 15, Section 109, Esquimalt District, Plan 12187 Except Part in Plan VIP71967 (647 Redington Ave), Lot 17, Section 109, Esquimalt District, Plan 12187 (2478 Selwyn Rd), Lot 16, Section 109, Esquimalt District, Plan 12187 Except Part in Plan VIP71967, (2482 Selwyn Rd); and Lot A, Section 84, Esquimalt District, Plan VIP51623 (3296 Jacklin Rd);
- (3) **Community garden**;
- (4) **Dwelling, two-family**, subject to Section 3.07;
- (5) **Group Daycare**, on the property legally described as Lot 1, Section 72, Esquimalt District, Plan 45918 (616 Goldstream Ave) and in accordance with Subsection 3.26.02;
- (6) **Home occupation**, subject to Section 3.09;
- (7) **Townhouse**;
- (8) **Uses accessory to a principal use** permitted in this **Zone**; and
- (9) **Uses** permitted by Section 3.01 of this Bylaw.

6.36A.02 Subdivision Lot Requirements

- (1) No **lot** having a **lot area** less than 3,000.0 m² (0.7 ac) may be created by subdivision.
- (2) No **lot** having a **lot width** less than 20.0 m (65.6 ft) may be created by subdivision.
- (3) No **lot** having a **lot depth** less than 34.0 m (111.5 ft) may be created by subdivision.
- (4) Despite Article 6.36A.02(1), on **lots** located within the shaded area shown on Schedule “A1”, a **lot** having a **lot area** less than 3,000.0 m² (0.7 ac) but not less than 90.0 m² (968.8 ft²) may be created by subdivision if the owner of the land proposed to be subdivided pays to the City the amount specified in Column 4 of Table 1 of Schedule “AD” prior to the issuance of a Building Permit.
- (5) Despite Articles 6.36A.02(2) and 6.36A.02(3), on **lots** located within the shaded area shown on Schedule “A1”, no **lot** having a **lot width** less than 4.0 m (13.1 ft) or a **lot depth** less than 22.0 m (72.2 ft) may be created by subdivision.

6.36A.03 Density of Development

- (1) There may not be more than three **dwelling units** on a **lot**, with a combined **floor area ratio** not exceeding 0.5.
- (2) Despite Article 6.36A.03(1), on land whose legal description is set out in Table 1 of Schedule “AD”, the density of development may exceed three **dwelling units** and a **floor area ratio** of 0.5 if the owner of the land proposed to be developed:
 - (a) Pays to the City the amount specified in Column 4 of Table 1 of Schedule “AD”, prior to the issuance of a Building Permit; and
 - (b) Provides to the City the amenity specified in Column 4 of Table 1 of Schedule “AD” prior to the time of Building Permit issuance.
- (3) Despite Clause 6.36A.03 (2)(a), the owner may provide a reduced amenity contribution from that specified in Table 1 of Schedule “AD” in accordance with Table 2 below where the owner enters into an agreement with the City prior to issuance of a building permit, under which the owner agrees to achieve a minimum Level 1 Rating defined by the Green Development Checklist Policy for all development on the land.

Table 2 – Amenity Contribution Reductions (Bylaw No. 1432)

Overall Green Development Checklist Project Rating	% Reduction to the Required Contributions Specified in Table 1
<i>Level 1</i>	10%
<i>Level 2</i>	15%
<i>Level 3</i>	25%
<i>Level 4</i>	50%

- (4) The **floor area ratio** may be increased to a maximum of 1.6 on a **lot** located in the shaded area shown on Schedule “AE”.
- (5) Except as provided in Article (4), **buildings** developed pursuant to Article (2) shall not exceed a **floor area ratio** of 1.0.
- (6) The **floor area ratio** may be increased to a maximum of 1.15 if the owner provides at least 50% of the parking spaces required by this Bylaw in an underground parking structure, and by an additional 0.02 to a maximum of 1.25 for every additional 5% of the parking spaces so provided.
- (7) Despite any other part of this Subsection, on **lots** located within the shaded area shown on Schedule “AI”, the **floor area ratio** may not exceed 3.0.
- (8) Despite Articles 6.36A.03(1) and (5) and subject to Article 6.36A.03(2), the **floor area ratio** may be a maximum of 1.2 for the **lot** legally described as Lot 1, Section 109, Esquimalt District, Plan 15552 Except Part in Plan VIP71965 (667 Redington Ave).

6.36A.04 Lot Coverage

- (1) **Lot coverage** of all **buildings** and **structures** may not exceed 35% unless the density bonus provisions of Article 6.36A.03(2) have been engaged, in which case the **lot coverage** of all **buildings** and **structures** may not exceed 50 %.
- (2) **Lot coverage** of all **buildings** and **structures** with **heights** of three storeys or more located in the shaded area shown on Schedule "AE" may not exceed 75%.
- (3) Despite any other part of this Subsection, on **lots** located within the shaded area shown on Schedule "AI", the **lot coverage** may not exceed 85%.

6.36A.05 Height and Size of Principal Use Buildings

- (1) No **apartment building** may exceed a **height** of six storeys.
- (2) No **townhouse** or **two-family dwelling** may exceed a **height** of three storeys.
- (3) On the **lot** legally described as Lot 1, Section 109, Esquimalt District, Plan 15552 Except Part in Plan VIP71965 (667 Redington Ave) the maximum **height** for an **apartment** is five storeys.

6.36A.06 Setbacks

- (1) No **building** or **structure** may be located:
- (2) Within 7.5 m (24.6 ft) of any **front lot line**; or
- (3) Within 3.0 m (9.8 ft) of any **interior side lot line**; or
- (4) Within 7.5 m (24.6 ft) of any **exterior side lot line**; or
- (5) Within 3.0 m (9.8 ft) of any **rear lot line**; or
- (6) Within 7.5 m (24.6 ft) of any **rear lot line**, if that **lot line abuts**, or is separated only by a **highway**, from a **lot** in a Residential Zone; or
- (7) Despite Articles (4) and (5), on lands legally described as Lot 7, Section 109, Esquimalt District, Plan 10426 (656 Strandlund Avenue); Lot 1, Section 109, Esquimalt District, Plan 28414 (660 Strandlund Avenue); and Lot 9, Section 109, Esquimalt District, Plan 10426 (664 Strandlund Avenue) the minimum **setback** to the Trans Canada Highway Lands is 4.6 m (15.1 ft).

Section 6.37 – Cluster Housing Residential (CH3) Zone

The intent of the CH3 Zone is to permit one-family residential uses in a manner designed to cluster density within a smaller portion of the development site and preserve open space.

6.37.01 Permitted Uses

The following **uses** and no others are permitted in the CH3 Zone:

- (1) **Accessory buildings and structures**, subject to Section 3.05;
- (2) **Community garden**;
- (3) **Dwelling, one-family**;
- (4) **Home occupation**, subject to Section 3.09;
- (5) **Uses accessory** to a **principal use** permitted in this **Zone**; and
- (6) **Uses** permitted by Section 3.01 of this Bylaw.

6.37.02 Density of Development

There may not be more than one **residential building** on a **lot**.

6.37.03 Subdivision Lot Requirements

- (1) No **lot** having a **lot area** less than 9.0 ha (22.2 ac) may be created by subdivision.
- (2) Despite Article 6.37.03(1), up to 17 **lots**, none having a **lot area** of less than 1,500.0 m² (16,145.9 ft²), may be subdivided from Lot 1, Section 26, Goldstream District, Plan 17841, Except Parts in Plans 24172, 43873, and VIP67119, if 5.7 ha (14.1 ac) of the land shown as Amenity on Schedule “G” is transferred to the City of Langford for Park purposes.

6.37.04 Height and Size of Principal Use Buildings

No **building** or **structure** may exceed a **height** of 9.0 m (29.5 ft).

6.37.05 Setbacks

- (1) No **building** or **structure** may be located:
 - (a) Within 7.5 m (24.6 ft) of any **front lot line** or **rear lot line**; or
 - (b) Within 1.5 m (4.9 ft) of any **interior side lot line** provided, however, that the sum of the **setbacks** from any two **interior side lot lines** is not less than 4.5 m (14.8 ft); or
 - (c) Within 6.0 m (19.7 ft) of any **exterior side lot line**.

6.37.06 Lot Coverage

Lot **coverage** of all **buildings** and **structures** may not exceed 35%.

Section 6.37A – Cluster Housing Residential 4 (CH4) Zone

The intent of the CH4 Zone is to permit one-family, two-family and townhouse residential uses in a manner designed to cluster density within a smaller portion of the development site and preserve open space.

6.37A.01 Permitted Uses

The following **uses** and no others are permitted in the CH4 Zone:

- (1) **Accessory buildings and structures**, subject to Section 3.05;
- (2) **Community garden**;
- (3) **Dwelling, one-family**;
- (4) **Dwelling, two-family**, subject to Section 3.07;
- (5) **Home occupation**, subject to Section 3.09;
- (6) **Townhouse**;
- (7) **Uses accessory** to a **principal use** permitted in this Zone; and
- (8) **Uses** permitted by Section 3.01 of this Bylaw.

6.37A.02 Subdivision Lot Requirements

- (1) No **lot** having a **lot area** less than 100.0 m² (1,076.4 ft²) may be created by subdivision.
- (2) No **lot** having a **lot width** of less than 5.0 m (16.4 ft) may be created by subdivision.

6.37A.03 Density of Development

- (1) There may not be more than three **dwelling units** in the CH4 Zone;
- (2) Despite Article 6.37A.03(1), on land whose legal description is set out in Table 1 of Schedule “AD”, there may be more than three **dwelling units** in the CH4 Zone, if the owner of the land proposed to be developed pays to the City the amount specified in Column 4 of Table 1 of Schedule “AD”, prior to the issuance of a Building Permit for **townhouse** or **two-family dwelling uses** or prior to subdivision approval for **one-family dwelling uses**.

6.37A.05 Lot Coverage

Lot **coverage** of all **buildings and structures** may not exceed 60%.

6.37A.06 Height and Size of Principal Use Buildings

No **building** or **structure** may exceed a **height** of three storeys.

6.37A.07 Setbacks

No **building** or **structure** may be located:

- (1) Within 3.0 m (9.8 ft) of any **front lot line**, except that no **garage** or **carport** whose vehicle access crosses a **front lot line** may be located within 5.5 m (18.0 ft) of the **front lot line**; or
- (2) Within 1.2 m (3.9 ft) of any **interior side lot lines abutting** any Zone other than the CH4 Zone; or
- (3) Within 3.0 m (9.8 ft) of any **exterior side lot line**, except that no **garage** or **carport** whose vehicle access crosses an **exterior side lot line** may be located within 5.5 m (18.0 ft) of the **exterior side lot line**; or
- (4) Within 3.0 m (9.8 ft) of any **rear lot line**.

Section 6.37B – Cluster Housing Residential 5 (CH5) Zone

The intent of the CH5 Zone is to permit one-family, two-family and townhouse residential uses in a manner designed to cluster density within a smaller portion of the development site and preserve open space.

6.37B.01 Permitted Uses

The following **uses** and no others are permitted in the CH5 Zone:

- (1) **Accessory buildings and structures**, subject to Section 3.05;
- (2) **Community garden**;
- (3) **Dwelling, one-family**;
- (4) **Dwelling, two-family**, subject to Section 3.07;
- (5) **Home occupation**, subject to Section 3.09;
- (6) **Secondary suite** in a **one-family dwelling**, subject to Section 3.08;
- (7) The keeping of not more than one **boarder** in a **one-family dwelling**;
- (8) **Townhouse**;
- (9) **Uses accessory** to a **principal use** permitted in this Zone; and
- (10) **Uses** permitted by Section 3.01 of this Bylaw.

6.37B.02 Subdivision Lot Requirements

One-Family Dwelling Lots

- (1) No **lot** having a **lot area** less than 700.0 m² (17,534.7 ft²) may be created by subdivision for a **one-family dwelling**.
- (2) No **lot** for a one-family dwelling may have a **lot width** less than 15.0 m (49.2 ft).
- (3) No **lot** for a **one-family dwelling** may have a **building envelope** width or depth less than 7.0 m (23.0 ft).

Two-Family Dwelling Lots

- (4) No **lot** having a **lot area** less than 835.0 m² (8,987.9 ft²) may be created by subdivision for a **two-family dwelling**.
- (5) No **lot** for a **two-family dwelling** may have a **lot width** less than 18.0 m (59.1 ft).
- (6) No **lot** for a **two-family dwelling** may have a **building envelope** width or depth less than 14.0 m (45.9 ft).

Townhouse Lots

- (7) No **lot** having a **lot area** less than 600.0 m² (6,458.3 ft²) may be created by subdivision for a **townhouse**.
- (8) No **lot** for a **townhouse** may have a lot width less than 24.0 m (78.7 ft).

6.37B.03 Density of Development on Individual Lots

- (1) There may not be more than one **residential building** on a **one-family** or **two-family dwelling lot**.
- (2) There may not be less than three **dwelling units** on a **townhouse lot**.
- (3) The maximum density of development on a **townhouse lot** is one **dwelling unit** per 200.0 m² (2,152.8 ft²) of **lot area**.

6.37B.04 Density of Development in the CH5 Zone

- (1) There may not be more than 10 **dwelling units** in the CH5 Zone.
- (2) Despite Article 6.37B.04(1), there may be more than 10 **dwelling units** in the CH5 Zone if the owner of the land to be built upon has provided to the City, prior to the issuance of a Building Permit for a **two-family dwelling** or **townhouse** and prior to subdivision approval for a **one-family dwelling**:
 - (a) \$1,000 per **one-family dwelling lot** towards the General Amenity Reserve Fund;
 - (b) \$610 per **dwelling unit** in a **two-family dwelling** towards the General Amenity Reserve Fund;
 - (c) \$610 per **townhouse dwelling unit** towards the General Amenity Reserve Fund; and
 - (d) An area of land not less than 141,640.0 m² (35 ac) as open space.
- (3) Provided that all of the requirements of Subsection 6.37B.04(2) have been met, the maximum density of development in the CH5 Zone is 312 **dwelling units**, exclusive of **secondary suites**.

6.37B.05 Regulations for Two-Family Dwelling Use

Two-family dwellings are prohibited on **panhandle lots**.

6.37B.06 Height and Size of Principal Use Buildings

- (1) No **one-family dwelling** may exceed a **height** of 10.0 m (32.8 ft).
- (2) No **two-family dwelling** may exceed a **height** of 10.0 m (32.8 ft).
- (3) No **townhouse building** may exceed a **height** of three storeys.

6.37B.07 Setbacks

- (1) No **one-family dwelling** may be located:

- (a) Within 6.0 m (19.7 ft) of any **front lot line**; or
 - (b) Within 6.0 m (19.7 ft) of any **rear lot line**; or
 - (c) Within 1.5 m (4.9 ft) of any **interior side lot line**; or
 - (d) Within 4.5 m (14.8 ft) of any **exterior side lot line**, except that no **garage or carport** whose vehicle access crosses an **exterior side lot line** may be located within 5.5 m (18.0 ft) of the **exterior side lot line**.
- (2) No **townhouse** may be located:
- (a) Within 3.0 m (9.8 ft) of any **front lot line**, except that no **garage or carport** whose vehicle access crosses a **front lot line** may be located within 5.5 m (18.0 ft) of the **front lot line**; or
 - (b) Within 5.5 m (18.0 ft) of any **rear lot line**; or
 - (c) Within 3.0 m (9.8 ft) of any **exterior side lot line**, except that no **garage or carport** whose vehicle crosses an **exterior side lot line** may be located within 5.5 m (18.0 ft) of the **exterior side lot line**; or
 - (d) Within 1.2 m (3.9 ft) of any **interior side lot line**.

6.37B.08 Lot Coverage

- (1) The **lot coverage** of all **buildings** and **structures**, where the **principal use building** is less than two storeys above finished grade, shall not exceed 40%.
- (2) The **lot coverage** of all **buildings** and **structures**, where the **principal use building** is two storeys or higher above finished grade, shall not exceed 35%.

Section 6.38 – Assisted Living Medium Density Apartment (RM8) Zone

The intent of the RM8 Zone is to provide for assisted living uses in areas serviced by community sanitary sewer.

6.38.01 Permitted Uses

The following **uses** and no others are permitted in the RM8 Zone:

- (1) **Accessory buildings and structures**, subject to Section 3.05;
- (2) **Assisted living**;
- (3) **Community garden**;
- (4) **Uses accessory** to a **principal use** permitted in this **Zone**; and
- (5) **Uses** permitted by Section 3.01 of this Bylaw.

6.38.02 Subdivision Lot Requirements

No **lot** having a **lot area** less than 1,500.0 m² (0.4 ac) may be created by subdivision.

6.38.03 Density of Development

Buildings shall not exceed a **floor area ratio** of 1.35.

6.38.04 Lot Coverage

Lot coverage of all **buildings and structures** must not exceed 35%.

6.38.05 Height and Size of Principal Use Buildings

No **building** or **structure** may exceed a **height** of six storeys.

6.38.06 Setbacks

No **building** or **structure** may be located:

- (1) Within 4.5 m (14.8 ft) of any **front lot line**; or
- (2) Within 7.5 m (24.6 ft) of any **interior side lot line** except that a Setback from an **interior side lot line** that **abuts** a **lot** in the RM8 Zone, or a **lot** in an Institutional Zone, may be reduced to 2.7 m (8.9 ft); or
- (3) Within 6.0 m (19.7 ft) of any **exterior side lot line**; or
- (4) Within 7.5 m (24.6 ft) of any **rear lot line**.

6.38.07 Landscape Screening

In addition to the regulations contained in Section 3.21 of this Bylaw, the following requirements apply to landscape screening in the RM8 Zone:

- (1) A **landscape and screening area** not less than 1.0 m (3.3 ft) in width containing a solid decorative fence of not less than 1.8 m (5.9 ft) in **height**, together with appropriate decorative planting, must be provided along all **lot lines** separating the **lot** from any Residential Zone; and
- (2) Despite Article 6.38.07(1), and where a **lot abuts** a **highway** separating the **lot** from **residential uses**, the solid decorative fence shall only be required if surface parking spaces are provided within the **setback** area between the **principal building** and the **abutting highway**.

Section 6.39 – Medium-Density Apartment (RM9) Zone

The intent of the RM9 Zone is to permit two-family, townhouse and apartment residential uses at a medium density in areas serviced by community sanitary sewer, and to provide for increased densities through density bonusing.

6.39.01 Permitted Uses

The following **uses** and no others shall be permitted in the RM9 Zone.

- (1) **Accessory buildings and structures**, subject to Section 3.05;
- (2) **Apartment**;
- (3) **Community garden**;
- (4) **Dwelling, two-family**, subject to Section 3.07;
- (5) **Home occupation**, subject to Section 3.09;
- (6) **Townhouse**;
- (7) **Uses accessory** to a **principal use** permitted in this **Zone**; and
- (8) **Uses** permitted by Section 3.01 of this Bylaw.

6.39.02 Subdivision Lot Requirements

- (1) No **lot** having a **lot area** less than 4,000.0 m² (1.0 ac) may be created by subdivision.
- (2) No **lot** having a **lot width** less than 20.0 m (65.6 ft) may be created by subdivision.
- (3) No **lot** having a **lot depth** less than 34.0 m (111.5 ft) may be created by subdivision.

6.39.03 Density of Development

- (1) Except as provided in Articles (2) and (3), **buildings** shall not exceed a **floor area ratio** of 1.0;
- (2) Despite Article 6.39.03(1), on land whose legal description is set out in Table 1 of Schedule “AD”, the **floor area ratio** may be increased to 2.0, if the owner of the land proposed to be developed:
 - (a) Pays to the City the amount specified in Column 4 of Table 1 of Schedule “AD”, prior to the issuance of a Building Permit; and
 - (b) Provides to the City the amenity specified in Column 4 of Table 1 of Schedule “AD”, prior to the issuance of an occupancy permit.
- (3) Despite the **floor area ratio** specified in Article 6.39.03(1) and provided that the density bonus provisions specified in Article 6.39.03(2) have been met, the **floor area ratio** may be further increased to 2.25 if the owner provides at least 50% of the parking spaces required by this Bylaw in an underground or under building parking structure, and by an

additional 0.02 to a maximum of 2.5 for every additional 5% of the parking spaces so provided, subject to compliance with the density bonus provisions specified in Clause 6.39.03(2)(a).

- (4) Despite Articles 6.39.03(1), (2), and (3), the **floor area ratio** may be increased to a maximum of 2.5 on a **lot** located in the shaded area shown on Schedule "AE".

6.39.04 Lot Coverage

- (1) **Lot coverage** of all **buildings** and **structures** may not exceed 50%.
- (2) **Lot coverage** of all **buildings** and **structures** with **heights** of three storeys or more located in the shaded area shown on Schedule "AE" may not exceed 75%.

6.39.05 Height and Size of Principal Use Buildings

- (1) No **apartment building** may exceed a **height** of six storeys.
- (2) No **townhouse** or **two-family dwelling** may exceed a **height** of 9.0 m (29.5 ft).

6.39.06 Setbacks

No **building** or **structure** may be located:

- (1) Within 7.5 m (24.6 ft) of any **front lot line**; or
- (2) Within 3.0 m (9.8 ft) of any **interior side lot line**; or
- (3) Within 7.5 m (24.6 ft) of any **exterior side lot line**; or
- (4) Within 3.0 m (9.8 ft) of any **rear lot line**; or
- (5) Within 7.5 m (24.6 ft) of any **rear lot line**, if that **lot line abuts**, or is separated only by a **highway**, from a **lot** in a **Residential Zone**.

Section 6.40 – Neighbourhood Commercial (C1) Zone

The intent of the C1 Zone is to permit small-scale commercial and service uses to serve the local neighbourhood.

6.40.01 Permitted Uses

The following **uses** and no others are permitted in the C1 Zone:

- (1) **Accessory buildings and structures**, subject to Section 3.05;
- (2) **Bakery**, not exceeding 200.0 m² (2,152.8 ft²) of **gross floor area**;
- (3) **Business support service**;
- (4) **Car wash**, on land legally described as Lot 1, Section 1, Range 3 West, Highland District, Plan 6726
- (5) **Community garden**;
- (6) Dance studio, on land legally described as Lot 29, Section 1, Range 2 West, Highland District, Plan 13385;
- (7) **Dwelling unit**, limited to a maximum of one in conjunction with any of the **principal uses** permitted in this **Zone**, provided that:
 - (a) If located on the same storey as the commercial **use**, it is located to the rear of the commercial **use**; and
 - (b) The **dwelling unit** is fully separated from the commercial **use** with the main street access to the **dwelling unit** being entirely separated from that of the related commercial **use**;
- (8) **Gasoline service station**, on land legally described as Lot 1, Section 1, Range 3 West, Highland District, Plan 6726
- (9) **Group daycare** , subject to Subsection 3.26.02;
- (10) **Group daycare**, limited to a capacity of 41 children and subject to Section 3.26.02, on land legally described as Lot 29, Section 1, Range 2 West, Highland District, Plan 13385;
- (11) **Medical Clinics** and accessory related commercial uses;
- (12) **Office**;
- (13) **Personal service establishment**;
- (14) **Preschool**;
- (14) **Restaurant**;
- (15) **Retail store**;

- (16) **Uses accessory** to a **principal use** permitted in this **Zone**;
- (17) **Uses** permitted by Section 3.01 of this Bylaw; and
- (18) **Veterinary practice**, on land legally described as Lot 2, Section 112, Esquimalt District, Strata Plan VIS4692 and Lot 1, Section 112, Esquimalt District, Plan VIP70623.

6.40.02 Subdivision Lot Requirements

- (1) No **lot** having a **lot area** less than 695.0 m² (7,480.9 ft²) may be created by subdivision..
- (2) No **lot** having a **lot width** less than 16.0 m (52.5 ft) may be created by subdivision.

6.40.03 Regulations for Use

- (1) Any goods produced on the premises must be sold at retail on the same premises.
- (2) There may not be more than one **dwelling unit** on a **lot**.

6.40.04 Density of Development

- (1) The **floor area ratio** may not exceed 0.5.
- (2) The **floor area ratio** may be increased to 1.0 on a lot located in the shaded area shown on Schedule "AE".

6.40.05 Lot Coverage

- (1) **Lot coverage** of all **buildings** and **structures** may not exceed 50%.
- (2) **Lot coverage** of all **buildings** and **structures** located in the shaded area shown on Schedule "AE" may not exceed 75%.

6.40.06 Height and Size of Principal Use Buildings

No **building** or **structure** may exceed a **height** of 9.0 m (29.5 ft).

6.40.07 Setbacks

No **building** or **structure** may be located:

- (1) Within 2.0 m (6.6 ft) of any **front lot line**; or
- (2) Within 6.0 m (19.7 ft) of any **interior side lot line** if the **interior side lot line abuts a Residential Zone** or a **Multiple Family Residential Zone**; or
- (3) Within 7.5 m (24.6 ft) of any **exterior side lot line**; or
- (4) Within 10.0 m (32.8 ft) of any **rear lot line**.

6.40.08 Landscape Screening

In addition to the regulations contained in Section 3.21 of this Bylaw the following requirements apply to landscape screening in the C1 Zone:

- (1) A continuous **landscape and screening area** not less than 2.0 m (6.6 ft) wide must be provided along the developed portion of each side of the **lot** which **abuts a highway**. This **landscape and screening area** may be interrupted at boulevard crossings, or to provide necessary pedestrian access to a **building** or for viewing shop windows;
- (2) Except in those portions where a **building abuts a lot line**, screen planting at least 1.8 m (5.9 ft) high in a strip at least 1.5 m (4.9 ft) wide, or a solid decorative fence at least 1.8 m (5.9ft) high must be provided along all **rear lot lines** or side **lot lines** separating the developed portion of the **lot** from any **Residential Zone** or **Multiple Family Residential Zone**, whether or not such **Zone** is separated by a **highway** or not; and
- (3) Despite Articles (1) and (2) where the **lot abuts a highway** separating the **lot** from **residential use** a 1.8 m (5.9 ft) high landscaping screen or solid decorative fence must be provided along the **front lot line** if surface parking spaces are provided between the **highway** and the **building**. Otherwise, the owner may provide 3.0 m (9.8 ft) continuous landscape strip.

Section 6.41 – District Commercial (C3) Zone

The intent of the C3 Zone is to permit commercial and service uses to serve the community as a whole.

6.41.01 Permitted Uses

The following **uses** and no others are permitted in the C3 Zone:

- (1) **Accessory buildings and structures**, subject to Section 3.05;
- (2) **Animal hospital** in an enclosed **building**;
- (3) **Auction**;
- (4) **Automobile parts and accessories sale, installation and repair**;
- (5) **Automobile repair and service facility, minor** on land legally described as Lot 47, Section 80, Esquimalt District, Plan 12203 (2988 Jacklin Road);
- (6) **Automobile repair and service facility, minor** as an **accessory use** on land legally described as Lot 2, Section 73, Esquimalt District, Plan 5988; a portion of Lot 2, Section 73, Esquimalt District, Plan 5988; a portion of Lot 2, Section 73, Esquimalt District, Plan 5039, except that part in Plan 7390; a portion of Lot B, Section 73, Esquimalt District, Plan 8234; and a portion of Lot 1, Section 73, Esquimalt District, Plan 7390 (as shown on the map attached to and forming part of this Bylaw as Schedule “I”) (860 Attree Avenue);
- (7) **Automobile repair and service facility, minor** limited to a maximum of 20% of the **gross floor area** of the **building** in which it is located, on land legally described as Lot 1, Section 80, Esquimalt District, Plan 29395 (2924 Jacklin Road); and Lot A, except that part east of the centre line of Reference Plan 49711, Section 74, Esquimalt District, Plan 49712 (790 Kelly Road); and the portion of Lot B, Section 74, Esquimalt District, Plan 49710, lying west of the centre line of Reference Plan 49711 (2945 Jacklin Road, Westshore Town Centre);
- (8) **Bakery**;
- (9) **Business support service**;
- (10) **Car wash**;
- (11) **Catering**;
- (12) **Charitable facility**;
- (13) **Commercial nursery and greenhouse**;
- (14) **Community garden**;
- (15) **Cultural facility**;
- (16) **Dwelling unit**, limited to a maximum of one per **lot**, and **accessory** to any of the **principal uses** permitted in this **Zone**, provided that:
 - (a) If located on the same storey as the commercial **use**, the **dwelling unit** is located to the rear of the commercial **use**; and

- (b) The **dwelling unit** is fully separated from the commercial **use** with the main street access to the **dwelling unit** being entirely separated from that of the related commercial **use**;
- (17) **Film production studio**;
- (18) **Financial institution**;
- (19) **Fitness centre**;
- (20) **Funeral parlour**;
- (21) **Gasoline service station**;
- (22) **General Industrial Uses**, limited to sheet metal cutting and fabrication, and restricted to one such use on the property legally described as Lot 1, Section 99, Esquimalt District, Plan EPP19681; PID No.;028-851-323 (1016 McCallum Rd) in the portions as shown shaded on Plan No.1 attached to and forming part of this Bylaw;
- (23) Groundwater extraction, processing, packaging, warehousing and retail sale, on land legally described as Lot 1, Section 73, Esquimalt District, Plan 10023, Except Parts in Plan VIP69580 (895 Station Avenue);
- (24) **Group daycare** with a maximum capacity of 90 children on the **lot** legally described as Lot 1, Section 72, Esquimalt District, Plan EPP24286 (2780 Veterans Memorial Parkway);
- (25) **Hotel**;
- (26) **Household equipment and appliance service and repair**;
- (27) **Library**;
- (28) **Licensed premises**;
- (29) **Liquor store**;
- (30) **Medical Clinics** and accessory related commercial uses;
- (31) **Office**;
- (32) One **dwelling unit** per **lot** that is **accessory** to any of the **uses** permitted in this **Zone**, provided that:
 - (a) If located on the same level as the commercial **use** it will 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 separated from that of the related commercial **use**;
- (33) **Parking facility**;
- (34) **Personal service establishment**;
- (35) **Recreation facility, indoor**;

- (36) **Recycling depot;**
- (37) **Restaurant;**
- (38) **Restaurant, drive-through**, except on **lots** that **abut** Goldstream Avenue;
- (39) **Retail store;**
- (40) **School;**
- (41) **Shopping centre;**
- (42) **Taxi office;**
- (43) **Training and education facility;**
- (44) **Transportation terminal;**
- (45) **Unenclosed storage**, subject to Section 3.13, as an **accessory use** to a **principal use** permitted in this **Zone**;
- (46) **Uses accessory** to a **principal use** permitted in this **Zone**;
- (47) **Uses** permitted by Section 3.01 of this Bylaw; and
- (48) Within that portion of the lands shown shaded on the map attached as Schedule "S", the following **uses**:
 - (a) **Automobile body and paint shop;**
 - (b) **Automobile rental and sale facility, major;**
 - (c) **Automobile rental and sale facility minor;**
 - (d) **Automobile repair and service facility, major;**
 - (e) **Automobile repair and service facility, minor;**
 - (f) **Contractor service;**
 - (g) **Equipment sales, service, repair and rental, minor;** and
 - (h) **Warehouse.**

6.41.02 Subdivision Lot Requirements

- (1) No **lot** having a **lot area** less than 695.0 m² (7,480.9 ft²) may be created by subdivision.
- (2) No **lot** having a **lot width** less than 16.0 m (52.5 ft) may be created by subdivision.

6.41.03 Density of Development

The **floor area ratio** may not exceed 4.5

6.41.04 Lot Coverage

Lot coverage of all **buildings** and **structures** may not exceed 75%.

6.41.05 Height and Size of Principal Use Buildings

No **building** or **structure** may exceed a **height** of six storeys.

6.41.06 Setbacks

- (1) No **building** or **structure** may be located:
 - (a) Within 7.5 m (24.6 ft) of any **front lot line** or **exterior side lot line**; or
 - (b) Within 6.0 m (19.7 ft) of any **interior side lot line** where the **interior side lot line** **abuts** a **Residential Zone** or a **Multiple Family Residential Zone**; or
 - (c) Within 3.0 m (9.8 ft) of any **rear lot line**.
- (2) If the area between the **front building line** and the **front lot line** and **exterior side lot line**, exclusive of access driveways, is landscaped, the minimum **setbacks** in respect of the **front lot line** and **exterior side lot lines** may be reduced to 4.5 m (14.8 ft).
- (3) If the **rear lot line** **abuts** a **Residential Zone** or a **Multiple Family Residential Zone**, the minimum **setback** in respect of the **rear lot line** must be increased to at least 6.0 m (19.7 ft).

6.41.07 Landscape Screening

In addition to the regulations contained in Section 3.21 of this Bylaw the following requirements apply to landscape screening in the C3 Zone.

- (1) A continuous **landscape and screening area** not less than 3.0 m (9.8 ft) wide must be provided along the developed portion of each side of the **lot** which **abuts** a **highway**. This landscaping may be interrupted at boulevard crossings, or to provide necessary pedestrian access to a **building** or for viewing shop windows;
- (2) Except in those portions where a **building** **abuts** a **lot line**, screen planting at least 1.8 m (5.9 ft) high in a strip at least 1.5 m (4.9 ft) wide, or a solid decorative fence at least 1.8 m (5.9 ft) high must be provided along all **rear lot lines** or **side 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.
- (3) Despite Articles (1) and (2) where the **lot** **abuts** a **highway** with a **residential use** across the street a 1.8 m (5.9 ft) high landscaping screen or solid decorative fence must be provided along the **front lot line** if parking is placed in front of the **building**. If the parking is placed behind the **building** a 3.0 m (9.8 ft) continuous landscape strip will be sufficient.

Section 6.42 – Office Commercial (C5) Zone

The intent of the C5 Zone is to accommodate commercial use.

6.42.01 Permitted Uses

The following **uses** and no others are permitted in the C5 Zone:

- (1) **Accessory buildings and structures**, subject to Section 3.05;
- (2) **Assisted living**;
- (3) **Community garden**;
- (4) **Film production studio**;
- (5) **Financial institution**;
- (6) **Group daycare**, subject to Subsection 3.26.02;
- (7) **Medical clinics** and accessory related commercial uses;
- (8) **Office**;
- (9) One **caretaker dwelling unit**, in conjunction with and in addition to any of the other **principal use** permitted in this **Zone**;
- (10) **Personal Service Establishment**
- (11) **Preschool**;
- (12) Uses **accessory** to a **principal use** permitted in this **Zone**; and
- (13) **Uses** permitted by Section 3.01 of this Bylaw.

6.42.02 Subdivision Lot Requirements

- (1) No **lot** having a **lot area** less than 695.0 m² (7,480.9 ft²) may be created by subdivision.
- (2) No **lot** having a **lot width** less than 16.0 m (52.5 ft) may be created by subdivision.

6.42.03 Density of Development

- (1) The **floor area ratio** may not exceed 1.0.
- (2) The **floor area ratio** on a **lot** located in the shaded area shown on Schedule “AE” may not exceed 1.5.

6.42.04 Lot Coverage

- (1) **Lot coverage** of all **buildings and structures** may not exceed 50%.

- (2) **Lot coverage** of all **buildings** and **structures** located in the shaded area shown on Schedule "AE" may not exceed 75%.

6.42.05 Height and Size of Principal Use Buildings

No **building** or **structure** may exceed a **height** of 12.0 m (39.4 ft) or three storeys.

6.42.06 Setbacks

- (1) No **building** or **structure** may be located:
 - (a) Within 7.5 m (24.6 ft) of any **front lot line** or **exterior side lot line**; or
 - (b) Within 6.0 m (19.7 ft) of any **interior side lot line** where the **interior side lot line** **abuts** a **Residential Zone** or a **Multiple Family Residential Zone**; or
 - (c) Within 3.0 m (9.8 ft) of any **rear lot line**.
- (2) If the area between the **front building line** and the **front lot line** and **exterior side lot lines**, exclusive of access driveways, is landscaped, the minimum Setbacks in respect of the **Front lot line** and **exterior side lot line** may be reduced to 4.5 m (14.8 ft).
- (3) If the **rear lot line** **abuts** a **Residential Zone** or a **Multiple Family Residential Zone**, the minimum **setback** in respect of the **rear lot line** must be increased to 6.0 m (19.7 ft).

6.42.07 Landscape Screening

In addition to the regulations contained in Section 3.21 of this Bylaw the following requirements apply to landscape screening in the C5 Zone.

- (1) A continuous **landscape and screening area** not less than 3.0 m (9.8 ft) wide must be provided along the developed portion of each side of the **lot** which **abuts** a **highway**. This landscaping may be interrupted at boulevard crossings, or to provide necessary pedestrian access to a **building** or for viewing shop windows;
- (2) Except in those portions where a **building** **abuts** a **lot line**, screen planting at least 1.8 m (5.9 ft) high in a strip at least 1.5 m (4.9 ft) wide, or a solid decorative fence at least 1.8 m (5.9 ft) high must be provided along all **rear lot lines** or **side 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 ;and
- (3) Despite Articles (1) and (2) where the **lot** **abuts** a **highway** with a **residential use** across the street a 1.8 m (5.9 ft) high landscaping screen or solid decorative fence must be provided along the **front lot line** if parking is placed in front of the **building**. If the parking is placed behind the **building** a 3.0 m (9.8 ft) continuous landscape strip will be sufficient.

Section 6.43 – Neighbourhood Public House (C6) Zone

The intent of the C6 Zone is to create a vibrant pedestrian oriented area that will be a focal point of attraction within the neighbourhood and nearby mixed-use areas.

6.43.01 Permitted Uses

The following **uses** and no others are permitted in the C6 Zone:

- (1) **Accessory buildings and structures**, subject to Section 3.05;
- (2) **Catering**;
- (3) **Community garden**;
- (4) **Film production studio**;
- (5) **Licensed premises** with a maximum seating capacity of 120 interior seats and 100 exterior patio seats;
- (6) **Liquor store**, subject to Subsection 6.43.07;
- (7) One **caretaker dwelling unit**, in conjunction with and in addition to any of the other **principal uses** permitted in this **Zone**;
- (8) **Restaurant**;
- (9) **Uses accessory** to a **principal use** permitted in this **Zone**; and
- (10) **Uses** permitted by Section 3.01 of this Bylaw.

6.43.02 Subdivision Lot Requirements

- (1) No **lot** having a **lot area** less than 3,000.0 m² (.7 ac) may be created by subdivision.
- (2) No **lot** having a **lot width** less than 18.0 m (59.1 ft) may be created by subdivision.

6.43.03 Lot Coverage

Lot coverage of all **buildings and structures** may not exceed 35%.

6.43.04 Height and Size of Principal Use Buildings

No **building or structure** may exceed a **height** of 6.0 m (19.7 ft) or one storey.

6.43.05 Setbacks

No **building or structure** may be located:

- (1) Within 7.5 m (24.6 ft) of any **front lot line** or **rear lot line**; or
- (2) Within 7.5 m (24.6 ft) of any **interior side lot line**; or

- (3) Within 10.0 m (32.8 ft) of any **exterior side lot line**.

6.43.06 Landscape Screening

In addition to the regulations contained in Section 3.21 of this Bylaw the following requirements apply to landscape screening in the C6 Zone.

- (1) A continuous 1.5 m (4.9 ft) **landscape and screening area** must be provided along all **side lot lines** and **rear lot lines**;
- (2) Where the **lot abuts** a **Residential Zone**, a solid decorative fence at least 1.8 m (5.9 ft) in **height** must be provided within the **landscape and screening area** in Article (1); and
- (3) Those areas of the **lot** fronting any **highways** will be landscaped to a minimum depth of 3.0 m (9.8 ft) and may be interrupted for pedestrian or vehicular access. Parking will be prohibited within the 3.0 m (9.8 ft) landscaped strip.

6.43.07 Liquor Stores

A **liquor stores** is not a permitted **use** if the property on which it is located is less than 800.0 m (2,624.7 ft) from another **liquor store** or retail wine store **use**.

Section 6.43A – Neighbourhood Mixed Use (C6A) Zone

The intent of the C6A zone is to provide a mix of residential uses and commercial uses to create a vibrant transition with pedestrian orientation between the mixed use residential and commercial nodes and nearby residential uses.

6.43A.01 Permitted Uses

The following **uses** and no other uses are permitted in the C6A Zone:

- (1) **Accessory buildings and structures**, subject to Section 3.05;
- (2) **Apartment**;
- (3) **Business support service**;
- (4) **Catering**;
- (5) **Charitable facility**;
- (6) **Community garden**;
- (7) **Dwelling, one-family**;
- (8) **Film production studio**;
- (9) **Financial institution**;
- (10) **Fitness Centre**;
- (11) **Group daycare**, subject to Subsection 3.26.02;
- (12) **Home occupation**, subject to Section 3.09;
- (13) **Licensed premises** ;
- (14) **Liquor store**, subject to Article 6.43A.03(4);
- (15) **Medical clinics** and accessory related commercial uses;
- (16) **Office**;
- (17) **Personal service establishment**;
- (18) **Preschool**;
- (19) **Recreation facility, indoor** ;
- (20) **Restaurant**;
- (21) **Retail store**;

- (22) **Townhouse**;
- (23) **Uses accessory** to a **principal use** permitted in this **Zone**;
- (24) **Uses** permitted by Section 3.01 of this Bylaw; and
- (25) **Veterinary practice**;

6.43A.02 Subdivision Lot Requirements

- (1) No **lot** having a **lot area** less than 700.0 m² (7,534.7 ft²) may be created by subdivision.
- (2) No **lot** having a **lot width** less than 15.0 m (49.2 ft) may be created by subdivision.
- (3) Despite Article 6.43A.02(1) a **lot** for **one-family dwelling** having a **lot area** less than 700.0 m² (7,534.7 ft²) may be created by subdivision, provided that the **lot area** is not less than 220.0 m² (2,368.1 ft²).

6.43A.03 Regulations for Use

- (1) **Unenclosed storage** is not permitted.
- (2) Non-residential uses are prohibited above the ground floor and no storey may contain a mix of **residential uses** and non-residential **uses**.
- (3) All **accessory uses** must be located to the rear of the **building** accommodating the **principal use**. In no case may an **accessory building** exceed a **height** of 4.0 m (13.1 ft), and **accessory uses** and **buildings** may not cover a total of more than 10% of the **lot area**.
- (4) A **liquor stores** shall not be a permitted **use** if the property on which it is located is less than 800.0 m (2,624.7 ft) from another **liquor store** or retail wine store **use**.

6.43A.04 Density of Development

- (1) Except as provided in Articles (2) and (3), the total commercial **gross floor area** may not exceed a **floor area ratio** of 0.3 and the residential density may not exceed one **dwelling unit** per 550.0 m² (5,920.2 ft²) of **lot area** except on land legally described as Lot 8, Section 1, Range 3 West, Highland District, Plan 8530 (691 Hoylake Ave) and Lot 1, Section 1, Range 3 West, Highland District, PLAN 25339 (697 Hoylake Ave) where the residential density may not exceed one **one-family dwelling** per **lot**.
- (2) Despite Article 6.43A.04(1), on land whose legal description is set out in Table 1 of Schedule "AD", the maximum commercial **floor area ratio** is 2.0, if the owner of the land proposed to be developed pays to the City the amount specified in Column 4 of Table 1 of Schedule "AD" prior to the issuance of a Building Permit.
- (3) Despite Article 6.43A.04(1), on land whose legal description is set out in Table 1 of Schedule "AD", the maximum density of residential development is 36 **one-family dwellings** or **townhouse dwelling units** if all of the land is developed for those **uses**, or a **floor area ratio** of 2.0 if all of the land is developed for **apartments**.

6.43A.05 Lot Coverage

Lot coverage of all **buildings** and **structures** may not exceed 70%.

6.43A.06 Height and Size of Principal Use Buildings

- (1) No **building** or **structure** may exceed a **height** of four storeys.
- (2) Despite Article 6.43A.06(1) a **building** or **structure** may exceed a **height** of four storeys, but may not exceed a **height** of six storeys if the storeys above the ground floor are residential.

6.43A.07 Setbacks

No **building** or **structure** may be located:

- (1) Within 3.0 m (9.8 ft) of any **front lot line** or **exterior side lot line**, except that no **garage** or **carport** may be located within 5.5 m (18.0 ft) of the **highway** from which it has vehicular access; or
- (2) For any **building** or **structure** greater than four storeys in **height**, within 13.5 m (44.3 ft) of any **interior side lot line** or **rear lot line**, unless the **lot line abuts** another **lot** in the C6A Zone, a **Commercial Zone**, a **Multiple Residential Zone** or mixed use **Zone** in which case no **setback** is required; or
- (3) For any **building** or **structure** less than five storeys in **height**, within 3.0 m (9.8 ft) of any **interior side lot line** and within 6.0 m (19.7 ft) of any **rear lot line**, unless the **lot line abuts** another **lot** in the C6A Zone, a **Commercial Zone**, a **Multiple Residential Zone**, or mixed use **Zone** in which case no **setback** is required.

6.43A.08 Landscape Screening

In addition to the regulations contained in Section 3.21 of the Bylaw the following requirements apply to landscape screening in the C6A Zone.

- (1) A **landscape and screening area** not less than 1.0 m (3.3 ft) in width containing a decorative fence of not less than 1.8 m (5.9 ft) in **height**, together with decorative planting, must be provided along all **lot lines** separating the **lot** from any **Residential** or **Multiple Residential Zone**.
- (2) Despite Article (1) where the **lot abuts** a **highway** with **residential uses** across the street a 1.2 m (3.9 ft) high landscaping screen or solid decorative fence must be provided along the **front lot line** if parking is placed in front of the **building**.

Section 6.43B – Neighbourhood Mixed Use (C6B) Zone

The intent of the C6B Zone is to provide a mix of residential uses and commercial uses to create a vibrant transition with pedestrian orientation between the mixed use residential and commercial nodes and nearby residential uses.

6.43B.01 Permitted Uses

The following uses and no others are permitted in the C6B zone:

- (1) **Accessory buildings and structures**, subject to Section 3.05;
- (2) **Animal hospital**, in enclosed **buildings**;
- (3) **Apartment**, above the ground floor;
- (4) **Apartment**, on land shown as Area 1 in Schedule AL;
- (5) **Automobile parts and accessories sale and repair**;
- (6) **Automobile repair and service, minor**, as an **accessory use** to **automobile parts and accessories sale and repair**;
- (7) **Business support service**;
- (8) **Car wash**;
- (9) **Community garden**;
- (10) **Cultural facility**;
- (11) **Electronics sale, service and manufacturing** ;
- (12) **Financial institution**;
- (13) **Financial institution, drive-through**;
- (14) **Fitness centre**;
- (15) **Home occupation**, subject to Section 3.09;
- (16) **Medical clinics** and accessory related commercial uses;
- (17) **Office**;
- (18) **Restaurant**;
- (19) **Retail store**;
- (20) **Uses accessory** to a **principal use** permitted in this **Zone**; and
- (21) **Uses** permitted by Section 3.01 of this Bylaw.

6.43B.02 Subdivision Lot Requirements

- (1) No **lot** having a **lot area** less than 2,000.0 m² (0.5 ac) may be created by subdivision.
- (2) No **lot** having a **lot width** less than 25.0 m (82.0 ft) may be created by subdivision.
- (3) No land shall be subdivided unless the density and **lot coverage** limits established by this Bylaw are distributed among the **lots** being created, such that the limits for the **Zone** as a whole will not be exceeded if each **lot** being created by subdivision is developed to its full potential, and the limits are made applicable to each **lot** by amendment of this Bylaw or by covenant under Section 219 of the *Land Title Act*.

6.43B.03 Lot Coverage

Lot coverage of all **buildings** and **structures** shall not exceed 75%.

6.43B.04 Height and Size of Principal Use Buildings

- (1) No **building** or **structure**, for a commercial **use** may exceed a **height** of three storeys.
- (2) No **building** or **structure** containing multi-family **dwelling units** or a mix of multi-family **dwelling units** and commercial **uses** may exceed a **height** of six storeys.

6.43B.05 Density of Development

- (1) The **floor area ratio** of all commercial **buildings** shall not exceed 0.8.
- (2) The **floor area ratio** of all **buildings** containing multi-family **dwelling units** or a mix of multi-family **dwelling units** and commercial **uses** shall not exceed 1.7.
- (3) The maximum number of **dwelling units** shall not exceed three.
- (4) Despite Article 6.43B.05(2), the number of **dwelling units** may exceed three if the owner of the land proposed to be developed pays to the City the amount specified in Column 4 of Table 1 of Schedule "AD" prior to the issuance of a Building Permit.

6.43B.06 Setbacks

No **building** or **structure** may be located:

- (1) Within 3.0 m (9.8 ft) of Millstream Road or Treanor Avenue; or
- (2) Within 7.5 m (24.6 ft) of the westerly boundary of the C6B **Zone**, except that no **setback** is required for a non-residential **use** located entirely below the natural grade of the **abutting** property to the west.

6.43B.07 Landscape Screening

In addition to the regulations contained in Section 3.21 of this Bylaw, a continuous **landscape and screening area** not less than 3.0 m (9.8 ft) wide must be provided along the developed portion of each **lot** that **abuts** a **highway**. This **landscape and screening area** may be interrupted at boulevard crossings, or to provide necessary pedestrian access to a **building** or for viewing shop windows.

Section 6.43C – Neighbourhood Mixed-Use McCallum (C6C)

The intent of the C6C Zone is to integrate residential and commercial uses to create a pedestrian oriented neighbourhood.

6.43C.01 Permitted Uses

The following **uses** and no others are permitted in the C6C Zone:

- (1) **Accessory buildings and structures**, subject to Section 3.05;
- (2) **Apartment**;
- (3) **Apartment, senior citizens**;
- (4) **Assisted living**;
- (5) **Bakery**, not exceeding a **gross floor area** of 350.0 m² (3,767.4 ft²);
- (6) **Catering**;
- (7) **Charitable facility**;
- (8) **Community care facility**;
- (9) **Community garden**;
- (10) **Cultural facility**, excluding **drive-in theatres**;
- (11) **Dwelling, two-family**, subject to Section 3.07;
- (12) **Film production studio**;
- (13) **Financial institution**;
- (14) **Financial institution, drive-through**;
- (15) **Fitness centre**;
- (16) **Group daycare**, subject to Subsection 3.26.02;
- (17) **Home occupation**, subject to Section 3.09;
- (18) **Hotel**;
- (19) **Licensed premises**;
- (20) **Medical Clinics** and accessory related commercial uses;
- (21) **Office**;
- (22) **Personal service establishment**;

- (23) **Preschool;**
- (24) **Recreation facility, indoor;**
- (25) **Research and development facility;**
- (26) **Restaurant;**
- (27) **Retail store;**
- (28) **School;**
- (29) **Shopping centre;**
- (30) **Townhouse;**
- (31) **Training and education facility;**
- (32) **Uses accessory** to a **principal use** permitted in this **Zone**;
- (33) **Uses** permitted by Section 3.01 of this Bylaw; and
- (34) **Veterinary practice**, in enclosed **buildings**.

6.43C.02 Subdivision Lot Requirements

- (1) No **lot** having a **lot area** less than 695.0 m² (7,481.9 ft²) may be created by subdivision.
- (2) No **lot** having a **lot width** less than 16.0 m (52.5 ft) may be created by subdivision.
- (3) Despite Sections 6.43C.02(1) and (2), a **lot** with a **lot area** no less than 500.0 m² (5,382.0 ft²) and a **lot width** no less than 10.0 m (32.8 ft) may be created by subdivision for a **townhouse use**.

6.43C.03 Density of Development

- (1) There may not be more than 10 **dwelling units** in the C6C Zone.
- (2) Despite Section 6.43C.03(1), there may be more than 10 **dwelling units** in the C6C Zone on land whose legal description is set out in Table 1 of Schedule "AD" if the owner of the land proposed to be built upon pays to the City the amount specified in Column 4 of Table 1 of Schedule "AD" prior to the issuance of a Building Permit.
- (3) The **floor area ratio** may not exceed 6.0.

6.43C.04 Lot Coverage

- (1) **Lot coverage** of all **buildings** and **structures** may not exceed 75%.
- (2) Despite Article 6.43C.04(1), the **lot coverage** of all **buildings** and **structures** may exceed 75% to a maximum of 90% if at least 75% of the required off-street parking is provided underground.

- (3) Despite Articles 6.43C.04(1) and (2), the **lot coverage** of all **buildings** and **structures** on **lots** containing **townhouse** or **two-family dwellings** may not exceed 60%.

6.43C.05 Height and Size of Principal Use Buildings

- (1) No **building** or **structure** may exceed a **height** of six storeys.
- (2) Despite Article 6.43C.05(1), the **height** of a **building** or **structure** constructed pursuant to Article 6.43C.03(2) may exceed six storeys, provided that the owner has constructed any **highway** improvements recommended in a traffic impact study, completed to the satisfaction of the Director of Engineering, of the traffic impacts attributable to the additional **building** height;
- (3) Despite Articles 6.43C.05(1) and (2), no **townhouse** or **two-family dwelling building** may exceed a **height** of three storeys.

6.43C.06 Setbacks

No **building** or **structure** may be located:

- (1) Within 2.0 m (6.6 ft) of any **lot line** that **abuts** a **highway**, except that no **garage or carport** may be located within 5.5 m (18.0 ft) of the **highway** from which it has access; or
- (2) Within 5.5 m (18.0 ft) of any **lot line** that **abuts** Strata Plan VIS5695; or

6.43C.07 Regulations of Use

Despite, Subsection 6.43C.01, the **use** of any lot **abutting** Strata Plan VIS5695 is restricted to:

- (1) **Accessory buildings** and **structures**, subject to Section 3.05;
- (2) **Dwelling, two-family**, subject to Section 3.07;
- (3) **Home occupation**, subject to Section 3.09; and
- (4) **Townhouse**.

6.43C.08 Landscape Screening

In addition to the regulations contained in Section 3.21 of this Bylaw, the following requirements apply to landscape screening in the C6C Zone:

- (1) A **landscape and screening area** not less than 1.0 m (3.3 ft) in width containing a decorative fence together with decorative planting of not less than 1.8 m (5.9 ft) in **height** must be provided along all **lot lines** separating the **lot** from any **Residential Zone** or **Multiple Residential Zone**.

Section 6.44 – Community Town Centre Pedestrian (C8) Zone

The intent of the C8 Zone is to provide for all types of retail and general business oriented to pedestrian needs.

6.44.01 Permitted Uses

The following **uses** and no others are permitted in the C8 Zone:

- (1) **Accessory buildings and structures**, subject to Section 3.05;
- (2) **Apartment**;
- (3) **Assisted living**, on the properties legally described as Lot 3, Section 5, Esquimalt District, Plan 1776; Lot A, Section 5, Esquimalt District, Plan 12888; and Lot 7, Section 5, Esquimalt District, Plan 1776;
- (4) **Catering**;
- (5) **Charitable facility**;
- (6) **Community garden**;
- (7) **Cultural facility**;
- (8) **Equipment and appliance repair, minor**;
- (9) **Film production studio**;
- (10) **Financial institution**;
- (11) **Fitness centre**;
- (12) **Group daycare**, subject to Subsection 3.26.02;
- (13) **Home occupation**, subject to Section 3.09;
- (14) **Hotel**;
- (15) **Library**;
- (16) **Licensed premises**;
- (17) **Liquor store**;
- (18) **Medical Clinics** and accessory related commercial uses;
- (19) **Motorcycle sale, rental, repair and service**, on land legally described as Lot 11, Section 5, Esquimalt District, Plan 7165;
- (20) **Office**;
- (21) **Personal service establishment**;

- (22) **Preschool;**
- (23) **Restaurant;**
- (24) **School**, not exceeding 200.0 m² (2,152.8 ft²) of **gross floor area**, and not in conjunction with any **residential use**;
- (25) **Retail store;**
- (26) **Shopping centre;**
- (27) **Training and education facility;**
- (28) **Uses accessory** to a **principal use** permitted in this **Zone**;
- (29) **Uses** permitted by Section 3.01 of this Bylaw; and
- (30) **Veterinary practice.**

6.44.02 Subdivision Lot Requirements

- (1) No **lot** having a **lot area** less than 695.0 m² (7,480.9 ft²) may be created by subdivision, except that **lots abutting** Goldstream Avenue, between Jacklin and Millstream Streets, must be no less than 4,000.0 m² (1.0 ac) in **lot area**.
- (2) No **lot** having a **lot width** less than 15.2 m (49.9 ft) may be created by subdivision.
- (3) No **lot** having a **lot depth** less than 34.0 m (111.6 ft) may be created by subdivision.

6.44.03 Regulations for Use

- (1) **Unenclosed storage** is not permitted.
- (2) Outdoor seating areas and the outdoor display of goods for retail sale are permitted as **accessory uses**.
- (3) **Residential uses** are only permitted on the ground level of a **building** that is not within 30.0 m (98.4 ft) of a public road, and having direct public access to that road.
- (4) All **accessory uses** must be located to the rear of the **building** accommodating the **principal use**. In no case may they exceed a **height** of 4.0 m (13.1 ft) or cover a total of more than 10% of the **lot area**.

6.44.04 Density of Development

- (1) Except as provided in Articles (2), (3) and (4) the **floor area ratio** may not exceed 2.0 and in no case may it exceed 2.5.
- (2) The maximum **floor area ratio** is 2.25 if the owner provides at least 50% of the parking spaces required by this Bylaw in an underground parking structure, and is increased by an additional 0.025 to a maximum of 2.5 for every 5% of the parking spaces so provided in excess of 50%.

- (3) The maximum **floor area ratio** is increased by 0.10 if the owner provides residential **dwelling units** on the third storey and an additional 0.15 if residential **dwelling units** are also provided on the fourth storey.
- (4) The maximum **floor area ratio** is increased by 0.25 if the owner provides on-site community amenities as follows:
 - (a) Up to an additional 0.10 for the provision and maintenance of a community amenity building area of more than 65.0 m² (699.7 ft²) of **gross floor area** located on the ground floor or more than 100.0 m² (1,076.4 ft²) 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; and
 - (b) Up to an additional 0.15 for the provision and maintenance of urban plazas which are exclusively devoted to public use at a rate of a 0.01 for each 2% of the **gross floor area** of the ground floor of every **building** on the Lot in respect of which the owner provides urban plaza. For example, development of an urban plaza of 300.0 m² (3,229.2 ft²) being 30% of the **gross floor area** of a **building** having a ground floor of 1,000.0 m² (10,763.9 ft²), would result in an increase in **floor area ratio** of 0.15.

6.44.05 Lot Coverage

- (1) **Lot coverage** of all **buildings** and **structures** may not exceed 90%.
- (2) **Lot coverage** of all **buildings** and **structures** may not be less than 40%.

6.44.06 Height and Size of Principal Use Buildings

No **building** or **structure** may exceed a **height** of six storeys.

6.44.07 Setbacks

- (1) No **building** or **structure** may be located:
 - (a) Within 2.0 m (6.6 ft) of any **front lot line**; or
 - (b) Within 6.0 m (19.7 ft) of any **interior side lot line** where the **interior side lot line abuts** an area designated Residential or Multiple Residential in the Official Community Plan; or
 - (c) Within 2.0 m (6.6 ft) of any **exterior side lot line**; or
 - (d) Within 7.5 m (24.6 ft) of any **rear lot line**; or
- (2) Despite any other regulation in this Section, a **building** or **structure** may be located within 7.5 m (24.6 ft), but not within 3.0 m (9.8 ft) of any **rear lot line** of the property legally described as Lot 12, Section 5, Esquimalt District, Plan 7165 (2760 Peatt Rd.).
- (3) Despite any other regulation in this Section, a **building** or **structure** may be located within 6.0 m (19.7 ft), but not within 1.0 m (3.3 ft) of any **interior side lot line** of the property legally described as Lot A, Section 72, Esquimalt District, Plan 8099, Except that Part in Plan VIP69759 (2705 Millstream Road); Lot 4, Section 72, Esquimalt District, Plan 5920, Except that Part in Plan VIP69759 (2717 Millstream Road); Lot 5, Section 72, Esquimalt District, Plan 5920, Except that Part in Plan VIP69759 (2725 Millstream Road); Lot 6,

Section 72, Esquimalt District, Plan 5920, Except that Part in Plan VIP69759 (2737 Millstream Road); Lot 14, Section 72, Esquimalt District, Plan 6981 (2748 Winster Road); Lot B, Section 72, Esquimalt District, Plan 8099 (685 Wagar Avenue); That Part of Lot 7, Section 72, Esquimalt District, Plan 5920, Lying to the East of a Boundary Parallel to the Easterly Boundary of Said Lot and Extending From a Point on the Southerly Boundary of Said Lot Distant 76 Feet From the South Easterly Corner of Said Lot, Except Part in Plan VIP69791 (690 Hoffman Avenue); and That Part of Lot 7, Section 72, Esquimalt District, Plan 5920, Lying to the West of a Boundary Parallel to the Easterly Boundary of Said Lot and Extending from a Point on the Southerly Boundary of Said Lot Distant 76 Feet from the South Easterly Corner of Said Lot Except Part in VIP69791 (2745 Millstream Road).

- (4) Despite any other regulation in this Section, a **building** or **structure** may be located within 2.0 m (6.6 ft), but not within 0.3 m (1.0 ft) of any **exterior side lot line** of the property legally described as Lot A, Section 72, Esquimalt District, Plan 8099, Except that Part in Plan VIP69759 (2705 Millstream Road); Lot 4, Section 72, Esquimalt District, Plan 5920, Except that Part in Plan VIP69759 (2717 Millstream Road); Lot 5, Section 72, Esquimalt District, Plan 5920, Except that Part in Plan VIP69759 (2725 Millstream Road); Lot 6, Section 72, Esquimalt District, Plan 5920, Except that Part in Plan VIP69759 (2737 Millstream Road); Lot 14, Section 72, Esquimalt District, Plan 6981 (2748 Winster Road); Lot B, Section 72, Esquimalt District, Plan 8099 (685 Wagar Avenue); That Part of Lot 7, Section 72, Esquimalt District, Plan 5920, Lying to the East of a Boundary Parallel to the Easterly Boundary of Said Lot and Extending From a Point on the Southerly Boundary of Said Lot Distant 76 Feet From the South Easterly Corner of Said Lot, Except Part in Plan VIP69791 (690 Hoffman Avenue); and That Part of Lot 7, Section 72, Esquimalt District, Plan 5920, Lying to the West of a Boundary Parallel to the Easterly Boundary of Said Lot and Extending from a Point on the Southerly Boundary of Said Lot Distant 76 Feet from the South Easterly Corner of Said Lot Except Part in VIP69791 (2745 Millstream Road).
- (5) Despite any other regulation in this Section, a **building** or **structure** may be located within 7.5 m (24.6 ft), but not within 3.0 m (9.8 ft) of any **rear lot line** of the property legally described as Lot A, Section 72, Esquimalt District, Plan 8099, Except that Part in Plan VIP69759 (2705 Millstream Road); Lot 4, Section 72, Esquimalt District, Plan 5920, Except that Part in Plan VIP69759 (2717 Millstream Road); Lot 5, Section 72, Esquimalt District, Plan 5920, Except that Part in Plan VIP69759 (2725 Millstream Road); Lot 6, Section 72, Esquimalt District, Plan 5920, Except that Part in Plan VIP69759 (2737 Millstream Road); Lot 14, Section 72, Esquimalt District, Plan 6981 (2748 Winster Road); Lot B, Section 72, Esquimalt District, Plan 8099 (685 Wagar Avenue); That Part of Lot 7, Section 72, Esquimalt District, Plan 5920, Lying to the East of a Boundary Parallel to the Easterly Boundary of Said Lot and Extending From a Point on the Southerly Boundary of Said Lot Distant 76 Feet From the South Easterly Corner of Said Lot, Except Part in Plan VIP69791 (690 Hoffman Avenue); and That Part of Lot 7, Section 72, Esquimalt District, Plan 5920, Lying to the West of a Boundary Parallel to the Easterly Boundary of Said Lot and Extending from a Point on the Southerly Boundary of Said Lot Distant 76 Feet from the South Easterly Corner of Said Lot Except Part in VIP69791 (2745 Millstream Road).

6.44.08 Landscape Screening

In addition to the regulations contained in Section 3.21 of this Bylaw, the following requirements apply to landscape screening in the C8 Zone:

- (1) A **landscape and screening area** not less than 1.0 m (3.3 ft) in width containing a decorative fence together with decorative planting of not less than 1.8 m (5.9 ft) in **height** must be provided along all **lot lines** separating the **lot** from any **Residential** or **Multiple Residential Zone**, except in the case of an **interior side lot line** separating the **lot** from an area designated as Pedestrian Commercial in the Official Community Plan.

- (2) Despite Article (1) where the **lot abuts** a **highway** with **residential uses** across the street a 1.8 m (5.9 ft) high landscaping screen or solid decorative fence must be provided along the **front lot line** if parking is placed in front of the **building**.

6.44.09 Parking

In addition to the regulations contained in Part 4 of this Bylaw, all parking and loading facilities must be located to the rear of the **building** accommodating the **principal use**, or underground.

Section 6.44A – Community Town Centre Pedestrian A (C8A) Zone

The intent of this Zone is to provide for all types of retail and general business Uses customarily associated with the central business districts of urban areas in an environment oriented to pedestrian needs.

6.44A.01 Permitted Uses

The following **uses** and no others are permitted in the C8A Zone:

- (1) **Accessory buildings and structures**, subject to Section 3.05;
- (2) **Accessory buildings and uses**;
- (3) **Animal Hospital** in an enclosed building;
- (4) **Apartment**;
- (5) **Appliance repair**;
- (6) **Auction room**;
- (7) **Automobile** glass repair, on land legally described as Strata Lot 1, Section 72, Esquimalt District, Strata Plan VIS5806 Together with an interest in the common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form V, PID No.026-326-752 (721 Station Avenue);
- (8) **Bakery**;
- (9) **Business college and trade school**;
- (10) **Catering**;
- (11) **Charitable facility**;
- (12) **Community garden**;
- (13) **Cultural facility**;
- (14) **Equipment and appliance repair, minor**;
- (15) **Film production studio**;
- (16) **Financial institution**;
- (17) **Fitness centre**;
- (18) **Funeral parlour**;
- (19) **Group daycare**, subject to Subsection 3.26.02;
- (20) **Home occupation**, subject to Section 3.09;
- (21) **Hotel**;

- (22) Library;
- (23) **Licensed premises;**
- (24) **Liquor store;**
- (25) **Medical Clinics** and accessory related commercial uses;
- (26) **Office;**
- (27) **Parking Facility;**
- (28) **Personal service establishment;**
- (29) **Preschool;**
- (30) **Printing, publishing and bookbinding;**
- (31) **Restaurant;**
- (32) **School**, not exceeding 200.0 m² (2,152.8 ft²) of **gross floor area**, and not in conjunction with any **residential use**;
- (33) **Retail store;**
- (34) **Shopping centre;**
- (35) **Training and education facility;**
- (36) **Uses accessory** to a **principal use** permitted in this **Zone**;
- (37) **Uses** permitted by Section 3.01 of this Bylaw; and
- (38) **Veterinary practice.**
- (39) The retail sale of parts and accessories for automobiles, trucks, boats, camper vehicles, farm machinery and manufactured homes

6.44A.02 Subdivision Lot Requirements

- (1) No **lot** having a **lot area** less than 695.0 m² (7,480.9 ft²) may be created by subdivision, except that **lots abutting** Goldstream Avenue, between Jacklin and Millstream Streets, must be no less than 4,000.0 m² (1.0 ac) in **lot area**.
- (2) No **lot** having a **lot width** less than 15.2 m (49.9 ft) may be created by subdivision.
- (3) No **lot** having a **lot depth** less than 34.0 m (111.6 ft) may be created by subdivision.

6.44A.03 Regulations for Use

- (1) **Unenclosed storage** is not permitted.
- (2) Outdoor seating areas and the outdoor display of goods for retail sale are permitted as **accessory uses**.

- (3) All **accessory uses** must be located to the rear of the **building** accommodating the **principal use**. In no case may they exceed a **height** of 4.0 m (13.1 ft) or cover a total of more than 10% of the **lot area**.

6.44A.04 Density of Development

- (1) Except as provided in Articles (2), (3), (4), (5), and (6), the **floor area ratio** may not exceed 1.0.
- (2) The **floor area ratio** may be increased by 0.25 if the owner provides 50% of the parking spaces required by this Bylaw in an underground parking structure, and by an additional 0.02 to a maximum of 1.5 for every additional 5% of the parking spaces so provided.
- (3) The **floor area ratio** may be increased by an additional 0.10 if the owner provides residential **dwelling units** on the third storey and an additional 0.15 if residential **dwelling units** are also provided on the fourth storey.
- (4) The **floor area ratio** may be increased by up to 0.25 if the owner provides on-site community amenities. This increase must be provided according to the following:
 - (a) 0.10 for provision of a community amenity building area of more than 65.0 m² (699.7 ft²) of **gross floor area** located on the ground floor or more than 100.0 m² (1,076.4 ft²) 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) Up to 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 300.0 m² (3,229.2 ft²) or 30% of a 1,000.0 m² (10,763.9 ft²) **building** would result in an increase in **floor area ratio** of 0.15.
- (5) Despite Article 6.44.04(1), on land whose legal description is set out in Table 1 of Schedule "AD", the maximum **floor area ratio** is 2.5, if the owner of the land proposed to be developed:
 - (a) Pays to the City the amount specified in Column 4 of Table 1 of Schedule "AD", prior to the issuance of a Building Permit; and
 - (b) Provides to the City the amenity specified in Column 4 of Table 1 of Schedule "AD", prior to the issuance of an occupancy permit.

- (6) Notwithstanding Subsection 6.44A.04(1), the floor area ratio may be increased to 5.0, on the land legally described as Strata Lot 1, Section 72, Esquimalt District, Strata Plan VIS5806 Together With an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form V, PID No. 026-326-752 (721 Station Avenue), if the owner provides:
- (a) A minimum of 75% of the parking spaces required by this Bylaw in an underground parking structure;
 - (b) The amenity contributions set out in Table 1 of Schedule AD, prior to the issuance of a Building Permit for development with a Maximum floor area over 1.0; and
 - (c) Residential dwelling units on any storey above the ground floor.

6.44A.05 Lot Coverage

- (1) **Lot coverage** of all **buildings** and **structures** may not exceed 90%.
- (2) **Lot coverage** of all **buildings** and **structures** may not be less than 40%.

6.44A.06 Height and Size of Principal Use Buildings

- (1) No **building** or **structure** may exceed a **height** of six storeys.
- (2) On land legally described as Strata Lot 1, Section 72, Esquimalt District, Strata Plan VIS5806 Together With an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form V, PID No. 026-326-752 (721 Station Avenue), the maximum height of buildings and structures shall be governed by the provisions of Subsection 6.44A.04(6) and not 6.44A.06(1).

6.44A.07 Setbacks

No **building** or **structure** may be located:

- (1) Within 2.0 m (6.6 ft) of any **front lot line**; or
- (2) Within 6.0 m (19.7 ft) of any **interior side lot line** where the **interior side lot line abuts** an area designated Residential or Multiple Residential in the Official Community Plan; or
- (3) Within 2.0 m (6.6 ft) of any **exterior side lot line**; or
- (4) Within 7.5 m (24.6 ft) of any **rear lot line**.

6.44A.08 Landscape Screening

In addition to the regulations contained in Section 3.21 of this Bylaw the following requirements apply to landscape screening in the C8A Zone.

- (1) A **landscape and screening area** not less than 1.0 m (3.3 ft) in width containing a decorative fence together with decorative planting of not less than 1.8 m (5.9 ft) in **height** must be provided along all **lot lines** separating the **lot** from any **Residential** or **Multiple Residential Zone**.

- (2) Despite Article (1) where the **lot abuts a highway** with **residential uses** across the street a 1.8 m (5.9 ft) high landscaping screen or solid decorative fence must be provided along the **front lot line** if parking is placed in front of the **building**.
- (3) Despite Article (1), the **landscape and screening area** may be reduced to zero along **interior side lot lines**, where the **interior side lot line abuts** an area designated as Pedestrian Commercial in the Official Community Plan.

6.44A.09 Parking

In addition to the regulations contained in Part 4 of this Bylaw the following requirements apply to parking and loading in the C8A Zone.

- (1) All parking and loading facilities must be located to the rear of the **building** accommodating the **principal use** or underground.
- (2) Parking is prohibited on the ground level of any **building**.

Section 6.44B – Community Town Centre Pedestrian 9 (C9) Zone

The intent of this Zone is to provide for all types of retail and general business uses customarily associated with the central business districts of urban areas in an environment oriented to pedestrians needs, and to exclude commercial and other uses, other than parking facilities, which do not make intensive use of site, which create breaks in business frontage, which constitute a nuisance, or which are in anyway incompatible with the intensive development of a retail and general business area.

6.44B.01 Permitted Uses

The following **uses** and no others are permitted in the Community Town Centre Pedestrian 9 (C9) Zone:

- (1) **Accessory buildings and uses;**
- (2) **Apartments;**
- (3) **Apartments** which may contain **multi-family** flex units;
- (4) Film production studios;
- (5) Financial institutions;
- (6) Food catering facilities;
- (7) Group day care in accordance with Section 3.26.02;
- (8) Health clubs;
- (9) Home occupation in accordance with Section 3.09;
- (10) Hotels;
- (11) Library;
- (12) **Medical Clinics** and accessory related commercial uses;
- (13) Minor repair shops (excluding petroleum-powered engines);
- (14) Offices;
- (15) Personal service establishments;
- (16) Premises licensed pursuant to the Liquor Control and Licensing Act;
- (17) Preschool;
- (18) Public assembly and entertainment uses;
- (19) Restaurants, bakeries, and cafes, explicitly excluding drive-in and drive-thru restaurants;
- (20) Schools, not exceeding 200 m² (2105 ft²) of gross floor area, and not in conjunction with any other residential use;

- (21) Retail stores;
- (22) Shopping centres;
- (23) Temporary construction and real estate marketing offices;
- (24) Theatres, excluding drive-ins;
- (25) Universities and schools;
- (26) Veterinary practices;
- (27) dog and cat grooming;
- (28) churches and places of worship;
- (29) Assisted living;
- (30) Hospice; and
- (31) Uses permitted by Section 3.01 of this Bylaw.

6.44B.02 Subdivision Lot Requirements

- (1) No lot having an area less than 695m² (7480 ft²) may be created by subdivision in the Community Town Centre Pedestrian 9 (C9) Zone,
- (2) No lot may be created having a lot width less than 15.2m (50ft).
- (3) No lot may be created having a lot depth less than 34m (112ft).

6.44B.03 Regulations for Use

- (1) All principal uses must be oriented to pedestrian needs and be so located and designed as to avoid vehicular interference with pedestrian movement.
- (2) The storage and display of all good and products must be completely enclosed within a building, except for outside seating and the display of goods for sale at retail.
- (3) All accessory uses must be located to the rear of the building accommodating the principal use. In no case may they exceed a height of 4m (13ft) or cover a total of more than 10% of the lot area.

6.44B.04 Density of Development

- (1) Except as provided in article (2) the floor area ratio may not exceed 0.5
- (2) Notwithstanding section 6.44B.04(1), on land whose legal description is set out in Table 1 of Schedule AD, the floor area ratio may be increased to a maximum floor area ratio of 6.0, if the owner of the land proposed to be developed:
 - a) Pays to the City the amount specified in Column 4 of the Table 1 of Schedule AD, prior to the issuance of a building permit; and

6.44B.05 Lot Coverage

- (1) Lot coverage of all buildings and structures may not exceed 90%;
- (2) Lot coverage of all buildings and structures may not be less than 40%.

6.44B.06 Setbacks

- (1) No building or structure may be located;
 - a) Within 2m (6.5ft) of any front lot line; or
 - b) Within 2m (6.5ft) of any interior side lot line where the interior side lot adjoins an area designated Residential or Multiple Residential in the Official Community Plan; or
 - c) Within 2m (6.5ft) of an exterior side lot line; or
 - d) Within 2m (6.5ft) of any rear lot line; or
- (2) In addition to the other articles in this subsection the building, parking and landscaping must be designed and sited in accordance with an approved development permit.

6.44B.07 Landscape Screening

- (1) In addition to the regulations contained in Section 3.21 of this Bylaw the following regulations must apply to landscape screening in the Community Town Centre Pedestrian 9 (C9) Zone.
- (2) A landscape and screening are not less than 1m (3ft) in width containing a decorative fence together with decorative planting of not less than 1.8m (6ft) in height will be provided along lot lines separating the lot from any Residential or Multiple Residential Zone.
- (3) Despite Article (2) where the lot abuts a highway with residential across the street a 1.8m (6ft) high landscaping screen or solid decorative fence will be provided along the lot line if parking is placed in front of the building.
- (4) Notwithstanding Article (2), the landscaping and screening area may be reduced to zero along interior side lot lines, where the interior side lot line adjoins an area designated as Pedestrian Commercial in the Official Community Plan.

6.44B.08 Parking

- (1) In addition to the regulations contained in Part 4 of this Bylaw the following regulations apply to parking and loading in the Community Town Centre Pedestrian 9 (C9) Zone.
- (2) All parking and loading facilities must be located to the rear of the building accommodating the principal use or underground.
- (3) Other than access to an underground parking structure, parking is prohibited on the ground level of any building.

6.44A.9 General

The relevant regulations of Part 3 of this Bylaw must apply.

Section 6.45 – Service Commercial (CS1) Zone

The intent of the CS1 Zone is to accommodate a wide range of goods and service based commercial areas to address the needs and requirements of the city.

6.45.01 Permitted Uses

The following **uses** and no others are permitted in the CS1 Zone:

- (1) **Accessory buildings and structures**, subject to Section 3.05;
- (2) **Accessory unenclosed storage**, subject to Section 3.13;
- (3) **Animal hospital**, in enclosed **buildings**;
- (4) **Auction**;
- (5) **Automobile body and paint shop**;
- (6) **Automobile parts and accessories sale, installation and repair**;
- (7) **Automobile rental and sale facility, major**;
- (8) **Automobile rental and sale facility, minor**;
- (9) **Automobile towing and storage facility**;
- (10) **Building and lumber supply store**;
- (11) **Business support service**;
- (12) **Car wash**;
- (13) **Catering**;
- (14) **Commercial nursery and greenhouse**;
- (15) **Community garden**;
- (16) **Contractor service**;
- (17) **Drive-through facility**;
- (18) **Equipment sales, service, repair and rental, major**;
- (19) **Equipment sales, service, repair and rental, minor**;
- (20) **Film production studio**;
- (21) **Fitness centre**;
- (22) **Garden centre and feed supply store**;
- (23) **Gasoline service station**;

- (24) **Household equipment and appliance service and repair;**
- (25) **Medical Clinics** and accessory related commercial uses;
- (26) **Office;**
- (27) One **caretaker dwelling unit**, in conjunction with and in addition to any of the other **principal uses** permitted in this Zone;
- (28) **Parking facility;**
- (29) **Personal service establishment;**
- (30) **Pet daycare;**
- (31) **Recreation facility, indoor;**
- (32) **Recycling facility;**
- (33) **Restaurant ;**
- (34) **Restaurant, drive-through;**
- (35) **Retail store**, not exceeding 200.0 m² (2,152.8 ft²) in **gross floor area**;
- (36) **School**, not exceeding 280.0 m² (3,013.9 ft²) of **gross floor area**;
- (37) **Transportation terminal;**
- (38) **Uses accessory** to a **principal use** permitted in this **Zone**; and
- (39) **Uses** permitted by Section 3.01 of this Bylaw.

6.45.02 Further Use Regulations

Despite Subsection 6.45.01, the following **uses** are not permitted on those lands shown outlined in heavy black line on the map attached to this Bylaw as Schedule "J":

- (1) **Building and lumber supply store;**
- (2) **Contractor service;**
- (3) **Recycling facility;** and
- (4) **Transportation terminal;**

6.45.03 Subdivision Lot Requirements

- (1) No **lot** having a **lot area** less than 695.0 m² (7,480.9 ft²) may be created by subdivision.
- (2) No **lot** having a **lot width** less than 16.0 m (52.5 ft) may be created by subdivision.

6.45.04 Lot Coverage

- (1) **Lot coverage** of all **buildings** and **structures** may not exceed 50%.
- (2) **Lot coverage** of all **buildings** and **structures** located in the shaded area shown on Schedule "AE" may not exceed 75%.

6.45.05 Density of Development

- (1) The maximum **floor area ratio** is 1.0.
- (2) The maximum **floor area ratio** is 1.5 on a **lot** located in the shaded area shown on Schedule "AE".

6.45.06 Height and Size of Principal Use Buildings

No **building** or **structure** may exceed a **height** of 12.0 m (39.4 ft) or three storeys.

6.45.07 Setbacks

No **building** or **structure** may be located:

- (1) Within 7.5 m (24.6 ft) of any **front lot line** or **exterior side lot line**; or
- (2) Within 6.0 m (19.7 ft) of any **interior side lot line** where the **interior side lot line abuts** an **Agricultural Zone, Residential Zone, Rural Residential Zone, Multiple Residential Zone** or **Institutional Zone**; or
- (3) Within 3.0 m (9.8 ft) of any **rear lot line**, except that no **building** or **structure** may be located within 6.0 m (19.7 ft) of any **rear lot line abutting** an **Agricultural Zone, Residential Zone, Rural Residential Zone, Multiple Residential Zone** or **Institutional Zone**.

6.45.08 Landscape Screening

In addition to the regulations contained in Section 3.21 of this Bylaw the following requirements apply to landscape screening in the CS1 Zone:

- (1) A continuous **landscape and screening area** not less than 3.0 m (9.8 ft) wide must be provided along the developed portion of each side of the **lot** which **abuts a highway**. This landscaping may be interrupted at boulevard crossings, or to provide necessary pedestrian access to a **building**.
- (2) Except in those portions where a **building abuts a lot line**, screen planting at least 1.8 m (5.9 ft) high in a strip at least 1.5 m (4.9 ft) wide, or a solid decorative fence at least 1.8 m (5.9 ft) high must be provided along all **lot lines** separating the developed portion of the **lot** from any **Residential Zone** or **Multiple Residential Zone** or **Institutional Zone** whether such property be separated by a **highway** or not.

Section 6.46 – Commercial Industrial (CS3) Zone

The intent of the CS3 Zone is to accommodate the development of industry.

6.46.01 Permitted Uses

The following **uses** and no others are permitted in the CS3 Zone:

- (1) **Accessory buildings and structures**, subject to Section 3.05;
- (2) **Accessory unenclosed storage**, subject to Section 3.13;
- (3) **Animal hospital**, in enclosed **buildings**;
- (4) **Auction**;
- (5) **Automobile body and paint shop**;
- (6) **Automobile rental and sale facility, major**;
- (7) **Automobile rental and sale facility, minor**;
- (8) **Automobile repair and service facility, minor**;
- (9) **Automobile towing and storage facility**;
- (10) **Building and lumber supply store**;
- (11) **Business support service**;
- (12) **Car wash**;
- (13) **Carpentry shop**;
- (14) **Commercial nursery and greenhouse**;
- (15) **Community garden**;
- (16) **Contractor service**;
- (17) **Drive through facility -**;
- (18) **Dwelling unit**, limited to a maximum of one, in conjunction with any of the other **uses** permitted in this **Zone**;
- (19) **Equipment sales, service, repair and rental, minor**;
- (20) **Film production studio**;
- (21) **Gasoline service station**;
- (22) **Household equipment and appliance service and repair**;
- (23) **Machine shop**, with not more than 100.0 m² (1,076.4 ft²) of **gross floor area**;

- (24) **Parking facility;**
- (25) **Personal service establishment;**
- (26) **Pet daycare;**
- (27) **Recycling depot;**
- (28) **Recycling facility**, subject to Section 3.14;
- (29) **Restaurant ;**
- (30) **Restaurant, drive-through;**
- (31) **Retail store**, not exceeding 200.0 m² (2,152.8 ft²) in **gross floor area**;
- (32) **Transportation terminal;**
- (33) **Uses accessory** to a **principal use** permitted in this **Zone**;
- (34) **Uses** permitted by Section 3.01 of this Bylaw;
- (35) **Warehouse**, having not more than 900.0 m² (0.2 ac) of **gross floor area**; and
- (36) **Welding shop.**

6.46.02 Subdivision Lot Requirements

- (1) No **lot** having a **lot area** less than 695.0 m² (7,480.9 ft²) may be created by subdivision.
- (2) No **lot** having a **lot width** less than 16.0 m (52.5 ft) may be created by subdivision.

6.46.03 Lot Coverage

- (1) **Lot coverage** of all **buildings** and **structures** may not exceed 50%.
- (2) **Lot coverage** of all **buildings** and **structures** located in the shaded area shown on Schedule "AE" may not exceed 75%.

6.46.04 Density of Development

- (1) The maximum **floor area ratio** is 1.0.
- (2) The maximum **floor area ratio** is 1.5 on a **lot** located in the shaded area shown on Schedule "AE".

6.46.05 Height and Size of Principal Use Buildings

No **building** or **structure** may exceed a **height** of 12.0 m (39.4 ft) or three storeys.

6.46.06 Setbacks

No **building** or **structure** may be located:

- (1) Within 7.5 m (24.6 ft) of any **front lot line** or **exterior side lot line**; or
- (2) Within 6.0 m (19.7 ft) of any **interior side lot line** where the **interior side lot line abuts** an **Agricultural Zone, Residential Zone, Rural Residential Zone, Multiple Residential Zone** or **Institutional Zone**; or
- (3) Within 3.0 m (9.8 ft) of any **rear lot line** except that no **building** or **structure** may be located within 6.0 m (19.7 ft) of any **rear lot line abutting** an **Agricultural Zone, Residential Zone, Rural Residential Zone** or **Institutional Zone**.

6.46.07 Landscape Screening

In addition to the regulations contained in Section 3.21 of this Bylaw the following requirements apply to landscape screening in the CS3 Zone:

- (1) A continuous **landscape and screening area** not less than 3.0 m (9.8 ft) wide must be provided along the developed portion of each side of the **lot** which **abuts a highway**. This **landscape and screening area** may be interrupted at boulevard crossings, or to provide necessary pedestrian access to a **building**; and
- (2) Except in those portions where a **building abuts a lot line**, screen planting at least 1.8 m (5.9 ft) high in a strip at least 1.5 m (4.9 ft) wide, or a solid decorative fence at least 1.8 m (5.9 ft) high must be provided along all **lot lines** separating the developed portion of the **lot** from any **Residential Zone, Multiple Residential Zone** or **Institutional Zone** whether such property be separated by a **highway** or not.

Section 6.47 – Tourist Commercial – Motel (CT1) Zone

The intent of the CT1 Zone is to support the accommodation needs of out of town interests.

6.47.01 Permitted Uses

The following **uses** and no others are permitted in the CT1 Zone:

- (1) **Accessory buildings and structures**, subject to Section 3.05;
- (2) **Campground**;
- (3) **Community garden**;
- (4) **Film production studio**;
- (5) **Hotel**;
- (6) **Golf course, miniature**;
- (7) One **one-family dwelling**, in conjunction with and in addition to any of the other **uses** permitted in this **Zone**;
- (8) **Uses accessory** to a **principal use** permitted in this **Zone**; and
- (9) **Uses** permitted by Section 3.01 of this Bylaw.

6.47.02 Subdivision Lot Requirements

- (1) No **lot** having a **lot area** less than 1,800.0 m² (0.4 ac) may be created by subdivision.
- (2) No **lot** having a **lot width** less than 18.0 m (59.1 ft) may be created by subdivision.

6.47.03 Regulations for Use for a Campground Use

No **campground** space may be occupied for a total of six months or more in any 12-month period by the same occupant, tent, trailer or **recreational vehicle**.

6.47.04 Lot Coverage

- (1) **Lot coverage** of all **buildings and structures** may not exceed 50%.
- (2) The **floor area ratio** of all **buildings and structures** on the **lot** may not exceed 0.5.

6.47.05 Height and Size of Principal Use Buildings

No **building or structure** may exceed a **height** of 12.0 m (39.4 ft) or three storeys.

6.47.06 Setbacks

No **building** or **structure** may be located:

- (1) Within 7.5 m (24.6 ft) of any **front lot line**; or
- (2) Within 6.0 m (19.7 ft) of any **interior side lot line**; or
- (3) Within 7.5 m (24.6 ft) of any **exterior side lot line**; or
- (4) Within 10.0 m (32.8 ft) of any **rear lot line**.

6.47.07 Landscape Screening

In addition to the regulations contained in Section 3.21 of this Bylaw, except in those portions of a **lot** where a **building abuts a lot line**, screen planting at least 1.8 m (5.9 ft) high in a strip at least 1.5 m (4.9 ft) wide, or a solid decorative fence at least 1.8 m (5.9 ft) high must be provided along all **lot lines** separating the developed portion of the **lot** from any **Residential Zone**, **Multiple Residential Zone** or **Institutional Zone** whether such property be separated by a **highway** or not.

Section 6.48 – Tourist Commercial – Campground (CT2) Zone

The intent of the CT2 Zone is to provide accommodation through limited development.

6.48.01 Permitted Uses

The following **uses** and no others are permitted in the CT2 Zone:

- (1) **Accessory buildings and structures**, subject to Section 3.05;
- (2) **Campground**;
- (3) **Community garden**;
- (4) **Film production studio**;
- (5) **Golf course**;
- (6) **Golf course, miniature**;
- (7) **Golf driving range**;
- (8) One **one-family dwelling**, in conjunction with and in addition to any of the other **uses** permitted in this **Zone**;
- (9) **Uses accessory** to a **principal use** permitted in this **Zone**; and
- (10) **Uses** permitted by Section 3.01 of this Bylaw.

6.48.02 Subdivision Lot Requirements

No **lot** having a **lot area** less than 4.0 ha (9.9 acres) may be created by subdivision.

6.48.03 Regulations for Use for a Campground Use

No campground space may be occupied for a total of six months or more in any 12-month period by the same occupant, tent, trailer or **recreational vehicle**.

6.48.04 Lot Coverage

Lot coverage of all **buildings and structures** may not exceed 40%.

6.48.05 Density of Development

The **floor area ratio** may not exceed 0.4.

6.48.06 Height and Size of Principal Use Buildings

No **building or structure** may exceed a **height** of 12.0 m (39.4 ft) or three storeys.

6.48.07 Setbacks

No **building** or **structure** may be located:

- (1) Within 7.5 m (24.6 ft) of any **front lot line**; or
- (2) Within 6.0 m (19.7 ft) of any **interior side lot line**; or
- (3) Within 7.5 m (24.6 ft) of any **exterior side lot line**; or
- (4) Within 10.0 m (32.8 ft) of any **rear lot line**.

6.48.08 Landscape Screening

In addition to the regulations contained in Section 3.21 of this Bylaw, except in those portions of a **lot** where a **building abuts a lot line**, screen planting at least 1.8 m (5.9 ft) high in a strip at least 1.5 m (4.9 ft) wide, or a solid decorative fence at least 1.8 m (5.9 ft) high must be provided along all **lot lines** separating the developed portion of the **lot** from any **Residential Zone, Multiple Residential Zone, or Institutional Zone** whether such property be separated by a **highway** or not.

Section 6.49 – Commercial Recreation (CR1) Zone

The intent of the CR1 Zone is to provide zoning for the entertainment and recreation related services through the consumption, acquisition and or participation of goods and services.

6.49.01 Permitted Uses

The following **uses** and no others are permitted in the CR1 Zone:

- (1) **Accessory buildings and structures**, subject to Section 3.05;
- (2) **Campground**;
- (3) **Community garden**;
- (4) **Film production studio**;
- (5) **Grandstand**;
- (6) **Group daycare**, on the property legally described as Lot A, Sections 2 and 3, Range 3 West, Highland District, Plan VIP53467 (2207 Millstream Rd) and subject to Section 3.26.02;
- (7) One **one-family dwelling**, or one **two-family dwelling** in conjunction with and in addition to any of the other **uses** permitted in this **Zone**;
- (8) **Place of worship**, on the property legally described as Lot A, Sections 2 and 3, Range 3 West, Highland District, Plan VIP53467 (2207 Millstream Rd);
- (9) **Recreation facility, indoor**;
- (10) **Recreation Facility, outdoor**;
- (11) **Restaurant**;
- (12) **Restaurant, drive-through**;
- (13) **Theatre, drive-in**;
- (14) **Uses accessory** to a **principal use** permitted in this **Zone**; and
- (15) **Uses** permitted by Section 3.01 of this Bylaw.

6.49.02 Subdivision Lot Requirements

No **lot** having a **lot area** less than 2.0 ha (4.9 ac) may be created by subdivision.

6.49.03 Regulations for Use for a Campground Use

No campground space may be occupied for a total of six months or more in any 12-month period by the same occupant, tent, trailer or **recreational vehicle**.

6.49.04 Lot Coverage

Lot coverage of all **buildings** and **structures** may not exceed 40%.

6.49.05 Density of Development

The **floor area ratio** may not exceed 0.4.

6.49.06 Height and Size of Principal Use Buildings

No **building** or **structure**, other than a projection screen in a **drive-in theatre**, may exceed a **height** of 12.0 m (39.4 ft) or three storeys.

6.49.07 Setbacks

No **building** or **structure** may be located:

- (1) Within 7.5 m (24.6 ft) of any **front lot line**; or
- (2) Within 6.0 m (19.7 ft) of any **interior side lot line**; or
- (3) Within 7.5 m (24.6 ft) of any **exterior side lot line**; or
- (4) Within 7.5 m (24.6 ft) of any **rear lot line**.

6.49.08 Landscape Screening

In addition to the regulations contained in Section 3.21 of this Bylaw, except in those portions where a **building abuts a lot line**, screen planting at least 1.8 m (5.9 ft) high in a strip at least 1.5 m (4.9 ft) wide, or a solid decorative fence at least 1.8 m (5.9 ft) high must be provided along all **lot lines** separating the developed portion of the **lot** from any **Residential Zone, Multiple Residential Zone** or **Institutional Zone** whether such property be separated by a **highway** or not.

Section 6.50 – Marina Commercial (CR2) Zone

The intent of the CR2 Zone is to provide marine specific guidelines for development and that incorporates land and marine based values.

6.50.01 Permitted Uses

The following **uses** and no others are permitted in the CR2 Zone:

- (1) **Accessory buildings and structures**, subject to Section 3.05;
- (2) **Community garden**;
- (3) **Dwelling, one-family or two-family dwelling**, limited to a maximum of one, in conjunction with any of the other **uses** permitted in this **Zone**;
- (4) **Film production studio**;
- (5) **Marina**;
- (6) **Marine sales, service, repair and rental facility**;
- (7) **Restaurant**;
- (8) **Restaurant, drive-through**;
- (9) **Uses accessory** to a **principal use** permitted in this **Zone**; and
- (10) **Uses** permitted by Section 3.01 of this Bylaw.

6.50.02 Subdivision Lot Requirements

No **lot** having a **lot area** less than 4.0 ha (9.9 ac) may be created by subdivision.

6.50.03 Lot Coverage

Lot coverage of all **buildings and structures** may not exceed 40%.

6.50.04 Height and Size of Principal Use Buildings

No **building or structure** may exceed a **height** of 12.0 m (39.4 ft) or three storeys.

6.50.05 Setbacks

No **building or structure** may be located:

- (1) Within 7.5 m (24.6 ft) of any **front lot line**; or
- (2) Within 6.0 m (19.7 ft) of any **interior side lot line**; or
- (3) Within 7.5 m (24.6 ft) of any **exterior side lot line**; or
- (4) Within 7.5 m (24.6 ft) of any **rear lot line**.

6.50.06 Landscape Screening

In addition to the regulations contained in Section 3.21 of this Bylaw, except in those portions of a **lot** where a **building abuts a lot line**, screen planting at least 1.8 m (5.9 ft) high in a strip at least 1.5 m (4.9 ft) wide, or a solid decorative fence at least 1.8 m (5.9 ft) high must be provided along all **lot lines** separating the developed portion of the **lot** from any **Residential Zone**, **Multiple Residential Zone** or **Institutional Zone** whether such property be separated by a **highway** or not.

Section 6.51 – Mixed Use Residential Commercial (MU1) Zone

The intent of the MU1 Zone is to provide a mix of residential and commercial uses to create a vibrant transition between the Core Downtown Commercial Area and other nearby uses.

6.51.01 Permitted Uses

The following **uses** and no others are permitted in the MU1 Zone:

- (1) **Accessory buildings and structures**, subject to Section 3.05;
- (2) **Apartment**;
- (3) **Business support service**;
- (4) **Community garden**;
- (5) **Financial institution**, located on the ground floor only;
- (6) **Group daycare** , subject to Subsection 3.26.02;
- (7) **Home office** , subject to Section 3.09;
- (8) **Medical Clinics** and accessory related commercial uses;
- (9) **Office**, located on the ground floor only;
- (10) **Personal service establishment**, located on the ground floor only;
- (11) **Preschool**;
- (12) **Restaurant**, located on the ground floor only;
- (13) **Retail store**, located on the ground floor only;
- (14) **School**, not exceeding 200.0 m² (2,152.8 ft²) of **gross floor area**, and not in conjunction with any **residential use**;
- (15) **Uses accessory** to a **principal use** permitted in this **Zone**; and
- (16) **Uses** permitted by Section 3.01 of this Bylaw.

6.51.02 Subdivision Lot Requirements

- (1) No **lot** having a **lot area** less than 700.0 m² (7,534.7 ft²) may be created by subdivision.
- (2) No **lot** having a **lot width** less than 15.0 m (49.2 ft) may be created by subdivision.

6.51.03 Regulations for Use

- (1) **Unenclosed storage** is not permitted.
- (2) Outdoor seating areas are permitted as an **accessory use**.

- (3) Above-ground **dwelling units** in a **building** with a mix of **residential uses** and non-residential **uses** must be provided with a separate entrance from the ground level, except where the **building** consists of all **residential uses**.
- (4) All **accessory uses** must be located to the rear of the **building** accommodating the **principal use**. In no case may **accessory buildings** exceed a **height** of 4.0 m (13.1 ft), and **accessory uses** and **buildings** shall not cover a total of more than 10% of the **lot area**.

6.51.04 Density of Development

- (1) Except as provided in Article (2), the maximum **floor area ratio** is 2.0.
- (2) The maximum **floor area ratio** is 2.25 if the owner provides at least 50% of the parking spaces required by this Bylaw in an underground parking structure, and by an additional 0.02 to a maximum of 2.5 for every 5% of the parking spaces in excess of 50% so provided.

6.51.05 Lot Coverage

- (1) **Lot coverage** of all **buildings** and **structures** may not exceed 90%.
- (2) **Lot coverage** of all **buildings** and **structures** may not be less than 50%.
- (3) Despite Article (2), the **lot coverage** of all **buildings** and **structures** on a **lot** containing a **townhouse use** may not be less than 40%.

6.51.06 Height and Size of Principal Use Buildings

No **building** or **structure** may exceed a **height** of six storeys.

6.51.07 Setbacks

No **building** or **structure** may be located:

- (1) Within 2.0 m (6.6 ft) of any **front lot line**; or
- (2) Within 2.0 m (6.6 ft) of any **exterior side lot line**; or
- (3) Within 7.5 m (24.6 ft) of any **rear lot line**.

6.51.08 Landscape Screening

In addition to the regulations contained in Section 3.21 of this Bylaw the following requirements apply to landscape screening in the MU1 Zone.

- (1) A **landscape and screening area** not less than 1.0 m (3.3 ft) in width containing a decorative fence of not less than 1.8 m (5.9 ft) in **height**, together with decorative planting, must be provided along all lot lines separating the lot from any **Residential** or **Multiple Residential Zone**.
- (2) Despite Article (1) where the **lot abuts a highway** with **residential uses** across the street a 1.8 m (5.9 ft) high landscaping screen or solid decorative fence must be provided along the **front lot line** if parking is placed in front of the **building**.
- (3) Despite Article (1), the **landscape and screening area** is not required along **interior side**

lot lines, where the **interior side lot line abuts** an area designated as Pedestrian Commercial in the Official Community Plan.

6.51.09 Parking

In addition to the regulations contained in Part 4 of this Bylaw, all parking and loading facilities must be located to the rear of the **building** accommodating the **principal use**, or underground.

Section 6.51A – Mixed Use Residential Commercial (MU1A) Zone

The intent of the MU1A Zone is to provide a mix of residential uses and commercial uses to create a vibrant transition between the Core Downtown Commercial Area and other nearby uses.

6.51A.01 Permitted Uses

The following **uses** and no others are permitted in the MU1A Zone:

- (1) **Accessory buildings and structures**, subject to Section 3.05;
- (2) **Apartment**;
- (3) **Business support service**, located on the ground floor only;
- (4) **Community garden**;
- (5) **Financial institution**, located on the ground floor only;
- (6) **Group daycare** , subject to Subsection 3.26.02;
- (7) **Home office** , subject to Section 3.09, and on land legally described as Lot A, Section 72, Esquimalt District, Plan 12506, Except Part in Plan 36622 (685 Fairway Avenue) which may include the following:
 - (a) **Artist or craftsperson studio**, excluding boat building and auto refurbishing;
 - (b) **Bed and breakfast** subject to Section 3.09 and limited to two rental rooms;
 - (c) **Business support service**;
 - (d) Carpentry shop;
 - (e) Dance school and/or recital area;
 - (f) **Equipment and appliance repair, minor**;
 - (g) **Group daycare**, subject to Subsection 3.26.02 and providing care to not more than seven children at a time;
 - (h) Educational tutoring;
 - (i) Garment making and the manufacture of small leather goods, but excluding the tanning or curing of leather;
 - (j) **Household equipment and appliance service and repair facility**;
 - (k) Jewelry manufacturing;
 - (l) Musical training and recording studios;
 - (m) **Office**;
 - (n) **Personal service establishment** ;

- (o) Retail sale of goods manufactured within the **dwelling unit**;
- (8) **Medical Clinics** and accessory related commercial uses;
- (9) **Office**, located on the ground floor only;
- (10) **Personal service establishment**, located on the ground floor only;
- (11) **Preschool**;
- (12) **Restaurant**, located on the ground floor only;
- (13) **Retail store**, located on the ground floor only;
- (14) **School**, not exceeding 200.0 m² (2,152.8 ft²) of **gross floor area**, and not in conjunction with any **residential use**;
- (15) **Townhouse**;
- (16) **Uses accessory** to a **principal use** permitted in this **Zone**; and
- (17) **Uses** permitted by Section 3.01 of this Bylaw.

6.51A.02 Subdivision Lot Requirements

- (1) No **lot** having a **lot area** less than 700.0 m² (7,534.7 ft²) may be created by subdivision.
- (2) No **lot** having a **lot width** less than 15.0 m (49.2 ft) may be created by subdivision.
- (3) Despite Article (1), on lands legally described as Lot C, Section 5, Esquimalt District, Plan 28421, Except Part in Plan VIP62970 (972/974 Preston Way) no **lot** having a **lot area** less than 356.9 m² (3,841.6 ft²) may be created by subdivision.
- (4) Despite Article (2), on lands legally described as Lot C, Section 5, Esquimalt District, Plan 28421, Except Part in Plan VIP62970 (972/974 Preston Way) no **lot** having a **lot width** less than 8.1 m (26.6 ft) may be created by subdivision.

6.51A.03 Regulations for Use

- (1) **Unenclosed storage** is not permitted.
- (2) Outdoor seating areas and the outdoor display of goods for retail sale are permitted as **accessory uses**.
- (3) All Above-ground **dwelling units** in a **building** with a mix of **residential uses** and non-residential **uses** must be provided with a separate entrance at ground level, except where the **building** consists of all **residential uses**.
- (4) All **accessory uses** must be located to the rear of the **building** accommodating the **principal use**. In no case may they exceed a **height** of 4.0 m (13.1 ft) or cover a total of more than 10% of the **lot area**.
- (5) On the property legally described as Lot 2, Section 5, Esquimalt District, Plan 26285 (997 and 999 Goldstream Ave), **group daycares** are permitted on any floor of a **structure** built before 2012.

6.51A.04 Density of Development

- (1) Except as provided in Article (2), not more than one **dwelling unit** per 550.0 m² (5,920.2 ft²) of **lot area** may be constructed on any **lot**, and the **floor area ratio** for all **uses** may not exceed 0.3.
- (2) Despite Article 6.51A.04(1), on land whose legal description is set out in Table 1 of Schedule “AD”, the density of development shall be regulated by **floor area ratio** only and the maximum **floor area ratio** is 2.0, if the owner of the land proposed to be developed pays to the City the amount specified in Column 4 of Table 1 of Schedule “AD” prior to the issuance of a Building Permit.
- (3) The floor area ratio may then be further increased to 2.25 if the owner provides 50% of the parking spaces required by this Bylaw in an enclosed parking structure, which can be further increased by increments of 0.25 for every additional 5% of parking spaces provided, to maximum FAR of 4.0.
- (4) For land legally described as Lot A, Section 72, Esquimalt District, Plan 12506, Except Part in Plan 36622 (685 Fairway Avenue), the owner of the land proposed to be developed must also pay to the City, at the time of Building Permit, \$500 per **dwelling unit** towards the General Amenity Reserve Fund in addition to any amounts required by Section 6.51A.04(2), to entitle the owner to density in excess of 0.3.
- (5) Despite Article 6.51A.04(1), on land legally described as Lot 2, Section 5, Esquimalt District, Plan 26285 (997 and 999 Goldstream Ave), the density of development shall be one **group daycare**. Any change of density shall require a traffic study to the satisfaction of the City Engineer.
- (6) Despite Clause 6.51A.04(2)(a), the owner may provide a reduced amenity contribution from that specified in Table 1 of Schedule “AD” in accordance with Table 1 below where the owner enters into an agreement with the City prior to building permit issuance, under which agreement the owner agrees to achieve a minimum Level 1 Rating defined by the Green Development Checklist Policy.

Table 1 – Amenity Contribution Reductions (Bylaw No. 1412)

Overall Green Development Checklist Project Rating	% Reduction to the Required Contributions Specified in Table 1
Level 1	10%
Level 2	15%
Level 3	25%
Level 4	50%

6.51A.05 Lot Coverage

- (1) **Lot coverage** of all **buildings** and **structures** may not exceed 90%.
- (2) **Lot coverage** of all **buildings** and **structures** may not be less than 50%.
- (3) Despite Article (2), the **lot coverage** of all **buildings** and **structures** on a **lot** containing a **townhouse use** may not be less than 40%.

- (4) Despite Article (2), the **lot coverage** of all **buildings** and **structures** on properties legally described as Lots 1 and 2, Section 72, Esquimalt District, Plan 15185 (720 and 724 Meaford Ave); Lot A, Section 72, Esquimalt District, Plan EPP61132 (732 Meaford Ave); and Lot 3, District Lot 72, Esquimalt District, Plan 27017 (2844 Millstream Rd) may not be less than 35%.
- (5) Despite Article (2), the **lot coverage** of all **buildings** and **structures** on the property legally described as Lot A, Section 72, Esquimalt District, Plan 44443 (731 Station Ave) may be less than 50%.
- (6) Despite Article (2), the **lot coverage** of all **buildings** and **structures** shown shaded on Schedule AK may not be less than 25%.
- (7) Despite Article (2), the **lot coverage** of all **buildings** and **structures** on the properties legally described as Lot A, Sections 79 and 99, Esquimalt District, Plan 12587 (1067 Goldstream Ave); That Part of Lot 1, Section 79, Esquimalt District, Plan 4284 Lying Northerly of a Boundary Parallel and Perpendicularly Distant 100 Feet from the Southerly Boundary of Said Lot; and That Part of Section 99, Esquimalt District Lying Southerly of the Island Highway and West of Plan 4284 (1077 Goldstream Ave) may not be less than 29%

6.51A.06 Height and Size of Principal Use Buildings

No **building** or **structure** may exceed a **height** of seven (7) storeys.

6.51A.07 Setbacks

- (1) No **building** or **structure** may be located:
 - (a) Within 2.0 m (6.6 ft) of any **front lot line**; or
 - (b) Within 2.0 m (6.6 ft) of any **exterior side lot line**; or
 - (c) Within 7.5 m (24.6 ft) of any **rear lot line**.
- (1) Despite Article (1), on lands legally described as Lot C, Section 5, Esquimalt District, Plan 28421, Except Part in Plan VIP62970 (972/974 Preston Way) the minimum **setback** to the **rear lot line** is 6.0 m (19.7 ft) for Unit "A" and 3.7 m (12.1 ft) for Unit "B" as shown on the site plan attached to this Bylaw as Schedule "K".

6.51A.08 Landscape Screening

In addition to the regulations contained in Section 3.21 of this Bylaw the following requirements apply to landscape screening in the MU1A Zone:

- (1) A **landscape and screening area** not less than 1.0 m (3.3 ft) in width containing a decorative fence of not less than 1.8 m (5.9 ft) in **height**, together with decorative planting, must be provided along all **lot lines** separating the **lot** from any **Residential** or **Multiple Residential Zone**.
- (2) Despite Article (1) where the **lot abuts a highway** with **residential uses** across the street a 1.8 m (5.9 ft) high landscaping screen or solid decorative fence must be provided along the **lot line** if parking is placed in front of the **building**.
- (3) Despite Article (1), the **landscape and screening area** is not required along **interior side lot lines**, where the **interior side lot line abuts** an area designated as Pedestrian Commercial in the Official Community Plan.

6.51A.09 Parking

In addition to the regulations contained in Part 4 of this Bylaw, all parking and loading facilities must be located to the rear of the **building** accommodating the **principal use**, or underground.

Section 6.52 – Tourist Commercial – Hotel (CT3) Zone

The intent of the CT3 Zone is to accommodate the expansion of accessory uses that may be associated with tourism oriented development.

6.52.01 Permitted Uses

The following **uses** and no others are permitted in the CT3 Zone:

- (a) **Accessory buildings and structures**, subject to Section 3.05;
- (b) **Accessory uses**, limited to the following:
 - (a) **Charitable facility**;
 - (b) Conference and meeting facility;
 - (c) **Cultural facility**;
 - (d) **Fitness centre**;
 - (e) **Licensed premises**;
 - (f) **Parking facility**;
 - (g) **Personal service establishment**;
 - (h) **Restaurant**;
 - (i) **Retail store**, not exceeding a total **gross floor area** of 465.0 m² (5,005.2 ft²) within the entire CT3 Zone;
- (c) **Assisted living**;
- (d) **Community garden**;
- (e) **Hotel**;
- (f) **Residential hotel**;
- (g) **Uses accessory** to a **principal use** permitted in this **Zone**; and
- (h) **Uses** permitted by Section 3.01 of this Bylaw.

6.52.02 Subdivision Lot Requirements

No **lot** having a **lot area** less than 8,000.0 m² (2.0 ac) may be created by subdivision.

6.52.03 Lot Coverage

Lot coverage of all **buildings and structures** may not exceed 50%.

6.52.04 Density of Development

The **floor area ratio** of a **building** for a **hotel use** or a **residential hotel use** may not exceed 2.0.

6.52.05 Height and Size of Principal Use Buildings

No **building** or **structure** may exceed a **height** of four storeys.

6.52.06 Setbacks

No **building** may be located:

- (1) Within 2.0 m (6.6 ft) of any **front lot line** or **exterior side lot line**; or
- (2) Within 6.0 m (19.7 ft) of any **interior side lot line** where the **interior side lot line abuts** a Lot with a wholly **residential use**; or
- (3) Within 7.5 m (24.6 ft) of any **rear lot line**.

6.52.07 Landscape Screening

In addition to the regulations contained in Section 3.21 of this Bylaw, the following requirements apply to landscape screening in the CT3 Zone:

- (1) Parking areas shall be screened from any **abutting residential** or commercial **use** by a landscape screen not less than 3.0 m (9.8 ft) in width and 1.8 m (5.9 ft) in **height**, measured at the time of planting.
- (2) A continuous **landscape and screening area** not less than 1.5 m (4.9 ft) wide including a solid decorative fence of 1.8 m (5.9 ft) high shall be provided along all **lot lines** of a commercial or park **use** that **abut** a **residential use**.

Section 6.53 – Mixed-Use Employment 1 (MUE1) Zone

The intent of the MUE1 Zone is to provide an area for pedestrian oriented mixed-use residential and commercial activity.

6.53.01 Permitted Uses

- (1) The following **uses** and no others are permitted in Area A and Area B of the MUE1 Zone as shown shaded on the MUE1 Zone Map attached as Schedule “AJ”:

Restaurant, Retail and Other Service Commercial Uses

- (a) All of the **uses** permitted in the CS1 Zone;
- (b) **Financial institution**;
- (c) **Financial institution, drive-through**;
- (d) **Hotel**;
- (e) **Licensed premises**;
- (f) **Parking facility**;
- (g) **Restaurant**, limited to a maximum of 1,858.0 m² (19,999.3 ft²) of **gross floor area**;
- (h) **Retail store**, limited to a maximum of 1,858.0 m² (19,999.3 ft²) of **gross floor area**;

General Uses

- (i) **Accessory buildings and structures**, subject to Section 3.05;
- (j) **Health Services**;
- (k) **Transportation terminal**;
- (l) **Underground Vehicle storage**;
- (m) **Underground mini-storage**;
- (n) **Uses accessory** to a **principal use** permitted in this **Zone**;
- (o) **Uses** permitted by Section 3.01 of this Bylaw.

Business and Technology Uses

- (p) **Business support service**;
- (q) **Catering**;
- (r) **Electronics sale, service and manufacturing**;
- (s) **Equipment sale, service, repair and rental, minor**, relating directly to any other **principal use** permitted in this **Zone**;

- (t) **Film production studio;**
- (u) **Industrial use, light;**
- (v) **Medical Clinics** and accessory related commercials uses;
- (w) **Office;**
- (x) **Research and development facility;**

Educational, Cultural and Recreational Uses

- (y) **Charitable facility;**
- (z) **Community care facility;**
- (aa) **Community garden;**
- (bb) **Cultural facility;**
- (cc) **Group daycare**, subject to with Subsection 3.26.02;
- (dd) **Fitness centre;**
- (ee) **Recreation facility, indoor;**
- (ff) **Recreation facility, outdoor;**
- (gg) **School;**
- (hh) **Training and education facility;**

Accessory and Transition Residential Uses

- (ii) **Dormitory;**
 - (jj) **Dwelling, one-family**, built prior to July 1, 2014;
 - (kk) One **caretaker dwelling unit**, in conjunction with and forming part of any other **principal use** permitted in this **Zone**;
 - (ll) Temporary housing for construction workers, subject to Section 3.06;
- (2) In addition to those uses permitted in accordance with Article 6.53.01(1), the following uses are permitted in Area B of the MUE1 Zone as shown shaded on the MUE1 Zone Map attached as Schedule “AJ”:

Residential Uses

- (a) **Apartment;**
- (b) **Assisted living;**
- (c) **Townhouse.**

6.53.02 Setbacks

No **building** or **structure** may be located:

- (1) Within 2.0 m (6.6 ft) of any **lot line** that **abuts** a **highway**, except where the **building** is flanked by a sidewalk with a width of at least 2.0 m (6.6 ft) in which case no **setback** is required from that **lot line**; or
- (2) Within 6.0 m (19.7 ft) of any **lot line** that **abuts** a **lot** in a **Residential** or **Multiple Residential Zone**.

6.53.03 Density of Development

- (1) No **building** or **structure** may be constructed on any parcel of land that does not have access to a **highway**, and where a parcel of land has access to a **highway** there may not be more than three residential **dwelling units** or more than 150.0 m² (1,614.6 ft²) of non-residential **gross floor area** in the MUE1 Zone.
- (2) Despite Subsection 6.53.03(1), there may be more than three residential **dwelling units** and more than 150m² of non-residential gross floor area in the Mixed-Use Employment 1 (MUE1) Zone, but not more than 92,900.0 m² (999,967.2 ft²) of **gross floor area** in Area A and not more than 204,386m² (2,200,000ft²) of gross floor area in Area B if the owner of the land proposed to be built upon has:
 - (a) Consolidated the lands that are within the MUE1 Zone;
 - (b) Entered into an agreement with the City of Langford, to the satisfaction of Council, to provide to the City;
 - (i) \$1,000,000 towards the City's General Amenity reserve fund; OR
 - (ii) An alternate amenity with a demonstrable value equivalent to \$1,000,000; OR
 - (iii) A transfer of 15% of the lands located within MUE1 Zone to the City of Langford; OR
 - (iv) Some equivalent combination of (i) and/or (ii) and/or (iii);

AND

- (c) Provided a traffic impact study that analyzes the impact of the proposed development on the surrounding road network, and has entered into an agreement with the City of Langford with regards to required road dedication and off-site traffic improvements recommended by the traffic impact study, to the satisfaction of the Director of Engineering.
- (3) Despite subsections 6.53.03(1) and (2), there may be more than 92,900m² (1,000,000ft²) of gross floor area in Area A and more than 204,386m² (2,200,000ft²) of gross floor area in Area B, if the owner of the land proposed to be built upon has provided an additional traffic impact study that analyzes the impact of development beyond this level on the surrounding road network, and has entered into an agreement with the City of Langford with regards to required road dedication and off-site traffic improvements recommended by the traffic impact study, all to the satisfaction of the Director of Engineering.

- (4) Despite subsections 6.53.03(1), (2) and (3), under no circumstances may the gross floor area of non-residential uses in Area B exceed 9,290m² (100,000ft²).
- (5) Under no circumstances may the density of development within the MUE1 Zone exceed a **floor area ratio** of 2.5.
- (6) A maximum of 200 units of Assisted Living are permitted in area A.

6.53.04 Landscape Screening

In addition to the regulations contained in Section 3.21 of this Bylaw the following requirements apply to landscape screening in the MUE1 Zone:

- (1) A continuous **landscape and screening area** not less than 2.0 m (6.6 ft) wide shall be provided along the developed portion of each **lot** which **abuts** a **highway**. The landscaping shall have a height of not less than 1.5 m (4.9 ft) and may include a decorative fence.
- (2) A continuous **landscape and screening area** not less than 2.5 m (8.2 ft) wide containing a decorative fence not less than 1.8 m (5.9 ft) in **height** together with decorative planting must be provided along the developed portion of each **lot** which **abuts** a property in a **Residential** or **Multiple Residential Zone**, except where the boundary between the two **lots** is separated by a **highway**. This **landscape and screening area** may be interrupted at boulevard crossings, or to provide necessary pedestrian access to a **building** or for viewing shop windows.

Section 6.53B – Mixed-Use Employment 2 (MUE2) Zone

The intent of the MUE2 Zone is to provide zoning for a pedestrian oriente residential and commercial area that transitions from surrounding areas.

6.53B.01 Permitted Uses

The following **uses** and no others are permitted in the MUE2 Zone:

Restaurant, Retail and Other Service Commercial Uses

- (1) **Financial institution;**
- (2) **Gasoline Service Station**
- (3) **Hotel;**
- (4) **Licensed premises;**
- (5) **Parking facility**, excluding vehicle storage;
- (6) **Restaurant**, limited to a maximum of 1,858.0 m² (19,999.4 ft²) of **gross floor area**;
- (7) **Retail store**, limited to a maximum of 5,574.0 m² (59,998.0 ft²) of **gross floor area**;

General Uses

- (8) **Accessory buildings and structures**, subject to Section 3.05;
- (9) **Transportation terminal**;
- (10) **Uses accessory** to a **principal use** permitted in this **Zone**;
- (11) **Uses** permitted by Section 3.01 of this Bylaw;

Business and Technology Uses

- (12) **Business support service**;
- (13) **Catering**;
- (14) **Electronics sale, service and manufacturing**;
- (15) **Equipment sale, service, repair and rental, minor**, relating directly to any other **principal use** permitted in this **Zone**
- (16) **Film production studio**;
- (17) **Medical Clinics** and accessory related commercials uses;
- (18) **Office**;
- (19) **Research and development facility**, in enclosed **buildings**;

Educational, Cultural and Recreational Uses

- (20) **Charitable facility;**
- (21) **Community care facility;**
- (22) **Community garden;**
- (23) **Cultural facility;**
- (24) **Group daycare**, subject to with Subsection 3.26.02;
- (25) **Fitness centre;**
- (26) **Recreation facility, indoor;**
- (27) **Recreation facility, outdoor;**
- (28) **School;**
- (29) **Training and education facility;**

Residential Uses

- (30) **Apartment;**
- (31) **Assisted living;** and
- (32) **Townhouse.**

6.53B.02 Height of Principal Use Buildings

No **townhouse** may exceed a **height** of three storeys.

6.53B.03 Setbacks

- (1) No building or structure may be located:
 - (a) Within 2.0 m (6.6 ft) of any **lot line** that **abuts** a **highway**; or
 - (b) Within 6.0 m (19.7 ft) of any **lot line** that **abuts** a **lot** in a **Residential Zone** or **Multiple Residential Zone**.
- (2) Despite Article 6.53B.03(1), townhouses may be located:
 - (a) Within 3.0 m (9.8 ft) of any **front lot line**, except that no **garage or carport** whose vehicle access crosses a **front lot line** may be located within 5.5 m (18.0 ft) of the **front lot line**; or
 - (b) Within 5.5 m (18.0 ft) of any **rear lot line**; or
 - (c) Within 1.2 m (3.9 ft) of any **interior side lot line**; or
 - (d) Within 3.5 m (11.5 ft) of any **exterior side lot line**.

6.53B.04 Density of Development

- (1) There may not be any development on any parcel of land that does not have access to a **highway**, and where a parcel of land has access to a **highway** there may not be more than one **dwelling unit** or more than 150.0 m² (1,614.6 ft²) of non-residential **gross floor area** in the MUE2 Zone.
- (2) Despite Article 6.53B.04(1), there may be more than one **dwelling unit**, but not more than 300 **dwelling units**, and more than 150.0 m² (1,614.6 ft²) of non-residential **gross floor area**, but not more than 14,000.0 m² (150,694.8 ft²) of non-residential **gross floor area** in the MUE2 Zone if the owner of the land proposed to be developed has entered into an agreement with the City of Langford, to the satisfaction of Council, to provide to the City:
 - (a) 16,200.0 m² (4.0 ac) of land in a block form and location to the satisfaction of the Director of Planning; and either
 - (b) \$1,500,000 towards the City's General Amenity Reserve Fund; OR
 - (c) An amenity **building** on this site to the satisfaction of the Director of Planning, with a certified construction value of \$1,000,000 and \$500,000 towards the City's General Amenity Reserve Fund; and either
 - (d) \$500,000 toward the City's General Amenity Reserve Fund for this site; OR
 - (e) Arts and cultural structure(s) on this site to the satisfaction of the Director of Planning with a certified construction value of \$500,000.
- (3) Despite Articles 6.53B.04(1) and (2) there may be more than 300 **dwelling units** or more than 14,000.0 m² (150,694.8 ft²) of non-residential **gross floor area** in the MUE2 Zone, if the owner of the land proposed to be developed provides to the City a traffic impact assessment that analyzes the impact of development proposed beyond 300 **dwelling units** and 14,000.0 m² (150,694.8 ft²) of non-residential **gross floor area** on the surrounding road network, and has entered into an agreement with the City of Langford with regards to required road dedication and off-site traffic improvements recommended by the traffic impact assessment, as well as full frontage improvements to Subdivision and Development Servicing Bylaw No. 1000 standards, all to the satisfaction of the Director of Engineering.
- (4) Under no circumstances may the density of development within the MUE2 Zone exceed a **floor area ratio** of 6.0.

Section 6.54 – Belmont Market and Residences (C10) Zone

The intent of the C10 Zone is to accommodate a wide range of uses appropriate for the development of an urban area while promoting a pedestrian orientation.

6.54.01 Permitted Uses

The following **uses** and no others are permitted in the C10 Zone:

- (1) **Accessory buildings and structures**, subject to Section 3.05;
- (2) **Apartment**;
- (3) **Apartment, senior citizens**;
- (4) **Assisted living** ;
- (5) **Bakery**, not exceeding 350.0 m² (3,767.4 ft²) of **gross floor area**;
- (6) **Catering**;
- (7) **Car wash**;
- (8) **Charitable facility**;
- (9) **Community care facility**;
- (10) **Community garden**;
- (11) **Cultural facility**;
- (12) **Film production studio**;
- (13) **Financial institution**;
- (14) **Financial institution, drive-through**;
- (15) **Fitness centre**;
- (16) **Gasoline service station**;
- (17) **Group daycare**, with a maximum capacity of 100 children on the property legally described as Lot 1, Section 75, Esquimalt District, Plan EPP75724, PID No. 030-357-951, (3030 Merchant Way)"
- (18) **Home occupation**, subject to Section 3.09;
- (19) **Hotel**;
- (20) **Licensed premises**;
- (21) **Medical Clinics** and accessory related commercials uses;

- (22) **Office;**
- (23) **Personal service establishment;**
- (24) **Preschool;**
- (25) **Recreation facility, indoor;**
- (26) **Recreation facility, outdoor;**
- (27) **Research and development facility;**
- (28) **Restaurant;**
- (29) **Retail store;**
- (30) **School;**
- (31) **Shopping centre;**
- (32) **Townhouse;**
- (33) **Training and education facility;**
- (34) **Uses accessory to a principal use permitted in this Zone;**
- (35) **Uses permitted by Section 3.01 of this Bylaw; and**
- (36) **Veterinary practice, in enclosed buildings.**

6.54.02 Subdivision Lot Requirements

- (1) No **lot** having a **lot area** less than 695.0 m² (7,480.9 ft²) may be created by subdivision.
- (2) No **lot** having a **lot width** less than 15.2 m (49.9 ft) or a **lot depth** less than 34.0 m (111.5 ft) may be created by subdivision.
- (3) Despite Articles 6.54.02(1) and (2), a **lot** with a **lot area** no less than 100.0 m² (1,076.4 ft²) and a **lot width** no less than 5.0 m (16.4 ft) may be created by subdivision in the C10 Zone for a **townhouse use**.

6.54.03 Density of Development

- (1) There may not be more than 92.9 m² (1,000.0 ft²) of commercial **gross floor area** or more than three **dwelling units** in the C10 Zone as a whole.
- (2) Despite Article 6.54.03(1), there may be more than 92.9 m² (1,000.0 ft²) of commercial **gross floor area** and more than three **dwelling units** in the C10 Zone as a whole, if the owner of the land proposed to be built upon has:
 - (a) Provided to the City of Langford a contribution of \$2,500,000 towards the General Amenity Reserve Fund;

- (b) Entered into an agreement with the City of Langford with regards to required road dedication, off-site traffic improvements, and development servicing requirements, including the construction of full frontage improvements to Bylaw No. 1000 standards, to the satisfaction of the Director of Engineering;
 - (c) Entered into a reciprocal access agreement to allow vehicles and pedestrians to move between those adjacent properties legally described as Lot A, Section 75, Esquimalt District, Plan VIP77807 (3061 Jacklin Rd) and Lot 1, Sections 75 and 76, Esquimalt District, Plan EPP37564 (3143 Jacklin Rd).
- (3) Provided that the provisions of Article 6.54.03(2) have been met, the maximum density permitted is as follows:
- (a) On **lots** with a **lot area** greater than 30,000.0 m² (322,917.3 ft²), the **floor area ratio** may not exceed 1.0; and
 - (b) On **lots** with a **lot area** of 30,000.0 m² (322,917.3 ft²) or less, the **floor area ratio** may not exceed 5.0.

6.54.04 Lot Coverage

Lot coverage of all **buildings** and **structures** may not exceed 90%.

6.54.05 Height and Size of Principal Use Buildings

No **building** or **structure** may exceed a **height** of 10 storeys.

6.54.06 Setbacks

No **building** or **structure** may be located:

- (1) Within 2.0 m (6.6 ft) of any **lot line** that **abuts** a **highway**; or
- (2) Within 6.0 m (19.7 ft) of any **lot line** that **abuts** the Galloping Goose Trail.

6.54.07 Landscape Screening

In addition to the regulations contained in Section 3.21 of this Bylaw, the following requirements apply to landscape screening in the C10 Zone:

- (1) A **landscape and screening area** not less than 1.0 m (3.3 ft) in width containing a decorative fence together with decorative planting of not less than 1.8 m (5.9 ft) in **height** must be provided along all **lot lines** separating the **lot** from any **Residential** or **Multiple Residential Zone**; and
- (2) Despite Article 6.54.07(1), no **landscape and screening area** is required along **interior side lot lines** that **abut** a **lot** within the C10 Zone.

Section 6.56 – Mixed-Use Residential Commercial Zone (MU2) Zone

The intent of the MU2 Zone is to provide a mix of residential uses and commercial uses to create a vibrant transition between the Core Downtown Commercial Area and other nearby uses.

6.56.01 Permitted Uses

The following **uses** and no others are permitted in the MU2 Zone:

- (1) **Accessory buildings and structures**, subject to Section 3.05;
- (2) **Apartment**;
- (3) **Catering**;
- (4) **Charitable facility**;
- (5) **Community garden**;
- (6) **Cultural facility**;
- (7) **Film production studio**;
- (8) **Financial institution**;
- (9) **Fitness centre**;
- (10) **Group daycare** , subject to Subsection 3.26.02;
- (11) **Home occupation**, subject to Section 3.09;
- (12) **Hotel**;
- (13) **Licensed premises**;
- (14) **Liquor store**, subject to Article 6.53.03(4);
- (15) **Medical Clinics** and accessory related commercial uses;
- (16) **Office**;
- (17) **Personal service establishment**;
- (18) **Preschool**;
- (19) **Recreation facility, indoor**;
- (20) **Restaurant**;
- (21) **Retail store**;
- (22) **School**, not in conjunction with any **residential use**;
- (23) **Shopping centre**;

- (24) **Training and education facility;**
- (25) **Uses accessory** to a **principal use** permitted in this **Zone**;
- (26) **Uses** permitted by Section 3.01 of this Bylaw; and
- (27) **Veterinary practice.**

6.56.02 Subdivision Lot Requirements

- (1) No **lot** having a **lot area** less than 695.0 m² (7,480.9 ft²) may be created by subdivision, except that **lots abutting** Goldstream Avenue, between Jacklin and Millstream Streets, must be no less than 4,000.0 m² (1.0 ac) in **lot area**.
- (2) No **lot** having a **lot width** less than 15.2 m (49.9 ft) may be created by subdivision.
- (3) No **lot** having a **lot depth** less than 34.0 m (111.5 ft) may be created by subdivision.

6.56.03 Regulations for use

- (1) **Unenclosed storage** is not permitted. Outdoor seating areas and the outdoor display of goods for retail sale are permitted as **accessory uses**.
- (2) All above-ground **dwelling units** in a **building** with a mix of **residential uses** and non-residential **uses** must be provided with a separate entrance at ground level, except where the **building** consists of all **residential uses**.
- (3) All **accessory buildings** and **uses** must be located to the rear of the **building** accommodating the **principal use**. In no case may **accessory buildings** exceed a **height** of 4.0 m (13.1 ft) and **accessory buildings** and **uses** may not cover a total of more than 10% of the **lot area**.
- (4) A **liquor store** is not a permitted **use** if the property on which it is located as less than 800.0 m² (2,624.7 ft²) from another **liquor store** or retail wine store **use**.

6.56.04 Density of Development

- (1) Except as provided in Articles 6.56.04(2) and (3) below, the **floor area ratio** may not exceed 0.3, and in no case may it exceed 5.0.
- (2) The **floor area ratio** may exceed 0.3, but in no case may it exceed 5.0, if the owner provides 75% of the parking spaces required by this Bylaw in an underground or completely enclosed parking structure, in addition to meeting the requirements in Article 6.56.04(3) below.
- (3) Despite Article 6.56.04(1), on land whose legal description is set out in Table AD, the density of development may exceed a **floor area ratio** of 0.3 to a maximum of 5.0 if the owner of the land proposed to be developed pays to the City the amount specified in Column 4 of Table 1 of Schedule "AD" prior to the issuance of a Building Permit.

6.56.05 Lot Coverage

- (1) **Lot coverage** of all **buildings** and **structures** may not exceed 90%.

- (2) Where a rooftop garden or terrace is provided, the **lot coverage** of all **buildings** and **structures** may be increased to 100%.

6.56.06 Height and Size of Principal Use Buildings

- (1) No **building** or **structure** may have a **height** less than two storeys or exceed a **height** of 12 storeys.

6.56.07 Setbacks

No **building** or **structure** may be located:

- (1) Within 1.2 m (3.9 ft) of any **front lot line**; or
- (2) Within 6.0 m (19.7 ft) of any **interior side lot line** that **abuts** an area designated Neighbourhood in the Official Community Plan; or
- (3) Within 1.2 m (3.9 ft) of any **exterior side lot line**; or
- (4) Within 7.5 m (24.6 ft) of any **rear lot line** that **abuts** an area designated Neighbourhood in the Official Community Plan.

6.56.08 Landscape Screening

In addition to the regulations contained in Section 3.21 of this Bylaw, the following requirements apply to landscape screening in the MU2 Zone:

- (1) A **landscape and screening area** not less than 1.0 m (3.3 ft) in width containing a decorative fence together with decorative planting of not less than 1.8 m (5.9 ft) in **height** must be provided along all **lot lines** separating the **lot** from any **Residential** or **Multiple Residential Zone**; and
- (2) Despite Article (1) above, no **landscape and screening area** is required along **interior side lot lines** that **abut** a **lot** in the MU2 Zone.

6.56.09 Parking

In addition to the regulations contained in Part 4 of this Bylaw, the following requirements apply to parking and loading in the MU2 Zone:

- (1) At least 75% of all required residential parking spaces shall be provided as underground parking or enclosed within the **building envelope**; and
- (2) Parking is only permitted on the ground level of any **building** if the **building** area extends along the length of the front and exterior side yard **setback** areas and the parking spaces are located behind these portions of the **building**.

Section 6.60 – Business Park 1 (BP1 – Millstream Road West) Zone

The intent of the BP1 Zone is to provide for light industrial and service based commercial uses with limited ancillary retail uses.

6.60.01 Permitted Uses

The following **uses** and no others are permitted in the BP1 Zone:

- (1) **Accessory buildings and structures**, subject to Section 3.05;
- (2) **Animal hospital**, in enclosed **buildings**;
- (3) **Auction**;
- (4) **Automobile parts and accessories sales and repair**;
- (5) **Automobile repair and service facility, minor**;
- (6) **Bakery**;
- (7) **Building and lumber supply store**;
- (8) **Business support service**;
- (9) **Carpentry shop**;
- (10) **Commercial nursery and greenhouse**;
- (11) **Contractor service**;
- (12) **Electronics sale, service, repair and rental, minor**;
- (13) **Equipment sales, service, repair and rental, minor**;
- (14) **Garden centre and feed supply store**;
- (15) **Film production studio**;
- (16) **Fitness centre**;
- (17) **Funeral parlour**;
- (18) **Household equipment and appliance service and repair facility**;
- (19) **Industrial use, light**;
- (20) **Machine shop**;
- (21) **Mini-storage facility**;
- (22) **Medical Clinics** and accessory related commercial uses;

- (23) **Office;**
- (24) One **caretaker dwelling unit**, in conjunction with another **principal use** permitted in this **Zone**;
- (25) **Pet daycare;**
- (26) **Recreation facility, indoor**, with a minimum **gross floor area** of 1,395.0 m² (15,015.7 ft²);
- (27) **Recycling depot;**
- (28) **Recycling facility**, subject to Section 3.14;
- (29) Rental of goods and equipment, excluding **automobiles, large automobiles** or **recreational vehicles**;
- (30) **Research and development facility;**
- (31) **Restaurant**, limited to a maximum of 200.0 m² (2,152.8 ft²) of **gross floor area**;
- (32) **Restaurant, drive-through**, limited to a maximum of 200.0 m² (2,152.8 ft²) of **gross floor area**;
- (33) **Retail store**, as an **accessory use** limited to a maximum of 20% of the **gross floor area** occupied by a **principal commercial use**;
- (34) **Training and education facility;**
- (35) **Unenclosed storage**, subject to Section 3.13;
- (36) **Uses accessory** to a **principal use** permitted in this **Zone**; and
- (37) **Uses** permitted by Section 3.01 of this Bylaw.

6.60.02 Further Use Regulations

- (1) On land legally described as Lot 12, Sections 111 and 112, Esquimalt District, Plan 6252, except part in Plan VIP62067 Road Only; Lot E, Sections 111 and 112, Esquimalt District, Plan VIP67382, except Plan VIP67385; Amended Lot 13 (DD 226266-I), Sections 111 and 112, Esquimalt District, Plan 6252, except part in Plan VIP65946; and Amended Lot 14 (DD 2262627I), Sections 111 and 112, Esquimalt District, Plan 6252, except part in Plan VIP65946 the following **uses**, in addition to those described in Subsection 6.60.01, are permitted:
 - (a) **Assisted living**;
 - (b) **Charitable facility**;
 - (c) **Cultural facility**;
 - (d) **Financial institution**;
 - (e) **Hotel**;
 - (f) **Licensed premises**;
 - (g) **Personal service establishment, accessory to a hotel or assisted living use**;
 - (h) **Restaurant**, not exceeding a maximum of 465.0 m² (5,005.2 ft²) of **gross floor area**;
 - (i) **Retail store**, with a minimum **gross floor area** of 697.0 m² (7,502.5 ft²);
 - (j) **Retail store**, selling furniture and home furnishings with a minimum **gross floor area** of 465.0 m² (5,005.2 ft²);
- (2) Despite any other regulation in Section 6.60, the following **uses** are prohibited on land legally described as Lot 12, Sections 111 and 112, Esquimalt District, Plan 6252, except part in Plan VIP62067 Road Only; Lot E, Sections 111 and 112, Esquimalt District, Plan VIP67382, except Plan VIP67385; Amended Lot 13 (DD 226266-I), Sections 111 and 112, Esquimalt District, Plan 6252, except part in Plan VIP65946; and Amended Lot 14 (DD 226267I), Sections 111 and 112, Esquimalt District, Plan 6252, except part in Plan VIP65946:
 - (a) **Household equipment and appliance service and repair facility**;
 - (b) **Industrial use, light**;
 - (c) Machine shop; and
 - (d) **Retail store**, as an **accessory use** limited to a maximum of 20% of the **gross floor area** occupied by a business.

6.60.03 Subdivision Lot Requirements

- (1) No **lot** having a **lot area** less than 2,000.0 m² (21,527.8 ft²) may be created by subdivision.
- (2) No **lot** having a **lot width** less than 25.0 m (82.0 ft) may be created by subdivision.

6.60.04 Lot Coverage

Lot coverage of all **buildings** and **structures** may not exceed 50%.

6.60.05 Height and Size of Principal Use Buildings

- (1) No **building** or **structure** may exceed a **height** of 12.0 m (39.4 ft).
- (2) On land legally described as Amended Lot 13 (DD 226266-I), Sections 111 and 112, Esquimalt District, Plan 6252, except part in Plan VIP65946; and Amended Lot 14 (DD 226267-I), Sections 111 and 112, Esquimalt District, Plan 6252, except part in Plan VIP65946 the **height of principal use buildings** may not exceed the lesser of 15.0 m (49.2 ft), and four storeys.
- (3) On land legally described as Lot 12, Sections 111 and 112, Esquimalt District, Plan 6252, except part in Plan VIP62067 Road Only; Lot E, Sections 111 and 112, Esquimalt District, Plan VIP67382, except Plan VIP67385; the **height of principal use buildings** may not exceed the lesser of 15.0 m (49.2 ft), and four storeys.

6.60.06 Setbacks

No **building** or **structure** may be located:

- (1) Within 7.5 m (24.6 ft) of any **front lot line**; or
- (2) Within 6.0 m (19.7 ft) of any **interior side lot line** that does not **abut** a **lot** in a **Commercial Zone**, **Industrial Zone**, or **Business Park Zone**; or
- (3) Within 6.0 m (19.7 ft) of any **interior side lot line** that does not **abut** a **lot** in a **Commercial**, **Industrial**, or **Business Park Zone**, or an area in a **Comprehensive Development Zone** where the **principal use** permitted is commercial, business park or industrial; or
- (4) Within 7.5 m (24.6 ft) of any **rear lot line** except that no Setback is required from a **rear lot line** that **abuts** a **lot** in a **Commercial Zone**, **Industrial Zone**, or **Business Park Zone**; or
- (5) Within 6.0 m (19.7 ft) of any **exterior side lot line**.

6.60.07 Landscape Screening

In addition to the regulations contained in Section 3.21 of this Bylaw the following requirements apply to landscape screening in the BP1 Zone.

- (1) A continuous **landscape and screening area** not less than 3.0 m (9.8 ft) wide must be provided along the developed portion of each **lot** which **abuts** a **highway**. This **landscape and screening area** may be interrupted at boulevard crossings, or to provide necessary pedestrian access to a **Building** or for viewing shop windows.
- (2) Except in those portions where a **building abuts** a **lot line**, a continuous **landscape and screening area** not less than 2.5 m (8.2 ft) in width containing a decorative fence not less than 1.8 m (5.9 ft) in **height** together with decorative planting must be provided along all **lot lines** which do not **abut** a **lot** in a **Commercial**, **Business Park** or **Industrial Zone**.

Section 6.61 – Special Wholesale (W1) Zone

The intent of the W1 Zone is to accommodate large-scale retail of commercial goods.

6.61.01 Permitted Uses

The following **uses** and no others are permitted in the W1 Zone:

- (1) **Accessory buildings and structures**, subject to Section 3.05;
- (2) **Accessory office**, subject to Article 6.61.02(1);
- (3) **Accessory retail store**, subject to Article 6.61.02(2);
- (4) **Financial institution**;
- (5) **Gasoline service station**;
- (6) One **accessory dwelling unit**;
- (7) **Special wholesale**;
- (8) **Uses accessory** to a **principal use** permitted in this **Zone**;
- (9) **Uses** permitted by Section 3.01 of this Bylaw; and
- (10) **Warehouse**.

6.61.02 Floor Area Limitations

- (1) **Accessory offices** may not exceed 20% of the **gross floor area** of the **building** in which they are located.
- (2) **Accessory retail stores** may not exceed 30% of the **gross floor area** of the **building** in which they are located.

6.61.03 Height and Size of Principal Use Buildings

The maximum **height** of any **building** is 12.0 m (39.4 ft).

6.61.04 Minimum Lot Area Requirement

The minimum **lot area** of any **lot** created by subdivision is 2.0 ha (4.9 ac), except for Lot D as shown on Schedule “C” in which case the minimum **lot area** is 0.9 ha (2.3 acres).

6.61.05 Setbacks

No **building** or **structure** may be located:

- (1) Within 7.5 m (24.6 ft) of any **front lot line**; or
- (2) Within 7.5 m (24.6 ft) of any **rear lot line** or a distance equivalent to the **height** of the **building** on the **lot** that is nearest to the **rear lot line**, whichever is greater; or

- (3) Within 3.0 m (9.8 ft) of any **side lot line**.

6.61.06 Lot Coverage

Lot coverage of all **buildings** and **structures** may not exceed 50%.

6.61.07 Landscaping

In addition to the regulations contained in Section 3.21 of this Bylaw, the following requirements apply to landscape screening in the W1 Zone:

- (1) A landscaped area as identified on the plan labelled as Schedule "D" shall be provided of not less than 5.0 m (16.4 ft) from all **abutting** residentially designated lands including a minimum 1.8 m (5.9 ft) high solid fence; and
- (2) A continuous **landscape and screening area** not less than 2.0 m (6.6 ft) wide shall be provided along the developed portion of each side of the **lot** which **abuts a highway**. The landscaping shall have a **height** of not less than 1.5 m (4.9 ft) and may include a decorative fence.

Section 6.62 – Large Format Business (W2) Zone

The intent of the W2 Zone is to promote specific guidelines for an individual location and development.

6.62.01 Permitted Uses

The following **uses** and no others are permitted in the W2 Zone:

- (1) **Accessory buildings and structures**, subject to Section 3.05;
- (2) **Accessory office**;
- (3) **Office supply store**, with a minimum **gross floor area** of 1,858.0 m² (19,999.3ft²);
- (4) **Uses accessory** to a **principal use** permitted in this **Zone**; and
- (5) **Uses** permitted by Section 3.01 of this Bylaw.

6.62.02 Floor Area Limitations

Accessory offices may not exceed 20% of the **gross floor area** of the **building** in which they are located.

6.62.03 Height and Size of Principal Use Buildings

No **building** or **structure** may exceed a **height** of 12.0 m (39.4 ft).

6.62.04 Lot Coverage

Lot coverage of all **buildings** and **structures** may not exceed 50%.

6.62.05 Setbacks

No **building** or **structure** may be located:

- (1) Within 7.5 m (24.6 ft) of any **front lot line**; or
- (2) Within 3.0 m (9.8 ft) of any **side lot line**; or
- (3) Within 7.5 m (24.6 ft) of any **rear lot line** or a distance equivalent to the **height** of the closest **building** on the **lot**, whichever is greater.

6.62.06 Landscape Screening

In addition to the regulations contained in Section 3.21 of this Bylaw, a **landscape and screening area** not less than 4.0 m (13.1 ft) wide shall be provided along the developed portion of each side of a **lot** that **abuts** a **highway**. The landscaping shall have a **height** of not less than 1.5 m (4.9 ft) and may include a decorative fence.

Section 6.63 – Business Park 2 (BP2 – Sooke Road) Zone

The intent of the BP2 Zone is to accommodate large-scale industrial equipment and associated infrastructure in such a fashion to control industrial sprawl.

6.63.01 Permitted Uses

The following **uses** and no others are permitted in the BP2 Zone:

- (1) **Accessory buildings and structures**, subject to Section 3.05;
- (2) **Accessory unenclosed storage**, subject to Section 3.13;
- (3) **Automobile repair and service facility, major**;
- (4) **Building and lumber supply store**;
- (5) **Equipment sale, service, repair and rental facility, minor**;
- (6) **Industrial use, light**;
- (7) **Mini-storage facility**;
- (8) **Medical Clinics** and accessory related commercial uses;
- (9) **Office**;
- (10) **Recycling facility**, subject to Section 3.14;
- (11) Rental of goods and equipment, excluding **automobiles, large automobiles** and **recreational vehicles**;
- (12) **Uses accessory** to a **principal use** permitted in this **Zone**;
- (13) **Uses** permitted by Section 3.01 of this Bylaw; and
- (14) **Warehouse**.

6.63.02 Subdivision Lot Requirements

- (1) No **lot** having a **lot area** less than 2,000.0 m² (21,527.8 ft²) may be created by subdivision.
- (2) No **lot** having a **lot width** less than 25.0 m (82.0 ft) may be created by subdivision.

6.63.03 Lot Coverage

Lot coverage of all **buildings and structures** may not exceed 50%.

6.63.04 Height and Size of Principal Use Buildings

No **building or structure** may exceed a **height** of 12.0 m (39.4 ft).

6.63.05 Setbacks

No **building** or **structure** may be located:

- (1) Within 7.5 m (24.6 ft) of any **front lot line**; or
- (2) Within 6.0 m (19.7 ft) of any **interior side lot line** that does not **abut** a **lot** in a **Commercial Zone**, **Industrial Zone**, or **Business Park Zone**; or
- (3) Within 6.0 m (19.7 ft) of any **interior side lot line** that does not **abut** a **lot** in a **Commercial**, **Industrial**, or **Business Park Zone**, or an area in a **Comprehensive Development Zone** where the **principal use** permitted is commercial, business park or industrial; or
- (4) Within 10.0 m (32.8 ft) of any **rear lot line** except that the **setback** from a **rear lot line** that **abuts** a **lot** in a **Commercial Zone**, **Industrial Zone**, or **Business Park Zone** may be reduced to nil; or
- (5) Within 6.0 m (19.7 ft) of any **exterior side lot line**.

6.63.06 Landscape Screening

In addition to the regulations contained in Section 3.21 of this Bylaw, a continuous **landscape and screening area** not less than 3.0 m (9.8 ft) wide, or a continuous **landscape and screening area** not less than 2.5 m (9.2 ft) in width containing a decorative fence not less than 1.8 m (5.9 ft) in **height** together with decorative planting, must be provided along the developed portion of each **lot** which **abuts** a **highway** or a property in an **Agricultural**, **Residential**, or **Institutional Zone**. This **landscape and screening area** may be interrupted at boulevard crossings, or to provide necessary pedestrian access to a **building** or for viewing shop windows.

Section 6.63A – Business Park 2A (BP2A – Sooke Road West) Zone

The intent of the BP2A Zone is to accommodate small-scale industrial activity and infrastructure.

6.63A.01 Permitted Uses

The following **uses** and no others are permitted in the BP2A Zone:

- (1) **Accessory buildings and structures**, subject to Section 3.05;
- (2) **Accessory unenclosed storage**, subject to Section 3.13;
- (3) **Animal hospital**, in enclosed **buildings**;
- (4) **Automobile parts and accessories sale, installation and repair facility**;
- (5) **Automobile rental and sale facility, major**;
- (6) **Automobile rental and sale facility, minor**;
- (7) **Automobile repair and service facility, major**;
- (8) **Automobile repair and service facility, minor**;
- (9) **Automobile towing and storage facility**;
- (10) **Bakery**;
- (11) **Building and lumber supply store**;
- (12) **Business support service**;
- (13) **Car wash**;
- (14) **Carpentry shop**;
- (15) **Catering**;
- (16) **Commercial nursery and greenhouse**;
- (17) **Concrete plant**;
- (18) **Contractor service**;
- (19) **Crematorium**;
- (20) **Equipment sales, service, repair and rental facility, minor**;
- (21) **Film production studio**;
- (22) **Financial institution**;
- (23) **Financial institution, drive-through**;

- (24) **Fitness centre;**
- (25) **Garden centre and feed supply store;**
- (26) **Gasoline service station;**
- (27) **Gravel processing;**
- (28) **Group daycare,** subject to Subsection 3.26.02;
- (29) **Green energy and heat production;**
- (30) **Household equipment and appliance service and repair facility;**
- (31) **Industrial use, general;**
- (32) **Industrial use, light;**
- (33) **Licensed premises;**
- (34) **Mini-storage facility;**
- (35) **Medical Clinics** and accessory related commercial uses;
- (36) **Office;**
- (37) One **caretaker dwelling unit**, in conjunction with other **principal uses** permitted in this **Zone**;
- (38) **Recycling depot;**
- (39) **Recycling facility,** subject to Section 3.14;
- (40) Rental of goods and equipment, excluding **automobiles, large automobiles** and **recreational vehicles**;
- (41) **Research and development facility;**
- (42) **Restaurant;**
- (43) **Restaurant, drive-through;**
- (44) **Retail store,** limited to a maximum of 25% of the **gross floor area** of the **building** in which it is located;
- (45) **Retail store,** on lands shown as "Business Park 2A – Sooke Road West" on the BP2A Zone Map on Schedule SW;
- (46) **School,** on lands shown as "Business Park 2A – Sooke Road West" on the BP2A Zone Map on Schedule SW;
- (47) **Uses accessory** to a **principal use** permitted in this **Zone**;
- (48) **Uses** permitted by Section 3.01 of this Bylaw;

(49) **Veterinary practice**, in enclosed **buildings**; and

(50) **Warehouse**.

6.63A.02 Further Use Regulations

Despite any other part of Section 6.63A, the following uses are expressly prohibited on those lands shown as “Business Park 2A – Sooke Road West” on the BP2A Zone Map on Schedule SW:

- (1) Gravel and aggregate processing and sale; and
- (2) Retail sale, rental and repair of motorcycles, **automobiles**, trucks, boats, **recreational vehicles**, **manufactured homes**, farm machinery and small industrial equipment such as skid steer loaders, heavy industrial equipment and heavy trucks (i.e. greater than 2,700 gf of GVW) and parts and accessories thereof.

6.63A.03 Subdivision Lot Requirements

- (1) No **lot** having a **lot area** less than 1,000.0 m² (0.3 ac) may be created by subdivision.
- (2) No **lot** having a **lot width** less than 7.0 m (23.0 ft) may be created by subdivision.

6.63A.04 Density of Development

The maximum **lot area** for any **lot** containing **buildings** and **structures** that comprise less than 10% **lot coverage** shall be 1,000.0 m² (0.3 ac).

6.63A.05 Lot Coverage

Lot coverage of all **buildings** and **structures** may not exceed 60%.

6.63A.06 Height and Size of Principal Use Buildings

- (1) No **building** may exceed four storeys in **height**.
- (2) No **structure** may exceed a **height** of 15.0 m (49.2ft).

6.63A.07 Setbacks

No **building** or **structure** may be located:

- (1) Within 4.5m (14.8 ft) of any **lot line** that **abuts** Sooke Road; or
- (2) Within 3.0 m (9.8 ft) of any other **lot line** that **abuts** a Highway;

6.63A.08 Landscape Screening

In addition to the regulations contained in Section 3.21 of this Bylaw, a continuous **landscape and screening area** not less than 3.0 m (9.8 ft) wide, or a continuous **landscape and screening area** not less than 2.5 m (8.2 ft) in width containing a fence not less than 1.8 m (5.9 ft) in **height** together with decorative planting, must be provided along the developed portion of each **lot** which **abuts** a **highway** or a property in an **Agricultural**, **Residential**, or **Institutional Zone**. This

landscape and screening area may be interrupted at boulevard crossings, or to provide necessary pedestrian access to a **building** or for viewing shop windows.

Section 6.64 – Business Park 1A (BP1A – Millstream Road East) Zone

The intent of the BP1A Zone is to provide for a mix of multi-family residential, small lot residential and business park commercial uses, with commercial uses limited to an aggregate total gross floor area of 27,870.0 m² (299,990.2 ft²) within the Zone as a whole, and with smaller retail stores (less than 697.0 m² (7,502.5 ft²) and restaurants being limited as part of this aggregate total commercial gross floor area.

6.64.01 Permitted Uses

- (1) The following **uses** and no others are permitted within that portion of the BP1A Zone identified as “Area A – Commercial”, “Area C – Commercial and/or Multi-Family Residential” and “Area E – Amenity” on the BP1A map attached as Schedule “T”:
 - (a) **Accessory buildings and structures**, subject to Section 3.05;
 - (b) **Animal hospital**, in enclosed **buildings**;
 - (c) **Automobile parts and accessories sale, installation and repair facility**;
 - (d) **Business support service**;
 - (e) **Car wash**;
 - (f) **Cultural facility**;
 - (g) **Electronics sale, service and manufacturing**, which shall be considered a commercial **use** for the purposes of the regulations in Section 6.64;
 - (h) **Financial institution**;
 - (i) **Financial institution, drive-through**;
 - (j) **Fitness centre**;
 - (k) **Home occupation**, subject to Section 3.09 and in conjunction with an **apartment**;
 - (l) **Medical Clinics** and accessory related commercial uses;
 - (m) **Office**;
 - (n) **Personal service establishment**;
 - (o) **Restaurant**;
 - (p) **Restaurant, drive-through**;
 - (q) Retail sale of wine, on land legally described as Lot 10, Section 111 and 112, Esquimalt District, Plan VIP79770 (2401 Millstream Road) and subject to Subsection 6.64.08;
 - (r) **Retail store**;

- (s) **Uses accessory** to a **principal use** permitted in this **Zone**;
 - (t) **Uses** permitted by Section 3.01 of this Bylaw; and
 - (u) In addition to the foregoing **uses**, **apartment uses** are also permitted within that portion of the BP1AZone identified as “Area C – Commercial and/or Multi-Family Residential” on the BP1A map attached as Schedule “T”.
- (2) The following **uses** and no others are permitted within that portion of the BP1A Zone identified as “Area B – Multi-Family Residential”, “Area C – Commercial and/or Multi-Family Residential” and “Area E – Amenity” on the BP1A map attached as Schedule “T”:
- (a) **Accessory buildings and structures**, subject to Section 3.05;
 - (b) **Apartment**;
 - (c) **Dwelling, one-family**;
 - (d) **Dwelling, two-family**, subject to Section 3.07;
 - (e) **Home occupation**, subject to Section 3.09;
 - (f) **Townhouse**;
 - (g) **Uses accessory** to a **principal use** permitted in this **Zone**; and
 - (h) **Uses** permitted by Section 3.01 of this Bylaw.
- (3) The following **uses** and no others are permitted within that portion of the BP1AZone identified as “Area D – Single Family Residential” and “Area E – Amenity” on the BP1A map attached as Schedule “T”:
- (a) **Accessory buildings and structures**, subject to Section 3.05;
 - (b) Dwelling, **one-family**;
 - (c) **Home occupation**, subject to Section 3.09;
 - (d) **Uses accessory** to a **principal use** permitted in this **Zone**; and
 - (e) **Uses** permitted by Section 3.01 of this Bylaw.
- (4) **Mini-storage facilities**, and no other **uses**, are permitted on lands that are not shown shaded on Schedule “T”.

6.64.02 Subdivision Lot Requirements

- (1) No **lot** having a **lot area** less than 2,000.0 m² (0.5 ac) may be created by subdivision.
- (2) No **lot** having a **lot width** less than 25.0 m (82.0 ft) may be created by subdivision.
- (3) No land shall be subdivided unless the **gross floor area** and **lot coverage** limits established by this Bylaw are distributed among the **lots** being created, such that the limits for the **Zone** as a whole will not be exceeded if each **lot** being created by subdivision is

developed to its full potential, and the limits are made applicable to each **lot** by amendment of this Bylaw or by covenant under Section 219 of the *Land Title Act*.

6.64.03 Lot Coverage

- (1) The **lot coverage** of all **buildings** and **structures** within that portion of the BP1A Zone identified as Schedule "T" as a whole shall not exceed 50%.
- (2) The **lot coverage** of all **buildings** and **structures** on an individual **lot** may not exceed 75%.
- (3) The **lot coverage** of all **buildings** and **structures** within that portion of the BP1A Zone legally described as Lot 1, Section 109, Esquimalt District, Plan 15552 Except Part in Plan VIP71965 (667 Redington Ave), shall not exceed 75%.

6.64.04 Height and Size of Principal Use Buildings

- (1) No **building** or **structure** for a commercial **use** may exceed a height of 13.7 m (45.0 ft).
- (2) No **building** or **structure** for a multi-family **residential use**, or a mixed commercial and multi-family **residential use** may exceed a height of 18.3 m (60.0 ft).

6.64.05 Density of Development

- (1) The total combined **gross floor area** of all commercial **buildings** within that portion of the BP1A Zone identified of Schedule "T", shall not exceed 27,870.0 m² (299,990.2 ft²).
- (2) The total combined **gross floor area** of **retail stores** with individual gross **floor areas** less than 464.5 m² (5,000.0 ft²) is limited to a maximum of 7,432.0 m² (79,997.4 ft²) for the entire BP1A Zone as a whole.
- (3) **Restaurants** shall not exceed a total combined **gross floor area** of 2,787.0 m² (29,999.0 ft²) in the BP1A Zone as a whole.
- (4) **Offices** shall not exceed a total combined **gross floor area** of 2,230.0 m² (24,003.5 ft²) in the BP1A Zone as a whole.
- (5) The **floor area ratio** of any multi-family **residential building** is limited to a maximum of 1.5.
- (6) The combined **gross floor area** of all **buildings** on that portion of the BP1A Zone legally described as Lot 1, Section 109, Esquimalt District, Plan 15552 Except Part in Plan VIP71965 (667 Redington Ave) shall not exceed 8,500.0 m² (91,493.2 ft²).
- (7) **Personal service establishments** shall not exceed a **gross floor area** of 186.0 m² (2,002.1 ft²) within a single unit.
- (8) **Personal service establishments** shall not exceed a total combined **gross floor area** of 743.0 m² (7,997.6 ft²) in the BP1A Zone as a whole.

6.64.06 Setbacks

- (1) No **building** or **structure** may be located:

- (a) Within 3 m.0 (9.8 ft) of Millstream Road, McCallum Road and any residential lot whose **automobile** access is off Redington Avenue or Skedans Road; or
 - (b) Within 4.5 m (14.8 ft) of Sunshine Terrace or Treanor Avenue, except that the minimum **setback** is 3.0 m (9.8 ft) where **automobile** access to the dwelling is provided by way of a rear lane or access route in a bare land strata plan and all parking is located at the rear of the dwelling and no portion of a **building** comprising an attached **garage or carport** may be located within 5.5 m (18.0 ft) of Sunshine Terrace or Treanor Avenue.
- (2) Despite any other regulation in this Section, no **building** or **structure** on a **lot** less than 550.0 m² (5,920.2 ft²) in **lot area** may be located:
- (a) Within 1.2 m (3.9 ft) of any **interior side lot line**; or
 - (b) Within 3.0 m (9.8 ft) of any **exterior side lot line**; or
 - (c) Within 6.0 m (19.7 ft) of any **rear lot line**; and
 - (d) Within 1.5 m (4.9 ft) of any statutory right-of-way registered in favour of the City of Langford paralleling Millstream Road.
- (3) Despite any other regulation in this Section, no **building** or **structure** containing a multi-family **residential use** may be located:
- (a) Within 3.0 m (9.8 ft) of any **interior side lot line**; or
 - (b) Within 7.5 m (24.6 ft) of any **exterior side lot line**; or
 - (c) Within 3.0 m (9.8 ft) of any **rear lot line**.

6.64.07 Landscape Screening

In addition to the regulations contained in Section 3.21 of this Bylaw the following requirements apply to landscape screening in the BP1AZone:

- (1) A continuous **landscape and screening area** not less than 3.0 m (9.8 ft) wide must be provided along the developed portion of each **lot** that **abuts** a **highway** except that on **lots** developed with **residential uses** only, the **landscape and screening area** shall be not less than 1.0 m (3.3 ft) in width. This **landscape and screening area** may be interrupted at boulevard crossings, or to provide necessary pedestrian access to a **building** or for viewing shop windows; and
- (2) Except in those portions where a **building abuts** a **lot line**, a continuous **landscape and screening area** not less than 2.5 m (8.2 ft) in width containing a decorative fence not less than 1.8 m (5.9 ft) in **height** together with decorative planting must be provided along all **lot lines abutting** a **lot** that is not in a **Commercial, Business Park or Industrial Zone**.

6.64.08 Retail Sale of Wine

The retail sale of wine is not a permitted **use** if the property on which it is located is less than 800 m (2,624.7 ft) from another **liquor store** or retail wine store **use**.

Section 6.65 – Business Park 3 (BP3 – Amy Road) Zone

The intent of the BP3 Zone is to accommodate small-scale industry in close proximity to a residential area.

6.65.01 Permitted Uses

The following **uses** and no others are permitted in the BP3 Zone:

- (1) **Accessory buildings and structures**, subject to Section 3.05;
- (2) **Automobile parts and accessories sale, installation and repair facility**;
- (3) **Bakery**;
- (4) **Building and lumber supply store**;
- (5) **Business support service**;
- (6) **Carpentry shop**;
- (7) **Contractor service**;
- (8) **Electronics sale, service and manufacturing**;
- (9) **Equipment sales, service, repair and rental facility, minor**;
- (10) **Film production studio**;
- (11) **Funeral parlour**;
- (12) **Household equipment and appliance service and repair facility**;
- (13) **Industrial use, light**;
- (14) **Licensed premises**;
- (15) **Machine shop**;
- (16) **Mini-storage facility**;
- (17) **Medical Clinics** and accessory related commercial uses;
- (18) **Office**;
- (19) One **caretaker dwelling unit**, in conjunction with and **accessory** to a **principal use** permitted in this **Zone**;
- (20) **Recycling depot**;
- (21) **Recycling facility**, subject to Section 3.14;
- (22) **Rental of goods and equipment, excluding automobiles, large automobiles and recreational vehicles**;

- (23) **Research and development facility;**
- (24) **Restaurant**, not exceeding 200.0 m² (2,152.8 ft²) of **gross floor area** per lot;
- (25) **Retail store**, as an **accessory use** not exceeding 20% of the **gross floor area** occupied by a business;
- (26) **Transportation terminal;**
- (27) **Unenclosed storage**, subject to Section 3.13;
- (28) **Uses accessory** to a **principal use** permitted in this **Zone**;
- (29) **Uses** permitted by Section 3.01 of this Bylaw; and
- (30) **Warehouse.**

6.65.02 Subdivision Lot Requirements

- (1) No **lot** having a **lot area** less than 1,500.0 m² (16,145.9 ft²) may be created by subdivision.
- (2) No **lot** having a **lot width** less than 25.0 m (82.0 ft) may be created by subdivision.

6.65.03 Lot Coverage

Lot coverage of all **buildings** and **structures** may not exceed 60%.

6.65.04 Height and Size of Principal Use Buildings

No **building** or **structure** may exceed a **height** of two storeys.

6.65.05 Setbacks

No **building** or **structure** may be located:

- (1) Within 7.5 m (24.6 ft) of any **front lot line**; or
- (2) Within 6.0 m (19.7 ft) of any **interior side lot line** that does not **abut** a **lot** in a **Commercial, Industrial, or Business Park Zone**, or an area in a **Comprehensive Development Zone** where the **principal use** permitted is commercial, business park or industrial; or
- (3) Within 10.0 m (32.8 ft) of any **rear lot line** except that no **setback** is required from a **rear lot line** that **abuts** a **lot** in a **Commercial, Industrial, or Business Park Zone**; or
- (4) Within 6.0 m (19.7 ft) of any **exterior side lot line**.

6.65.06 Landscape Screening

In addition to the regulations contained in Section 3.21 of this Bylaw, where the Setback is 1.0 m (3.3 ft) or more, a continuous **landscape and screening area** not less than 1.0 m (3.3 ft) wide containing a decorative fence not less than 1.8 m (5.9 ft) in **height** together with decorative planting, must be provided along the developed portion of each **lot** which **abuts** a property in an **Agricultural, Residential, or Institutional Zone**. This **landscape and screening area** may be interrupted at boulevard crossings, or to provide necessary pedestrian access to a **building** or

for viewing shop windows.

Section 6.66 – Business Park 4 – Millstream Road North (BP4) Zone

The intent of the BP4 Zone is to accommodate a wide range of commercial-scale industry.

6.66.01 Permitted Uses

The following **uses** and no others are permitted within the BP4 Zone:

- (1) **Accessory buildings and structures**, subject to Section 3.05;
- (2) **Accessory unenclosed storage**, subject to Section 3.13;
- (3) **Asphalt plant**;
- (4) **Automobile parts and accessories Sale, Installation and Repair Facility**;
- (5) **Automobile rental and sale facility, major**;
- (6) **Automobile rental and sale facility, minor**;
- (7) **Automobile repair and service facility, major**;
- (8) **Automobile repair and service facility, minor**;
- (9) **Automobile towing and storage facility**;
- (10) **Building and lumber supply store**;
- (11) **Carpentry shop**;
- (12) **Commercial nursery and greenhouse**;
- (13) **Concrete plant**;
- (14) **Contractor service**;
- (15) **Crematorium**;
- (16) **Dwelling, one-family**, on lots with a **lot width** of at least 16.0 m (52.5 ft);
- (17) **Equipment sales, service, repair and rental facility, major**;
- (18) **Equipment sales, service, repair and rental facility, minor**;
- (19) **Film production studio**;
- (20) **Garden centre and feed supply store**;
- (21) **Gravel processing**;
- (22) **Home occupation**, subject to Section 3.09 ;
- (23) **Household equipment and appliance service and repair facility**;

- (24) **Industrial use, general**;
- (25) Machine shop;
- (26) **Medical Clinics** and accessory related commercial uses;
- (27) **Mini-storage facility**;
- (28) **Office**;
- (29) One **caretaker dwelling unit**, in conjunction with a **principal use** permitted in this **Zone**;
- (30) **Recycling facility**, subject to Section 3.14;
- (31) **Restaurant**;
- (32) **Uses accessory** to a **principal use** permitted in this **Zone**; and
- (33) **Uses** permitted by Section 3.01 of this Bylaw.

6.66.02 Subdivision Lot Requirements

- (1) No **lot** having a **lot area** less than 2,000.0 m² (0.5 ac) may be created by subdivision.
- (2) Despite Article 6.66.02(1), a **lot** having a **lot area** of not less than 300.0 m² (3,229.2 ft²) and not more than 599.0 m² (6,447.6 ft²) may be created by subdivision if the **front lot line** **abuts** Millstream Road.

6.66.03 Lot Coverage

The **lot coverage** of all **buildings** and **structures** within the BP4 Zone as a whole shall not exceed 50%.

6.66.04 Height and Size of Principal Use Buildings

- (1) No **building** for a commercial, business park or industrial **use** may exceed a **height** of three storeys.
- (2) No **one-family dwelling** may exceed a **height** of 9.0 m (29.5 ft).

6.66.05 Density of Development

- (1) The **floor area ratio** for all business park **uses** shall not exceed 1.0.
- (2) Under no circumstance may there be more than one **one-family dwelling** on a **lot**, nor a combination of a **one-family dwelling** and any other permitted **use** other than a **home occupation**.

6.66.06 Setbacks

No **building** or **structure** may be located within 3.0 m (9.8 ft) of Millstream Road.

6.66.07 Landscape Screening

In addition to the regulations contained in Section 3.21 of this Bylaw, a continuous **landscape and screening area** not less than 3.0 m (9.8 ft) wide must be provided along the developed portion of each **lot** that **abuts** a **highway**. This **landscape and screening area** may be interrupted at boulevard crossings, or to provide necessary pedestrian access to a **building** or for viewing shop windows

Section 6.67 – Langford Business and Technology Park (BT1) Zone

The intent of the BT1 Zone is to provide for predominantly technology related business and industry in a business park setting for the purpose of maximizing job creation and business development opportunities.

6.67.01 Permitted Uses

The following **uses** and no others are permitted in the BT1 Zone:

- (1) **Accessory buildings and structures**, subject to Section 3.05;
- (2) **Apartment**, subject to the regulations and density bonus provisions of the RM7A Zone, on the **lots** legally described as Lot G, Section 99, Esquimalt District, Plan EPP20282 (2757 Leigh Rd) and Lot F, Section 99, Esquimalt District, Plan EPP20282 (2763 Leigh Rd);
- (3) **Business support service**;
- (4) **Contractor service**;
- (5) **Dwelling, one-family**, which may contain a **secondary suite** within the **one-family dwelling** or a garden suite or carriage suite in accordance with Section 3.08, on land legally described as Lot 7, Section 99, Esquimalt District, Plan 22423 (2792 Leigh Road);
- (6) **Electronics sale, service and manufacturing**;
- (7) **Film production studio**;
- (8) **Fitness centre**;
- (9) **Group daycare**, subject to Subsection 3.26.02;
- (10) **Industrial use, light**;
- (11) **Medical Clinics** and accessory related commercials uses;
- (12) **Office**;
- (13) **Research and development facility**;
- (14) **Restaurant**, limited to a maximum of 200.0 m² (2,152.8 ft²) of **gross floor area**;
- (15) **Retail store**, limited to a maximum of 25% of the **gross floor area** of any **building**;
- (16) **School**;
- (17) **Training and education facility**;
- (18) **Uses accessory** to a **principal use** permitted in this **Zone**; and
- (19) **Uses** permitted by Section 3.01 of this Bylaw.

6.67.02 Regulations of Use for Contractor Service Uses

Unenclosed storage and parking for vehicles **accessory** to a **contractor service** must be located within a rear or interior side yard **setback** area and must be screened from public view.

6.67.03 Lot Coverage

Lot coverage of all **buildings** and **structures** may not exceed 90%.

6.67.04 Setbacks

No **building** or **structure** may be located within 6.0 m (19.7 ft) of any **lot line** that does not **abut** a **lot** in a **Commercial, Industrial** or **Business Park Zone**.

6.67.05 Regulations for One-Family Dwelling Use

In addition to the other regulations in this Section the following regulations apply to **one-family dwellings** in the BT1 Zone:

- (1) **One-family dwellings** are prohibited on **panhandle lots**;
- (2) The **lot area** for a **one-family dwelling** may not be less than 750.0 m² (8,072.9 ft²);
- (3) No **principal building** or **structure** for a **one-family dwelling use** may be located:
 - (a) Within 6.0 m (19.7 ft) of any **front lot line** or **rear lot line**, unless the **structure** was in existence on January 1, 2016; or
 - (b) Within 1.5 m (4.9 ft) of any **interior side lot line**; or
 - (c) Within 4.5 m (14.8 ft) of any **exterior side lot line**, except that no **garage or carport** whose vehicle access crosses an **exterior side lot line** may be within 5.5 m (18.0 ft) of the **exterior side lot line**;

6.67.06 Landscape Screening

In addition to the regulations contained in Section 3.21 of this Bylaw the following requirements apply to landscape screening in the BT1 Zone:

- (1) A continuous **landscape and screening area** not less than 1.5 m (4.9 ft) wide must be provided along the developed portion of each **lot** which **abuts** a **highway**. This **landscape and screening area** may be interrupted at boulevard crossings, or to provide necessary pedestrian access to a **building**;
- (2) A continuous **landscape and screening area** not less than 1.5 m (4.9 ft) in width containing a decorative fence not less than 1.8 m (5.9 ft) in **height** together with decorative planting must be provided along all **lot lines** which do not **abut** a **lot** in a **Commercial, Business Park** or **Industrial Zone**.

Section 6.68 – Business Park 5 (BP5 – McCallum Road South) Zone

The intent of the BP5 Zone is to accommodate and regulate commercial-scale industry.

6.68.01 Permitted Uses

The following **uses** and no others are permitted in the BP5 Zone:

- (1) **Accessory buildings and structures**, subject to Section 3.05;
- (2) **Automobile parts and accessories sale, installation and repair facility**;
- (3) **Contractor service**;
- (4) **Equipment sales, service, repair and rental facility, minor**;
- (5) **Industrial use, light**;
- (6) **Medical Clinics** and accessory related commercial uses;
- (7) **Office**;
- (8) One **caretaker dwelling unit**, in conjunction with and **accessory** to a **principal use** permitted in this **Zone**;
- (9) **Retail store**, as an **accessory use** limited to a maximum of 20% of the **gross floor area** occupied by a business;
- (10) **Unenclosed storage**, subject to Section 3.13;
- (11) **Uses accessory** to a **principal use** permitted in this **Zone**; and
- (12) **Uses** permitted by Section 3.01 of this Bylaw.

6.68.02 Subdivision Lot Requirements

- (1) No **lot** having a **lot area** less than 1,500.0 m² (16,145.9 ft²) may be created by subdivision.
- (2) No **lot** having a **lot width** less than 25.0 m (82.0 ft) may be created by subdivision.

6.68.03 Lot Coverage

Lot coverage of all **buildings and structures** may not exceed 50%.

6.68.04 Height and Size of Principal Use Buildings

No **building or structure** may exceed a **height** of 12.0 m (39.4ft).

6.68.05 Setbacks

No **building or structure** may be located:

- (1) Within 3.0 m (9.8 ft) of any **front lot line**; or

- (2) Within 6.0 m (19.7 ft) of any **interior side lot line** that **abuts** a **Zone** where the **principal** permitted **use** is residential, unless the **building** is designed to act as a sound attenuation screen, in which case the minimum **setback** is 2.5 m (8.2 ft); or
- (3) Within 3.0 m (9.8 ft) of any **exterior side lot line**; or
- (4) Within 6.0 m (19.7 ft) of any **rear lot line** that **abuts** a **Zone** where the **principal** permitted **use** is residential, unless the **building** is designed to act as a sound attenuation screen, in which case the minimum **setback** may be reduced to 2.5 m (8.2 ft).

6.68.06 Landscape Screening

In addition to the regulations contained in Section 3.21 of this Bylaw the following requirements apply to landscape screening in the BP5 Zone:

- (1) A continuous **landscape and screening area** not less than 2.0 m (6.6 ft) wide shall be provided along the developed portion of each **lot** which **abuts** a **highway**. The landscaping shall have a **height** of not less than 1.5m (4.9 ft) and may include a decorative fence.
- (2) A continuous **landscape and screening area** not less than 2.5 m (8.2 ft) wide containing a decorative fence not less than 1.8 m (5.9 ft) in **height** together with decorative planting must be provided along the developed portion of each **lot** which **abuts** a property in a **Residential Zone**. This **landscape and screening area** may be interrupted at boulevard crossings, or to provide necessary pedestrian access to a **building** or for viewing shop windows.

Section 6.69 – Business Park 6 – Gardner Creek (BP6) Zone

The intent of the BP6 Zone is to accommodate a range of commercial-scale industry.

6.69.01 Permitted Uses

The following **uses** and no others are permitted in the BP6 Zone:

- (1) **Accessory buildings and structures**, subject to Section 3.05;
- (2) **Accessory unenclosed storage**, subject to Section 3.13 and limited to a maximum of 20% of total **lot area**;
- (3) **Animal hospital**, in enclosed **buildings**;
- (4) **Auction**;
- (5) **Automobile parts and accessories sale, installation and repair facility**;
- (6) **Automobile rental and sale facility, major**;
- (7) **Automobile rental and sale facility, minor**;
- (8) **Automobile repair and service facility, major**;
- (9) **Automobile repair and service facility, minor**;
- (10) **Bakery**;
- (11) **Building and lumber supply store**;
- (12) **Business support service**;
- (13) **Carpentry shop**;
- (14) **Catering**;
- (15) **Contractor service**;
- (16) **Electronics sale, servicing and manufacturing**;
- (17) **Equipment sales, service, repair and rental, minor**;
- (18) **Film production studio**;
- (19) **Fitness centre**;
- (20) **Funeral parlour**;
- (21) **Garden centre and feed supply store**;
- (22) **Household equipment and appliance service and repair**;

- (23) **Industrial use, light;**
- (24) Machine shop;
- (25) **Mini-storage facility;**
- (26) One **caretaker dwelling unit**, in conjunction with and **accessory** to a **principal use** permitted in this **Zone**;
- (27) **Research and development facility;**
- (28) **Training and education facility;**
- (29) **Uses accessory** to a **principal use** permitted in this **Zone**;
- (30) **Uses** permitted by Section 3.01 of this Bylaw;
- (31) **Warehouse**; and
- (32) Welding shop.

6.69.02 Subdivision Lot Requirements

No **lot** having a **lot area** less than 90.0 m² (695.8 ft²) may be created by subdivision.

6.69.03 Height and Size of Principal Use Buildings

No **building** or **structure** may exceed a **height** of two storeys.

6.69.04 Setbacks

- (1) No **building** or **structure** may be located:
 - (a) Within 1.5 m (4.9 ft) of the northernmost boundary of the BP6 Zone; or
 - (b) Within 1.5 m (4.9 ft) of Millstream Road; or
 - (c) Within 3.0 m (9.8 ft) of the southern **lot line** of the property legally described as Lot A, Section 1, Range 3 West, Highland District, Plan 40135 (2312 Millstream Road);
 - (d) Within 6.0 m (19.7 ft) of the westernmost boundary of the property legally described as Lot A, Section 1, Range 3 West, Highland District, Plan 40135 (2312 Millstream Road).
- (2) Despite Clause 6.69.04(1)(a), no **building** or **structure** may be located within 6.0 m (19.7 ft) of the northernmost boundary of the BP6 Zone, if any portion of that **building** or **structure** is located within 40.0 m (131.2 ft) of Millstream Road.
- (3) Despite Clause 6.69.04(1)(b), no **setback** from Millstream Road is required on the property legally described as Lot A, Section 1, Range 3 West, Highland District, Plan 40135 (2312 Millstream Road).
- (4) Despite any other clause in this Bylaw, no **building** or **structure** may be located within 1.2 m (4.9 ft) of a **Streamside Protection and Enhancement Area (SPEA)** where the side of

the **building** facing the SPEA is fenestrated, or within 0.5 m (1.6 ft) of a SPEA where the side of the **building** facing the SPEA is not fenestrated.

6.69.05 Landscape Screening

In addition to the regulations contained in Section 3.21 of this Bylaw the following requirements apply to landscape screening in the BP6 Zone:

- (1) A continuous **landscape and screening area** not less than 2.0 m (6.6 ft) wide must be provided along the developed portion of each **lot** which **abuts** a **highway**. The landscaping shall have a **height** of not less than 1.5 m (4.9 ft) and may include a decorative fence.
- (2) A continuous **landscape and screening area** not less than 2.5 m (8.2 ft) wide containing a decorative fence not less than 1.8 m (5.9 ft) in **height** together with decorative planting must be provided along the developed portion of each **lot** which **abuts** a property in a **Residential Zone**. This **landscape and screening area** may be interrupted at boulevard crossings, or to provide necessary pedestrian access to a **building** or for viewing shop windows.

Section 6.69A – Business Park 7 – Henry Eng (BP7) Zone

The intent of the BP7 Zone is to accommodate a wide range of commercial uses near riparian and residential settings.

6.69A.01 Permitted Uses

The following **uses** and no others are permitted in the BP7 Zone:

- (1) **Accessory buildings and structures**, subject to Section 3.05;
- (2) **Accessory unenclosed storage**, subject to Section 3.13 and limited to a maximum of 20% of total **lot area**;
- (3) **Animal hospital**, in enclosed **buildings**;
- (4) **Assisted living**;
- (5) **Auction**;
- (6) **Automobile parts and accessories sale, installation and repair facility**;
- (7) **Automobile rental and sale facility, major**;
- (8) **Automobile rental and sale facility, minor**;
- (9) **Automobile repair and service facility, major**;
- (10) **Automobile repair and service facility, minor**;
- (11) **Bakery**;
- (12) **Building and lumber supply store**;
- (13) **Business support service**;
- (14) **Carpentry shop**;
- (15) **Catering**;
- (16) **Charitable facility**;
- (17) **Commercial nursery and greenhouse**;
- (18) **Contractor service**;
- (19) **Cultural facility**;
- (20) **Electronics sales, service and manufacturing**;
- (21) **Equipment sales, service, repair and rental, minor**;
- (22) **Film production studio**;

- (23) **Financial institution;**
- (24) **Fitness centre;**
- (25) **Funeral parlour;**
- (26) **Garden centre and feed supply store;**
- (27) **Household equipment and appliance service and repair;**
- (28) **Industrial use, light;**
- (29) **Licensed premises;**
- (30) Machine shop;
- (31) **Medical Clinics** and accessory related commercial uses;
- (32) **Mini-storage facility;**
- (33) **Office;**
- (34) One **caretaker dwelling unit**, in conjunction with and **accessory** to a **principal use** permitted in this **Zone**;
- (35) **Recreation facility, indoor;**
- (36) **Recycling depot;**
- (37) **Recycling facility**, subject to Section 3.14;
- (38) **Research and development facility;**
- (39) **Restaurant**, limited to a maximum of 200.0 m² (2,152.8 ft²) of **gross floor area**;
- (40) **Retail store**, as an **accessory use**, limited to a maximum of 20% of the **gross floor area** occupied by a business;
- (41) **Training and education facility;**
- (42) **Uses accessory** to a **principal use** permitted in this **Zone**;
- (43) **Uses** permitted by Section 3.01 of this Bylaw; and
- (44) **Warehouse.**

6.69A.02 Subdivision Lot Requirements

- (1) No **lot** having a **lot area** less than 2,000.0 m² (21,527.8 ft²) may be created by subdivision.
- (2) No **lot** having a **lot width** less than 25.0 m (82.0 ft) may be created by subdivision.

6.69A.03 Lot coverage

Lot coverage of all **buildings** and **structures** may not exceed 60%.

6.69A.04 Height and Size of Principal Use Buildings

- (1) No **building** or **structure** may exceed a **height** of two storeys.
- (2) Despite Article 6.69A.04(1), no **building** or **structure** for **office use** may exceed a **height** of three storeys.

6.69A.05 Setbacks

No **building** or **structure** may be located:

- (1) Within 2.0 m (6.6 ft) of any **lot line**; or
- (2) Within 6.0 m (19.7 ft) of any **lot line** that **abuts** a **lot** in the R2 Zone.

6.69A.06 Landscape Screening

In addition to the regulations contained in Section 3.21 of this Bylaw the following requirements apply to landscape screening in the BP7 Zone:

- (1) A continuous **landscape and screening area** not less than 2.0 m (6.6 ft) wide shall be provided along the developed portion of each **lot** which **abuts** a **highway**. The landscaping shall have a **height** of not less than 1.5 m (4.9 ft) and may include a decorative fence.
- (2) A continuous **landscape and screening area** not less than 2.5 m (8.2 ft) wide containing a decorative fence not less than 1.8 m (5.9 ft) in **height** together with decorative planting must be provided along the developed portion of each **lot** which **abuts** a property in the R2 Zone. This **landscape and screening area** may be interrupted at boulevard crossings, or to provide necessary pedestrian access to a **building** or for viewing shop windows.

Section 6.69B – Business Park 8 – Centre Mountain (BP8) Zone

The intent of the BP8 Zone is to accommodate a wide range of commercial and light industry uses.

6.69B.01 Permitted Uses

The following **uses** and no others are permitted in the BP8 Zone:

- (1) **Accessory buildings and structures**, subject to Section 3.05;
- (2) **Animal hospital**;
- (3) **Asphalt plant**;
- (4) **Auction**;
- (5) **Automobile and recreational vehicles storage facility**;
- (6) **Automobile body and paint shop**;
- (7) **Automobile parts and accessories sale, installation and repair**;
- (8) **Automobile rental and sale facility, major**;
- (9) **Automobile rental and sale facility, minor**;
- (10) **Automobile repair and service facility, major**;
- (11) **Automobile repair and service facility, minor**;
- (12) **Automobile towing and storage facility**;
- (13) **Bakery**;
- (14) **Building and lumber supply store**;
- (15) **Bulk oil plant**;
- (16) **Business support service**;
- (17) **Campground**;
- (18) **Car wash**;
- (19) **Carpentry shop**;
- (20) **Catering**;
- (21) **Charitable facility**;
- (22) **Commercial composting**;
- (23) **Commercial nursery and greenhouse**;

- (24) **Community garden;**
- (25) **Concrete plant;**
- (26) **Conference and meeting facility;**
- (27) **Contractor service;**
- (28) **Crematorium;**
- (29) **Cultural facility;**
- (30) **Electronics sales, service and manufacturing;**
- (31) **Equipment sales, service, repair and rental, major;**
- (32) **Equipment sales, service, repair and rental, minor;**
- (33) **Film production studio;**
- (34) **Financial institution;**
- (35) **Financial institution, drive-through;**
- (36) **Fitness centre;**
- (37) **Funeral parlour;**
- (38) **Garden centre and feed supply store;**
- (39) **Gasoline service station;**
- (40) **Gasoline service station, cardlock;**
- (41) **Golf course;**
- (42) **Golf course, miniature;**
- (43) **Golf driving range;**
- (44) **Group daycare, subject to Subsection 3.26.02;**
- (45) **Gravel processing;**
- (46) **Hotel;**
- (47) **Household equipment and appliance service and repair;**
- (48) **Industrial use, general;**
- (49) **Industrial use, light;**
- (50) **Licensed premises;**

- (51) **Liquor store;**
- (52) Machine shop;
- (53) **Mini-storage facility;**
- (54) **Medical Clinics** and accessory related commercial uses;
- (55) **Office;**
- (56) **Office supply store;**
- (57) One **caretaker dwelling unit**, in conjunction with and in addition to any of the other **principal uses** permitted in this **Zone**;
- (58) **Parking facility;**
- (59) **Personal service establishment;**
- (60) **Pet daycare;**
- (61) **Recreation facility, indoor;**
- (62) **Recreation facility, outdoor;**
- (63) **Recycling depot;**
- (64) **Recycling facility**, subject to Section 3.14;
- (65) Rental of goods and equipment, excluding **automobiles, large automobiles, or recreational vehicles;**
- (66) **Research and development facility;**
- (67) **Restaurant;**
- (68) **Restaurant, drive-through;**
- (69) **Retail store;**
- (70) **School;**
- (71) **Shopping centre;**
- (72) **Transportation facility;**
- (73) **Training and education facility;**
- (74) **Unenclosed storage**, subject to Section 3.13;
- (75) **Uses accessory** to a **principal use** permitted in this **Zone**;
- (76) **Uses** permitted by Section 3.01;

(77) **Veterinary practice;**

(78) **Warehouse;** and

(79) Welding shop.

6.69B.02 Subdivision Lot Requirements

(1) No **lot** having a **lot area** less than 1,000.0 m² (0.25 ac) may be created by subdivision.

(2) No **lot** having a **lot width** less than 7.0 m (23.0 ft) may be created by subdivision.

6.69B.03 Lot Coverage

Lot coverage of all **buildings** and **structures** may not exceed 60%.

6.69B.04 Height and Size of Principal Use Buildings

(1) No **building** may exceed a **height** of four storeys.

(2) No **structure** may exceed a **height** of 15.0 m (49.2 ft).

6.69B.05 Setbacks

(1) No **building** or **structure** may be located within 4.5 m (14.8 ft) of any **lot line** that **abuts** a **highway**.

(2) No **building** or **structure** may be located within 6.0 m (19.7 ft) of any **lot line** that does not **abut** a **lot** in a **Business Park Zone** or **Industrial Zone**.

6.69B.06 Landscape Screening

In addition to the regulations contained in Section 3.21 of this Bylaw, the following regulations apply to landscape screening in the BP8 Zone:

(1) A continuous **landscape and screening area** not less than 2.0 m (6.6 ft) wide containing a fence, shrub or hedge not less than 1.5 m (4.9 ft) in **height**, at the time of installation or planting, shall be provided along the developed portion of any **lot** that **abuts** a **highway**; and

(2) A continuous **landscape and screening area** not less than 3.0 m (9.8 ft) wide containing a fence not less than 1.8 m (5.9 ft) in **height** and decorative planting shall be provided along the developed portion of any **lot** that does not **abut** a **lot** in a **Business Park Zone** or **Industrial Zone**.

Section 6.70 – Light Industrial (M1) Zone

The intent of the M1 Zone is to provide a mix of light industry operations.

6.70.01 Permitted Uses

The following **uses** and no others are permitted in the M1 Zone:

- (1) **Accessory buildings and structures**, subject to Section 3.05;
- (2) **Accessory automobile parts and accessories sale, installation and repair facility**;
- (3) **Accessory commercial composting**, subject to Section 3.15
- (4) **Accessory unenclosed storage**, subject to Section 3.13;
- (5) **Automobile repair and service facility, major**;
- (6) **Automobile repair and service facility, minor**;
- (7) **Automobile towing and storage facility**, on land legally described as Lot 9, Block F, Sections 88 and 90, Esquimalt District, Plan 1139 (1245 Parksdale Drive);
- (8) **Community care facility**, where the care provided is for adults and where none of those in care, or providing care, reside at the property;
- (9) **Equipment sales, service, repair and rental, minor**;
- (10) **Film production studio**;
- (11) **Home occupation**, subject to Section 3.09 and in conjunction with a **caretaker dwelling unit** permitted in this Zone;
- (12) **Household equipment and appliance service and repair**;
- (13) **Industrial use, light**;
- (14) One **caretaker dwelling unit** ;
- (15) Skateboard school and related **uses** including manufacturing, retail sale and repair of skateboards, on land legally described as Part 3 of Strata Lot 3, Section 79, Esquimalt District, Strata Plan VIS5358;
- (16) **Recycling depot**;
- (17) **Recycling facility**, subject to Section 3.14;
- (18) **Restaurant**;
- (19) **Uses accessory** to a **principal use** permitted in this **Zone**;
- (20) **Uses** permitted by Section 3.01 of this Bylaw; and

- (21) **Warehouse**, not exceeding 900.0 m² (9,687.5 ft²) of **gross floor area** and not used for retail sales.

6.70.02 Subdivision Lot Requirements

- (1) No **lot** having a **lot area** less than 1,800.0 m² (0.5 ac) may be created by subdivision.
- (2) No **lot** having a **lot width** less than 16.0 m (52.5 ft) may be created by subdivision.

6.70.03 Prohibited Uses

- (1) The incineration, for salvage purposes, or any goods or materials including, but not limited to **automobiles** or **automobile** parts.
- (2) Refuse and garbage dumps.
- (3) Sawmills, planer mills, fertilizer plants, **asphalt plants**, refineries, and bulk oil storage plants.
- (4) Uses for which a permit is required under the *Environmental Management Act* or Regulations under that Act, except for **uses** permitted in Articles 6.70.03(2) to (6) inclusive.
- (5) **Automobile and recreational vehicle storage**, or **automobile towing and storage**, with the sole exception of the existing vehicle storage facility on the land legally described as Lot A, Section 79, Esquimalt District, Plan 9701 (DD K112776) (979 Dunford Avenue) and Lot 7, Section 79, Esquimalt District, Plan 1512, except that portion in Plan 17412 (1001 Dunford Avenue).
- (6) **Automobile recycling and salvage**, with the sole exception of the existing auto parts facility on the land legally described as Lot 1, Section 79, Esquimalt District, Plan VIP74824 (945 Dunford Avenue).

6.70.04 Lot Coverage

Lot coverage of all **buildings** and **structures** may not exceed 50%.

6.70.05 Height and Size of Principal Use Buildings

No **building** or **structure** may exceed a **height** of 12.0 m (39.4 ft) or three storeys.

6.70.06 Setbacks

No **building** or **structure** may be located:

- (1) Within 7.5 m (24.6 ft) of any **front lot line**; or
- (2) Within 6.0 m (19.7 ft) of any **interior side lot line** that does not **abut** a **Business Park** or **Industrial Zone**; or
- (3) Such that the sum of the **setbacks** from any two **side lot lines abutting** a **lot** in a **Business Park** or **Industrial Zone** is less than 6.0 m (19.7 ft); or
- (4) Within 6.0 m (19.7 ft) of any **exterior side lot line**; or

- (5) Within 7.5 m (24.6 ft) of any **rear lot line** that does not **abut** a **lot** in a **Commercial, Industrial, or Business Park Zone**, or an area in a **Comprehensive Development Zone** where the **principal use** permitted is commercial, business park or industrial.

6.70.07 Landscape Screening

In addition to the regulations contained in Section 3.21 of this Bylaw the following requirements apply to landscape screening in the M1 Zone.

- (1) A continuous **landscape and screening area** not less than 2.0 m (6.6 ft) wide must be provided along the developed portion of each side of the **lot** which **abuts** a **highway**. This **landscape and screening area** may be interrupted at boulevard crossings, or to provide necessary pedestrian access to a **building**. This **landscape and screening area** must contain a hedge, shrubs or decorative fence of not less than 1.5 m (4.9 ft) in **height**.
- (2) Except in those portions where a **building** abuts a **lot line**, a continuous **landscape and screening area** not less than 2.5 m (8.2 ft) in width containing a decorative fence not less than 1.8 m (5.9 ft) in **height** together with decorative planting must be provided along all **lots lines** which do not **abut** a lot in a **Business Park or Industrial Zone**.

Section 6.71 – General Industrial (M2) Zone

The intent of the M2 Zone is to accommodate and expand on the uses of the M1 and CS3 zones.

6.71.01 Permitted Uses

The following **uses** and no others are permitted in the M2 Zone:

- (1) All of the **uses** permitted in the CS3 Zone;
- (2) All of the **uses** permitted in the M1 Zone;
- (3) **Crematorium**;
- (4) **Film production studio**;
- (5) **Fitness centre**, on land legally described as Lot 1, Sections 79 and 80, Esquimalt District, Plan VIP51550, Except Parts in Plans VIP66561 and VIP74375 (1060 Henry Eng Place);
- (6) **Gasoline service station**;
- (7) **Gasoline service station, cardlock**;
- (8) **Gravel processing**;
- (9) **Industrial use, general**;
- (10) **Office**, on land legally described as Lot 1, Section 5, Esquimalt District, Plan 1457 (Orono Avenue);
- (11) **Recycling facility**, subject to Section 3.14;
- (12) **Uses accessory** to a **principal use** permitted in this **Zone**;
- (13) **Uses** permitted by Section 3.01 of this Bylaw; and
- (14) **Warehouse**, with a **gross floor area** not exceeding 900.0 m² (9,687.5 ft²) but excluding retail sales.

6.71.02 Subdivision Lot Requirements

- (1) No **lot** having a **lot area** less than 1,500.0 m² (0.4 ac) may be created by subdivision.
- (2) No **lot** having a **lot width** less than 18.0 m (59.1 ft) may be created by subdivision.

6.71.03 Prohibited Uses

- (1) The burning of motor vehicles and other things for salvage purposes.
- (2) Refuse and garbage dumps.
- (3) Uses for which a permit is required under the *Environmental Management Act* or Regulations under that Act, except for **uses** permitted in Articles 6.71.03(2) to (5) inclusive.

- (4) Sawmills, planer mills, fertilizer plants, **asphalt plants**, oilrefineries, and bulk oil storage plants.

6.71.04 Regulations of Use

Unenclosed storage areas must conform to the regulations in Section 3.13 of this Bylaw.

6.71.05 Lot Coverage

Lot coverage of all **buildings** and **structures** may not exceed 50%.

6.71.06 Height and Size of Principal Use Buildings

No **building** or **structure** may exceed a **height** of 12.0 m (39.4 ft).

6.71.07 Setbacks

No **building** or **structure** may be located:

- (1) Within 7.5 m (24.6 ft) of any **front lot line**; or
- (2) Within 6.0 m (19.7 ft) of any **interior side lot line** that does not **abut** a **Business Park** or **Industrial Zone**; or
- (3) Within 6.0 m (19.7 ft) of any **exterior side lot line**; or
- (4) Within 10.0 m (32.8 ft) of any **rear lot line** that does not **abut** a **lot** in a **Commercial**, **Industrial**, or **Business Park Zone**, or an area in a **Comprehensive Development Zone** where the **principal use** permitted is commercial, business park or industrial.

6.71.08 Landscape Screening

In addition to the regulations contained in Section 3.21 of this Bylaw the following requirements apply to landscape screening in the M2 Zone:

- (1) A continuous **landscape and screening area** not less than 2.0 m (6.6 ft) wide must be provided along the developed portion of each side of the **lot** which **abuts** a **highway**. This **landscape and screening area** may be interrupted at boulevard crossings, or to provide necessary pedestrian access to a **building**. This **landscape and screening area** must contain a hedge, shrubs or decorative fence of not less than 1.5 m (4.9 ft) in **height**.
- (2) Except in those portions where a **building abuts** a **lot line**, a continuous **landscape and screening area** not less than 2.5 m (8.2 ft) in width containing a decorative fence not less than 1.8 m (5.9 ft) in **height** together with decorative planting must be provided along all **lots lines** which do not **abut** a **lot** in a **Business Park** or **Industrial Zone**.

Section 6.72 – Heavy Industrial (M3) Zone

The intent of the M3 Zone is to accommodate heavy and high impact industrial operations.

6.72.01 Permitted Uses

The following **uses** and no others are permitted in the M3 Zone:

- (1) **Accessory buildings and structures**, subject to Section 3.05;
- (2) **Asphalt plant**;
- (3) **Automobile and recreational vehicle storage facility**;
- (4) **Automobile recycling and salvage**;
- (5) **Automobile towing and storage facility**;
- (6) Bulk oil storage plant;
- (7) **Commercial composting**, subject to Section 3.15;
- (8) Fertilizer plant;
- (9) **Film production studio**;
- (10) **Gravel processing**;
- (11) One **caretaker dwelling unit** ;
- (12) Planer mill;
- (13) **Recycling facility**, subject to Section 3.14;
- (14) Refinery;
- (15) Sawmill;
- (16) **Unenclosed storage**, subject to Section 3.13;
- (17) **Uses accessory** to a **principal use** permitted in this **Zone**; and
- (18) **Uses** permitted by Section 3.01 of this Bylaw.

6.72.02 Subdivision Lot Requirements

- (1) No **lot** having a **lot area** less than 1,500.0 m² (0.4 ac) may be created by subdivision.
- (2) No **lot** having a **lot width** less than 18.0 m (59.1 ft) may be created by subdivision.

6.72.03 Lot Coverage

Lot coverage of all **buildings and structures** may not exceed 50%.

6.72.04 Height and Size of Principal Use Buildings

No **building** or **structure** may exceed a **height** of 12.0 m (39.4 ft).

6.72.05 Setbacks

No **building** or **structure** may be located:

- (1) Within 7.5 m (24.6 ft) of any **front lot line**; or
- (2) Within 6.0 m (19.7 ft) of any **side lot line**; or
- (3) Within 10.0 m (32.8 ft) of any **rear lot line**.

6.72.06 Landscape Screening

In addition to the regulations contained in Section 3.21 of this Bylaw the following requirements apply to landscape screening in the M3 Zone.

- (1) A continuous **landscape and screening area** not less than 2.0 m (6.6 ft) wide must be provided along the developed portion of each side of the **lot** which **abuts a highway**. This **landscape and screening area** may be interrupted at boulevard crossings, or to provide necessary pedestrian access to a **building**. This **landscape and screening area** must contain a hedge, shrubs or decorative fence of not less than 1.5 m (4.9 ft) in **height**.
- (2) Except in those portions where a **building abuts a lot line**, a continuous **landscape and screening area** not less than 2.5 m (8.2 ft) in width containing a decorative fence not less than 1.8 m (5.9 ft) in **height** together with decorative planting must be provided along all **lots line** which do not **abut a lot** in a **Business Park** or **Industrial Zone**.

Section 6.80 – Neighbourhood Institutional (P1) Zone

The intent of the P1 Zone is to accommodate community and civic operations as well as institutional uses.

6.80.01 Permitted Uses

The following **uses** and no others are permitted in the P1 Zone:

- (1) **Accessory buildings and structures**, subject to Section 3.05;
- (2) **Assisted living** ;
- (3) **Charitable facility**;
- (4) **Community garden**;
- (5) **Cultural facility**;
- (6) **Group daycare**, subject to 3.26.02;
- (7) One **one-family dwelling**, in conjunction with and in addition to a **principal use** permitted in this **Zone**;
- (8) **Place of worship**;
- (9) **Recreation facility, indoor**;
- (10) **School**;
- (11) **Uses accessory** to a **principal use** permitted in this **Zone**; and
- (12) **Uses** permitted by Section 3.01 of this Bylaw.

6.80.02 Subdivision Lot Requirements

- (1) No **lot** having a **lot area** less than 695.0 m² (7,480.9 ft²) may be created by subdivision.
- (2) No **lot** having a **lot width** less than 16.0 m (52.5 ft) may be created by subdivision.

6.80.03 Density of Development

- (1) The **floor area ratio** shall not exceed 1.0.
- (2) Despite Article 6.80.03(1), on land whose legal description is set out in Table 1 of Schedule “AD”, the maximum **floor area ratio** is 2.5 if the owner of the land proposed to be developed pays to the City the amount specified in Column 4 of Table 1 of Schedule “AD” prior to the issuance of a Building Permit.

6.80.04 Regulations of Use for a One-Family Dwelling

A **one-family dwelling use** is subject to the regulations of the R2 Zone.

6.80.05 Lot Coverage

- (1) **Lot coverage** of all **buildings** and **structures** may not exceed 40%.
- (2) Despite Article 6.80.05(1), on land legally described as Lot A, Section 81, Esquimalt District, Plan 26335, Except Part in Plan VIP82658 (911 Jenkins Avenue) **lot coverage** of all **buildings** and **structures** may not exceed 45%.

6.80.06 Height and Size of Principal Use Buildings

No **building** or **structure** may exceed a **height** of 12.0 m (39.4 ft).

6.80.07 Setbacks

No **building** or **structure** may be located:

- (1) Within 7.5 m (24.6 ft) of any **front lot** or **exterior side lot line**; or
- (2) Within 6.0 m (19.7 ft) of any **interior side lot line**; or
- (3) Within 10.0 m (32.8 ft) of any **rear lot line**.

6.80.08 Landscape Screening

In addition to the regulations contained in Section 3.21 of this Bylaw, any parking area must be separated from an **abutting highway** or **Residential, Multiple Residential** or **Institutional Zone** by a **landscape and screening area** not less than 3.0 m (9.8 ft) in width.

Section 6.80A – Neighbourhood Institutional (P1A) Zone

The intent of the P1A Zone is to accommodate uses that supplement neighbourhood function and engagement.

6.80A.01 Permitted Uses

The following **uses** and no others are permitted in the P1A Zone:

- (1) **Accessory buildings and structures**, subject to Section 3.05;
- (2) **Assisted living** ;
- (3) **Community garden**;
- (4) **Group daycare**, subject to Subsection 3.26.02;
- (5) One **one-family dwelling**, in conjunction with a **place of worship**;
- (6) **Place of worship**;
- (7) **School**;
- (8) **Uses accessory** to a **principal use** permitted in this **Zone**; and
- (9) **Uses** permitted by Section 3.01 of this Bylaw.

6.80A.02 Subdivision Lot Requirements

- (1) No **lot** having a **lot area** less than 695.0 m² (7,480.9 ft²) may be created by subdivision.
- (2) No **lot** having a **lot width** less than 16.0 m (52.5 ft) may be created by subdivision.

6.80A.03 Density of Development

- (1) There may not be more than one **place of worship**, one **accessory office building** and one **one-family dwelling** in conjunction with a **place of worship** on a **lot** in the P1A zone.
- (2) Despite Article 6.80A.03(1), more than one **place of worship**, one **accessory office building** and one **one-family dwelling** in conjunction with a **place of worship** are permitted on a **lot** if Irwin Road is connected through to the Westshore Parkway, and this road connection is constructed and functional to the satisfaction of the City Engineer, provided that the **gross floor area** and **lot coverage** do not exceed the maximums for the P1A Zone.
- (3) The combined **gross floor area** of **accessory buildings** may not exceed 232.0 m² (2,497.2 ft²).

6.80A.04 Regulations of Use for a One-Family Dwelling

A **one-family dwelling use** is subject to the regulations of the R2 Zone.

6.80A.05 Regulations of Use for Assisted Living

An **assisted living use** is subject to the regulations of the RM8 Zone.

6.80A.06 Lot Coverage

Lot coverage of all **buildings** and **structures** may not exceed 40%.

6.80A.07 Height and Size of Principal Use Buildings

No **building** or **structure** may exceed a **height** of 12.0 m (39.4 ft).

6.80A.08 Setbacks

No **building** or **structure** may be located:

- (1) Within 7.5 m (24.6 ft) of any **front lot line** or **exterior side lot line**; or
- (2) Within 6.0 m (19.7 ft) of any **interior side lot line**; or
- (3) Within 10.0 m (32.8 ft) of any **rear lot line**.

6.80A.09 Landscape Screening

In addition to the regulations contained in Section 3.21 of this Bylaw, any parking area must be separated from an **abutting highway** or **Residential, Multiple Residential** or **Institutional Zone** by a **landscape and screening area** not less than 3.0 m (9.8 ft) in width.

Section 6.80B- Neighbourhood Institutional B (P1B) Zone

The intent of the P1B Zone is to accommodate uses that supplement neighbourhood function and engagement.

6.80B.01 Permitted Uses

The following **uses** and no others are permitted in the P1B Zone:

- (1) **Accessory buildings and structures**, subject to Section 3.05;
- (2) **Charitable facility**;
- (3) **Community garden**;
- (4) **Cultural facility**;
- (5) **Dormitory**, as an **accessory use**;
- (6) **Fitness centre**;
- (7) **Medical Clinics** and accessory related commercial uses;
- (8) **Office**, as an **accessory use**;
- (9) **Uses accessory** to a **principal use** permitted in this **Zone**; and
- (10) **Uses** permitted by Section 3.01 of this Bylaw.

6.80B.02 Subdivision Lot Requirements

- (1) No **lot** having a **lot area** less than 695.0 m² (7,480.9 ft²) may be created by subdivision.
- (2) No **lot** having a **lot width** less than 16.0 m (52.5 ft) may be created by subdivision.

6.80B.03 Lot Coverage

Lot coverage of all **buildings and structures** may not exceed 75%.

6.80B.04 Height and Size of Principal Use Buildings

No **building or structure** may exceed a **height** of 12.0 m (39.4 ft).

6.80B.05 Setbacks

No **building** or **structure** may be located:

- (1) Within 6.0 m (19.7 ft) of any **front lot line**; or
- (2) Within 1.5 m (4.9 ft) of any **side lot line**; or
- (3) Within 4.5 m (14.8 ft) of any **rear lot line**.

6.80B.06 Landscape Screening

In addition to the regulations contained in Section 3.21 of this Bylaw, any parking area must be separated from an **abutting Residential, Multiple Residential, or Institutional Zone** by a **landscape and screening area** not less than 3.0 m (9.8 ft) in width.

Section 6.81 – Community Institutional (P2) Zone

The intent of the P2 Zone is to accommodate a mix of uses to support civic activities.

6.81.01 Permitted Uses

The following **uses** and no others are permitted in the P2 Zone:

- (1) **Accessory buildings and structures**, subject to Section 3.05;
- (2) **Assisted living**;
- (3) **Charitable facility**;
- (4) **Community care facility**;
- (5) **Community garden**;
- (6) **Cultural facility**;
- (7) **Equestrian facility**;
- (8) **Group daycare**, subject to Subsection 3.26.02;
- (9) **Hospital**;
- (10) **Library**;
- (11) **Licensed premises**, in conjunction with and in addition to a **principal use** permitted in this **Zone**;
- (12) One **one-family dwelling**, in conjunction with and in addition to a **principal use** permitted in this **Zone**;
- (13) **Parking facility**;
- (14) **Place of worship**;
- (15) **Recreation facility, indoor**;
- (16) **Recreation facility, outdoor**;
- (17) **School**;
- (18) **Tourist information centre**;
- (19) **Uses accessory** to a **principal use** permitted in this **Zone**; and
- (20) **Uses** permitted by Section 3.01 of this Bylaw.

6.81.02 Subdivision Lot Requirements

- (1) No **lot** having a **lot area** less than 695.0 m² (7,480.9 ft²) may be created by subdivision.

(2) No **lot** having a **lot width** less than 16.0 m (52.5 ft) may be created by subdivision.

6.81.03 Regulations for Use for a One-Family Dwelling

A **one-family dwelling use** is subject to the regulations of the R2 Zone.

6.81.04 Lot Coverage

Lot coverage of all **buildings** and **structures** may not exceed 40%.

6.81.05 Setbacks

No **building** or **structure** may be located:

- (1) Within 7.5 m (24.6 ft) of any **front lot line** or **exterior side lot line**; or
- (2) Within 6.0 m (19.7 ft) of any **interior side lot line**; or
- (3) Within 10.0 m (32.8 ft) of any **rear lot line**.

6.81.06 Landscape Screening

In addition to the regulations contained in Section 3.21 of this Bylaw, any parking area must be separated from an **abutting highway** or **Residential, Multiple Residential** or **Institutional Zone** by a **landscape and screening area** not less than 3.0 m (9.8 ft) in width.

6.81.07 Height and Size of Principal Use Buildings

No **building** or **structure** may exceed a **height** of 15.0 m (49.2 ft) or four storeys.

Section 6.82 – Utility (P3) Zone

The intent of the P3 Zone is to accommodate utilities and utility related uses.

6.82.01 Permitted Uses

The following **uses** and no others are permitted in the P3 Zone:

- (1) **Accessory buildings and structures**, subject to Section 3.05;
- (2) **Community garden**;
- (3) **Utility**;
- (4) **Uses accessory** to a **principal use** permitted in this **Zone**;
- (5) **Uses** permitted by Section 3.01 of this Bylaw; And
- (6) Works Yard.

6.82.02 Subdivision Lot Requirements

- (1) No **lot** having a **lot area** less than 1,800.0 m² (0.5 ac) may be created by subdivision.
- (2) No **lot** having a **lot width** less than 18.0 m (59.1 ft) may be created by subdivision.

6.82.03 Setbacks

- (1) Except as permitted in Article 6.82.03(2), no **building** or **structure** may be located:
 - (a) Within 6.0 m (19.7 ft) of any **front lot line** or **exterior side lot line**; or
 - (b) Within 6.0 m (19.7 ft) of any **interior side lot line**; or
 - (c) Within 10.0 m (32.8 ft) of any **rear lot line**.
- (2) No **building** or **structure** situated on the property legally described as Lot 1, Section 83, Esquimalt District, Plan VIP76810 (3213 Happy Valley Road) may be located within 6.0 m (19.7 ft) of any **lot line** that is common to a **lot** on which **residential uses** are permitted.

6.82.04 Landscape Screening

In addition to the regulations contained in Section 3.21 of this Bylaw, the following requirements apply to landscape screening in the P3 Zone:

- (1) A continuous **landscape and screening area** not less than 2.0 m (6.6 ft) wide must be provided along the developed portion of each side of the **lot** which **abuts a highway**. This landscaping may be interrupted at boulevard crossings, or to provide necessary pedestrian access to a **building**. This **landscape and screening area** must have a **height** of not less than 1.5 m (4.9 ft) or a solid decorative fence of not less than 1.5 m (4.9 ft) must be provided.

- (2) Except in those portions where a **building abuts** a **lot line**, screen planting at least 2.0 m (6.6 ft) high in a strip at least 1.5 m (4.9 ft) wide, or a solid decorative fence at least 2.0 m (6.6 ft) high must be provided along all **lot lines** separating the developed portion of the **lot** from any **Agricultural, Residential, Rural Residential, Multiple Residential, Commercial** or **Institutional Zone** whether such property be separated by a **highway** or not.

6.82.05 Height and Size of Principal Use Buildings

No **building** or **structure** may exceed a **height** of 15.0 m (49.2 ft) or four storeys.

Section 6.83 – Park and Open Space (P4) Zone

The intent of the P4 Zone is to accommodate green space and permit minimal development in association to green and open space.

6.83.01 Permitted Uses

The following **uses** and no others are permitted in the P4 Zone:

- (1) **Accessory buildings and structures**, subject to Section 3.05;
- (2) **Agricultural fair grounds**;
- (3) **Cemetery**;
- (4) **Community care facility**;
- (5) **Community garden**;
- (6) **Golf course**;
- (7) **Group daycare**, subject to Subsection 3.26.02;
- (8) **Licensed premises**, in conjunction with and in addition to a **principal use** permitted in this **Zone**;
- (9) One **one-family dwelling**, in conjunction with and in addition to a **principal use** permitted in this **Zone**;
- (10) **Preschool**;
- (11) **Recreation facility, indoor**;
- (12) **Recreation facility, outdoor**;
- (13) **Uses accessory** to a **principal use** permitted in this **Zone**; and
- (14) **Uses** permitted by Section 3.01 of this Bylaw.

6.83.02 Subdivision Lot Requirements

No **lot** having a **lot area** less than 4.0 ha (9.9 ac) may be created by subdivision.

6.83.03 Lot Coverage

Lot coverage of all **buildings and structures** may not exceed 40%.

6.83.04 Setbacks

No **building** or **structure** may be located:

- (1) Within 7.5 m (24.6 ft) of any **front lot line** or **exterior side lot line**; or

- (2) Within 6.0 m (19.7 ft) of any **interior side lot line**; or
- (3) Within 10.0 m (32.8 ft) of any **rear lot line**.

6.83.05 Height and Size of Principal Use Buildings

No **building** or **structure** may exceed a **height** of 15.0 m (49.2 ft) or four storeys.

Section 6.85 – Amenity (AM) Zone

The intent of the AM Zone is to accommodate amenities and accessory uses.

6.85.01 Permitted Uses

The following **uses** and no others are permitted in the AM Zone:

- (1) **Accessory buildings and structures**, subject to Section 3.05;
- (2) **Community garden**;
- (3) **Group daycare**, subject to Subsection 3.26.02;
- (4) **Preschool**;
- (5) **Recreation facility, indoor**;
- (6) **Recreation facility, outdoor**;
- (7) **School**;
- (8) **Uses accessory** to a **principal use** permitted in this **Zone**; and
- (9) **Uses** permitted by Section 3.01 of this Bylaw.

Section 6.90 – Comprehensive Development 1 – Goldstream Meadows (CD1) Zone

The intent of the CD1 Zone is to accommodate a mix of residential, commercial and light industry to create a well-rounded community development.

6.90.01 Permitted Uses

- (1) Within that portion of the lands identified as “Area 1 – Business Park”, on the CD1 Zone Map attached as Schedule “E”, the following **uses** and no others are permitted:
 - (a) **Accessory buildings and structures**, subject to Section 3.05;
 - (b) **Animal hospital**, in enclosed **buildings**;
 - (c) **Artist or craftsperson studio**, in enclosed **buildings**;
 - (d) **Assisted living**;
 - (e) **Auction**;
 - (f) **Automobile parts and accessories sale, installation and repair facility**, in enclosed **buildings**;
 - (g) **Automobile rental and sale facility, minor**, in enclosed **buildings**;
 - (h) **Automobile repair and service facility, minor**, in enclosed **buildings**;
 - (i) **Bakery**, not exceeding 200.0 m² (2,152.8 ft²) of **gross floor area**;
 - (j) **Bookstore**, not exceeding 200.0 m² (2,152.8 ft²) of **gross floor area**;
 - (k) **Business support service**;
 - (l) **Campground**;
 - (m) **Car wash**;
 - (n) **Carpentry shop**, in enclosed **buildings**;
 - (o) **Charitable facility**, as an **accessory use** to a multi-family **residential use** or multiple single-family **residential uses** in a bare land strata plan;
 - (p) **Community garden**;
 - (q) **Contractor service**;
 - (r) **Convenience store**, not exceeding 250.0 m² (2,691.0 ft²) of **gross floor area**;
 - (s) **Cultural facility**, as an **accessory use** to a multi-family **residential use** or multiple single-family **residential uses** in a bare land strata plan;
 - (t) **Electronics sales, service and manufacturing**;

- (u) **Equipment sales, service, repair and rental, minor;**
- (v) **Film production studio;**
- (w) **Financial institution;**
- (x) **Fitness centre;**
- (y) **Funeral parlour;**
- (z) **Gasoline service station;**
- (aa) **Hotel;**
- (bb) **Household equipment and appliance service and repair, in enclosed buildings;**
- (cc) **Industrial use, light;**
- (dd) **Licensed premises;**
- (ee) **Medical Clinics** and accessory related commercial uses;
- (ff) **Mini-storage facility;** including **automobile and recreational vehicle storage;**
- (gg) **Office;**
- (hh) One **caretaker dwelling unit,** in conjunction with a **principal use** permitted in this Article;
- (ii) **Personal service establishment;**
- (jj) **Pet daycare;**
- (kk) **Recreation facility, indoor;**
- (ll) **Recreation facility, outdoor**
- (mm) Rental of goods and equipment, excluding **automobiles, large automobiles and recreational vehicles;**
- (nn) **Research and development facility;**
- (oo) **Restaurant,** not exceeding 200.0 m² (2,152.8 ft²) of **gross floor area;**
- (pp) **Restaurant, drive-through,** not exceeding 200.0 m² (2,152.8 ft²) of **gross floor area;**
- (qq) **Retail store,** as an **accessory use** not exceeding 20% of the **gross floor area** occupied by a business;
- (rr) **Training and education facility;**
- (ss) **Uses accessory to a principal use** permitted in this Article;

- (tt) **Uses** permitted by Section 3.01 of this Bylaw;
 - (uu) **Veterinary practice**; and
 - (vv) **Warehouse**.
- (2) Within that portion of the lands identified as “Area 2 – Mixed Use” on the CD1 Zone Map attached as Schedule “E”, the following **uses** and no others are permitted:
- (a) **Accessory buildings and structures**, subject to Section 3.05;
 - (b) **Apartment**;
 - (c) **Assisted living**;
 - (d) **Bakery**, as an **accessory use** to a **retail store**, not exceeding 200.0 m² (2,152.8 ft²) of **gross floor area**;
 - (e) **Charitable facility**, as an **accessory use** to a multi-family **residential use** or multiple single-family **residential uses** in a bare land strata plan;
 - (f) **Community garden**;
 - (g) Conference and meeting facility;
 - (h) **Cultural facility**, as an **accessory use** to a multi-family **residential use** or multiple single-family **residential uses** in a bare land strata plan;
 - (i) **Dwelling, one-family**;
 - (j) **Dwelling, two-family**, subject to Section 3.07;
 - (k) **Financial institution**;
 - (l) **Group daycare**, subject to Subsection 3.26.02;
 - (m) **Home occupation**, subject to Section 3.09;
 - (n) **Hotel**;
 - (o) **Licensed premises**;
 - (p) **Medical Clinics** and accessory related commercials uses;
 - (q) **Office**;
 - (r) **Personal service establishment**;
 - (s) **Preschool**;
 - (t) **Recreation facility, indoor**;
 - (u) **Recreation facility, outdoor**;

- (v) **Restaurant ;**
 - (w) **Retail store;**
 - (x) **School;**
 - (y) **Townhouse;**
 - (z) **Uses accessory** to a **principal use** permitted in this Article; and
 - (aa) **Uses** permitted by Section 3.01 of this Bylaw.
- (3) Within that portion of the lands identified as “Area 3 – Cluster Housing” on the CD1 Zone Map attached as Schedule “E”, the following **uses** and no others are permitted:
- (a) **Accessory buildings and structures**, subject to Section 3.05;
 - (b) **Apartment;**
 - (c) **Assisted living;**
 - (d) **Bakery**, as an **accessory use** to a **retail store**, not exceeding 200.0 m² (2,152.8 ft²) of **gross floor area**;
 - (e) **Charitable facility;**
 - (f) **Community garden;**
 - (g) Conference and meeting facility;
 - (h) **Cultural facility;**
 - (i) **Dwelling, one-family;**
 - (j) **Dwelling, two-family**, subject to Section 3.07;
 - (k) **Fitness centre;**
 - (l) **Group daycare**, subject to Subsection 3.26.02;
 - (m) **Home occupation**, subject to Section 3.09;
 - (n) **Licensed premises;**
 - (o) **Mobile home;**
 - (p) **Modular home;**
 - (q) **Personal service establishment;**
 - (r) **Preschool;**
 - (s) **Recreation facility, indoor;**

- (t) **Restaurant ;**
 - (u) **Retail store;**
 - (v) **Townhouse;**
 - (w) **Uses accessory** to a **principal use** permitted in this Article; and
 - (x) **Uses** permitted by Section 3.01 of this Bylaw.
- (4) Within that portion of the lands identified as “Area 4 – Amenity and Park Area” on the CD1 Zone Map attached as Schedule “E”, the following **uses** and no others are permitted:
- (a) **Accessory buildings and structures**, subject to Section 3.05;
 - (b) All of the uses permitted in the P2 Zone;
 - (c) **Campground;**
 - (d) **Community garden;**
 - (e) **Uses accessory** to a **principal use** permitted in this **Article**; and
 - (f) **Uses** permitted by Section 3.01 of this Bylaw.

6.90.02 Density of Development

- (1) There may not be more than three (3) **dwelling units** in Area 2 – Mixed Use of the CD1 Zone, nor more than 250 Dwelling Units in “Area 3 – Cluster Housing” of the CD1 Zone.
- (2) Despite Article 6.90.02(1), the number of Dwelling Units within “Area 2 – Mixed Use” of the CD1 Zone may exceed three if the owner:
 - (a) Dedicates to the City of Langford the areas identified on Schedule “E” as “Area 4 – Amenity and Park Area”;
 - (b) Pays to the City \$1000 per single family dwelling equivalent unit towards the Affordable Housing Reserve Fund;
 - (c) The required contribution for small lot and multi-family residential development shall be determined using the following contribution table (as a contribution per single family equivalent/SFE) and the following multiplier:

Housing Type	Single Family Equivalent
½ Two-Family house	0.66
Small Lot Detached	0.66
Multi-Family (Townhouses, Attached Housing, Apartment)	.061

- (d) Provides the following contributions to the City's General Amenity Reserve Fund, until a total of \$1,000,000 has been provided:
 - (i) Prior to the first **dwelling unit** in excess of three to be authorized in "Area 2", \$100,000; and
 - (ii) Upon the subsequent authorization of every 50th **dwelling unit** in "Area 2", \$100,000;
- (e) That the developer agrees to construct the following park improvements, in consultation with and to the satisfaction of the Manager of Parks and the Director of Engineering, prior building permit issuance of the third dwelling, and that these improvements may be offset with contributions required as per subsection 6.90.02(d) provided that such contributions are not also eligible for development cost charge credits:
 - (i) The creation of a surface parking lot to service the boat launch within the road right-of way;
 - (ii) Construction of a washroom within the right of way;
 - (iii) The construction of a multi-use trail connection between E&N Rail Trail and the Ed Nixon Park Trail;
 - (iv) Upgrades to the fishing pier and wharf;
 - (v) Improvements to the boat launch are;
 - (a) Adding signage/interpretive signage to the boat launch area;
 - (b) Improving natural trails;
 - (c) Removal of invasive plant material;
- (f) Enters into a housing agreement with and to the satisfaction of the City in respect of all Lots created by subdivision within "Area 2", requiring the owner to construct twenty affordable **dwelling units** within the City, which **dwelling units** shall:
 - (i) Be in the form of **one-family dwellings**, unless otherwise approved by Council;
 - (ii) Have a range of **gross floor areas**, with a minimum **gross floor area** of 37.2 m² (400.0 ft²);
 - (iii) Have a per unit fair market value certified by an independent quantity surveyor or architect of not less than \$100,000 and not more than \$150,000 not including GST;
 - (iv) Be provided in a location acceptable to the City;
 - (v) Be subject to a further housing agreement with the City to be entered into within one month of the date on which the City approves the location of the **dwelling unit**, which further agreement provides that:
 - (a) The **dwelling units** shall be owner-occupied and shall not be occupied

under a residential tenancy agreement;

- (b) The maximum resale price of the **dwelling unit**, for a period of at least five years after the issuance of the original occupancy permit, shall be the price paid by the first purchaser plus the annual interest rate paid on a daily interest savings account at a specified bank or credit union, and the owner and any subsequent purchaser of the **dwelling unit** must provide to the City prior to transferring the **dwelling unit** to a purchaser a statutory declaration disclosing the full selling price of the **dwelling unit**; and
 - (c) Provides that, in the event that the **dwelling unit** is occupied under a residential tenancy agreement or sold for more than the price specified in the agreement, all rental payments made under the tenancy agreement and any excess portion of the price for which the **dwelling unit** has been transferred, as the case may be, shall be forfeited to the City; and
 - (vi) Be constructed and ready for occupancy such that four affordable **dwelling units** are constructed and ready for occupancy prior to the authorization of every 50th **dwelling unit** in excess of three in "Area 2 – Mixed-Use" of the CD1 Zone.
- (3) For the purposes of Clauses 6.90.02(2)(b) and (c), a **dwelling unit** is authorized in the CD1 Zone when a Building Permit authorizing the construction of the **dwelling unit** is issued.
- (4) Notwithstanding Subsection 6.90.02(1), there may be more than 250 residential dwellings within Area 3 – Cluster Housing of the CD1 Zone if the owner:
 - (a) Has in consultation with and to the satisfaction of the City Parks Manager, implements an approved concept plan for the improvement of the community park on Lot A, Plan 81816, with a certified construction value of not more than \$100,000, excluding any site preparation works, and has obtained approval of the concept plan from the City Parks Manager;
 - (b) Agrees to construct, at the owners expense, a pedestrian connection through within Area 3 of the CD1 Zone, in consultation with and to the satisfaction of the Manager of Parks;
 - (c) Agrees to construct, at the owners expense, a trail connection through the Lands within the CD1 Zone to Willway Elementary School, in consultation with and to the satisfaction of the Manager of Parks;
 - (d) Has either constructed the park improvements shown on the approved concept plan to the satisfaction of the Parks Manager, or entered into a covenant with the City under s.219 of the Land Title Act requiring that the owner construct the community park within one (1) year of the date of approval of the concept plan, and provided security satisfactory to the Parks Manager securing the owners obligations under the covenant.
- (5) Provided that the density bonus provisions of Article 6.90.02(2) have been met, the maximum density on each of the areas identified on Schedule "E" is as follows:
 - (a) Within "Area 1", the **floor area ratio** may not exceed 0.75;

- (b) Within “Area 2”, the **floor area ratio** may not exceed:
 - (i) 2.0 within “Area 2” as a whole; and
 - (c) Within “Area 3”, the number of **dwelling units** may not exceed 600; Within “Area 2” and “Area 3”, the **gross floor area** of any individual retail commercial premises or occupancy may not exceed 465.0 m² (5,005.2 ft²); and
 - (d) Within “Area 3”, the **gross floor area** for retail commercial **uses** may not exceed 1,858.0 m² (20 000 ft²).
- (6) Land in the CD1 Zone may not be subdivided unless the owner provides a Section 219 covenant registered in favour of the City of Langford which allocates the density permitted by Subsection 6.90.02 within the area identified on Schedule “E”, among the parcels being created by the subdivision.

6.90.03 Subdivision Lot Requirements

No **lot** having a **lot area** less than 1,000.0 m² (10,763.9 ft²) may be created by subdivision within “Area 1”.

6.90.04 Height and Size of Principal Use Buildings

Buildings and **structures** within the various areas identified on Schedule “E”, shall not exceed the following **heights**:

- (1) Within “Area 1”, the **height** of **buildings** and **structures** shall not exceed 18.3 m (60.0 ft);
- (2) Within “Area 2”, the **height** of **buildings** and **structures** shall not exceed four storeys unless 75% of all required off-street parking is provided underground or under **building**; and
- (3) Within “Area 3”, the **height** of **one-family dwellings** shall not exceed 6.0 m (19.7 ft).

6.90.05 Setbacks

No **building** or **structure** may be located:

- (1) **In “Area 1 – Business Park”:**
 - (a) Within 7.5 m (24.6 ft) of any **front lot line**, unless the **lot** is served by a rear access **highway** in which case the setback to a **front lot line** may be reduced to 1.0 m (3.3 ft); or
 - (b) Within 0.0 m (0.0 ft) of a **lot line** that **abuts** a **lot** that is not in “Area 1”; or
 - (c) Within 7.5 m (24.6 ft) of any **rear lot line** except that the **setback** from a **rear lot line** that **abuts** a **lot** in “Area 1” may be reduced to nil; or
 - (d) Within 6.0 m (19.7 ft) of any **exterior side lot line**.
- (2) **In “Area 4 – Amenity and Park Area”:**
 - (a) Within 7.5 m (24.6 ft) of any **front lot line** or **exterior side lot line**; or

- (b) Within 6.0 m (19.7 ft) of any **interior side lot line**; or
 - (c) Within 10.0 m (32.8 ft) of any **rear lot line**.
- (3) Despite Articles 6.90.06(1) through (3), any underground parking structure may have a zero **setback** to any **lot line**.

6.90.06 Lot Coverage

- (1) **Lot coverage** in “Area 1” may not exceed 50%.
- (2) **Lot coverage** in “Area 2” may not exceed:
 - (a) 65% for **apartment** and mixed **uses** and up to 100% for associated underground parking structures;
 - (b) 35% for other **uses**.
- (3) Lot Coverage in “Area 3” may not exceed:
 - (a) 75% for **apartment**, non-residential and mixed **uses**;
 - (b) 50% for **residential uses** on **lots** 60.0 m² (645.8 ft²) or greater in **lot area**; or
 - (c) 85% for **residential uses** on **lots** less than 60.0 m² (645.8 ft²) in **lot area**.
- (4) **Lot coverage** in “Area 4” may not exceed 35%.

6.90.07 Landscape Screening

In addition to the regulations contained in Section 3.21 of this Bylaw, in “Area 2” a minimum of 25% of the **lot** shall be extensively landscaped. :

6.90.08 Regulations for Use

- (1) The **residential uses** permitted in the CD1 Zone are permitted on **lots abutting** the West Shore Parkway, only if vehicular access to the **lot** is from a **highway** other than the West Shore Parkway.
- (2) Conditions of **use** for **one-family dwellings** permitted in accordance with Clause 6.90.01(3)(i):
 - (a) **Building footprint**, excluding carports and porches, may not exceed 110.0 m² (1,184.0 ft²);
 - (b) **Secondary suites**, **garden suites**, and **carriage suites** are prohibited;
 - (c) **One-family dwellings** may consist of either a main level only, a main level and a loft, or a main level and a basement;
 - (d) Where a **one-family dwelling** includes a basement, 25% of the basement must be designated as storage space.

Section 6.91 – Comprehensive Development 2 – Hull’s Field (CD2) Zone

The intent of the CD2 Zone is to accommodate a mix of residential, commercial and light industry to create a well-rounded community development.

6.91.01 Permitted Uses

The following **uses** and no others are permitted in the CD2 Zone:

- (1) Within that portion of the lands identified as Parcel “A” on the CD2 Zone Map attached as Schedule “G”:
 - (a) **Accessory buildings and structures**, subject to Section 3.05;
 - (b) **Animal hospital**, in enclosed **buildings**;
 - (c) **Assisted living**;
 - (d) **Auction**;
 - (e) **Bakery**;
 - (f) **Business support service**;
 - (g) **Car wash**;
 - (h) **Charitable facility**;
 - (i) **Community care facility**;
 - (j) **Community garden**;
 - (k) **Cultural facility**;
 - (l) **Financial institution**;
 - (m) **Financial institution, drive-through**;
 - (n) **Fitness centre**;
 - (o) **Funeral parlour**;
 - (p) **Gasoline service station**;
 - (q) **Hotel**;
 - (r) **Licensed premises**;
 - (s) **Liquor store**;
 - (t) **Medical Clinics** and accessory related commercials uses;

- (u) **Office;**
 - (v) **Parking facility;**
 - (w) **Personal service establishment;**
 - (x) **Pet daycare;**
 - (y) **Recreation facility, indoor;**
 - (z) **Restaurant ;**
 - (aa) **Restaurant, drive-through;**
 - (bb) **Retail store;**
 - (cc) **School;**
 - (dd) **Shopping centre;**
 - (ee) **Training and education facility;**
 - (ff) **Transportation terminal;**
 - (gg) **Uses accessory to a principal use** permitted in this Article; and
 - (hh) **Uses** permitted by Section 3.01 of this Bylaw.
- (2) Within that portion of the lands identified as Parcel “B” on the CD2 Zone Map attached as Schedule “G”:
- (a) **Accessory buildings and structures**, subject to Section 3.05;
 - (b) **Animal hospital**, in enclosed **buildings**;
 - (c) **Apartment**;
 - (d) **Auction**;
 - (e) **Automobile** and boat showrooms;
 - (f) **Automobile body and paint shop**;
 - (g) **Automobile parts and accessories sale, installation and repair facility**;
 - (h) **Bakery**;
 - (i) **Business support service**;
 - (j) **Catering**;
 - (k) **Commercial nursery and greenhouse**;
 - (l) **Community care facility**;

- (m) **Community garden;**
- (n) **Contractor service;**
- (o) **Equipment sales, service, repair and rental facility, major;**
- (p) **Financial institution;**
- (q) **Financial institution, drive-through;**
- (r) **Fitness centre;**
- (s) **Home office**, subject to Section 3.09;
- (t) **Hotel;**
- (u) **Household equipment and appliance service and repair;**
- (v) **Medical Clinics** and accessory related commercial uses;
- (w) **Mini-storage facility;**
- (x) **Office;**
- (y) **Parking facility;**
- (z) **Recreation facility, indoor;**
- (aa) **Recreation facility, outdoor;**
- (bb) **Restaurant ;**
- (cc) **Restaurant, drive-through;**
- (dd) **Retail store;**
- (ee) **School;**
- (ff) **Townhouse ;**
- (gg) **Training and education facility;**
- (hh) **Transportation terminal;**
- (ii) U-brewery, on land legally described as Lot 2, Section 80, Esquimalt District, Plan VIP83598 (128-1047 Langford Parkway);
- (jj) **Unenclosed storage;**
- (kk) **Uses accessory** to a **principal use** permitted in this Article;
- (ll) **Uses** permitted by Section 3.01 of this Bylaw; and
- (mm) **Warehouse.**

- (3) Within that portion of the lands identified as Parcel “C” on the CD2 Zone Map attached as Schedule “G”:
 - (a) **Accessory buildings and structures**, subject to Section 3.05;
 - (b) **Community garden**;
 - (c) **Group daycare**, subject to Subsection 3.26.02;
 - (d) **Parking facility**;
 - (e) **Preschool**;
 - (f) **Recreation facility, indoor**;
 - (g) **Recreation facility, outdoor**;
 - (h) **Restaurant**;
 - (i) **Uses accessory to a principal use** permitted in this Article; and
 - (j) **Uses** permitted by Section 3.01 of this Bylaw.
- (4) Within that portion of the lands identified as Parcel “D” on the CD2 Zone Map attached as Schedule “G”:
 - (a) Roads and public **utilities**; and
 - (b) **Uses** permitted by Section 3.01 of this Bylaw.
- (5) Within that portion of the lands identified as Parcel “E” on the CD2 Zone Map attached as Schedule “G”:
 - (a) **Accessory buildings and structures**, subject to Section 3.05;
 - (b) **Community garden**;
 - (c) **Dwelling, one-family**;
 - (d) **Group daycare**, subject to Subsection 3.26.02;
 - (e) **Home occupation**, subject to Section 3.09;
 - (f) The keeping of not more than four **boarders** in a **one-family dwelling**;
 - (g) **Uses accessory to a principal use** permitted in this Article; and
 - (h) **Uses** permitted by Section 3.01 of this Bylaw.

6.91.02 Density of Development

- (1) The combined **gross floor area** of all commercial **buildings** on Parcel “A” may not exceed 93.0 m² (1,001.0 ft²) **nor** may there be more than one **dwelling unit** on Parcel “B”.

- (2) Despite Article 6.91.02(1), the combined **gross floor area** of all commercial **buildings** on Parcel "A" may exceed 93.0 m² (1,001.0 ft²) and there may be more than one **dwelling unit** on Parcel "B" if the owner provides the following to the City of Langford:
 - (a) Dedication of the area identified on Schedule "G" as Lot "C" to the City as an amenity site which may include access roads, servicing, and **parking facilities**;)
 - (b) Dedication of the area identified on Schedule "G" as Parcel "D" to the City of Langford as road right-of-way; and
 - (c) Registration of a Section 219 covenant which requires the owner to construct a road within the area identified on Schedule "G" as Parcel "D", to provide access from Jacklin Road to the area identified on Schedule "G" as Parcel "C", to City of Langford standards.
- (3) The maximum density on each of the parcels identified on Schedule "G" shall be as follows:
 - (a) Within Parcel "A", the **floor area ratio** for commercial **uses** may not exceed 0.5; and
 - (b) Within Parcel "B", the maximum **gross floor area** for commercial **uses** may not exceed 17,300.0 m² (186,215.6 ft²), which represents a **floor area ratio** of 0.5. Residential **gross floor area** may be exchanged for commercial **gross floor area** at a ratio of 2 to 1, to a maximum **floor area ratio** of 1.0.

6.91.03 Height, Location, and Size of Principal Use Buildings

Buildings and **structures** within the various parcels identified on Schedule "G" shall not exceed the following **heights**:

- (1) Within Parcel "A", the maximum **height** of **buildings** and **structures** shall not exceed 18.0 m (59.1 ft);
- (2) Within Parcel "B", the maximum **height** of **buildings** and **structures** shall not exceed a height of 16.0 m (52.5 ft);
- (3) Townhouses may not be located within 215.0 m (705.4 ft) of Jacklin Road; and
- (4) There may be four storey **buildings** opposite Jenkins Road, and situated on Parcel "B", if these **buildings** are separated from Jenkins Road by a soft landscaped and treed buffer.

6.91.04 Setbacks

(1) Parcel "A"

- (a) No **building** or **structure** may be located:
 - (i) Within 3.0 m (9.8 ft) of the northerly boundary of Parcel "A" as shown on Schedule "G"; or
 - (ii) Within 4.5 m (14.8 ft) of the easterly boundary of Parcel "A" as shown on Schedule "G"; or
 - (iii) Within 4.5 m (14.8 ft) of the westerly boundary of Parcel "A" as shown on Schedule "G".

(2) **Parcel “B”**

(a) No **building** or **structure** may be located:

- (i) Within 6.0 m (19.7 ft) of the northerly boundary of Parcel “B” as shown on Schedule “G”; or
- (ii) Within 0.0 m (0.0 ft) of the southerly boundary of Parcel “B” as shown on Schedule “G”; or
- (iii) Within 1.5 m (4.9 ft) of the easterly boundary of Parcel “B” as shown on Schedule “G”; or
- (iv) Within 1.5 m (4.9 ft) of the westerly boundary of Parcel “B” as shown on Schedule “G”.

6.91.05 Lot Coverage

- (1) **Lot coverage** of all **buildings** and **structures** may not exceed 38% of the **lot area** in Parcel “A” as shown on Schedule “G”.
- (2) **Lot coverage** of all **buildings** and **structures** may not exceed 50% of the **lot area** in Parcel “B” as shown on Schedule G..

6.91.06 Regulations for Use

Land **uses** within the various parcels defined on Schedule “G” shall have the following regulations for **use**:

- (1) No direct vehicular access from Parcels “A” and “B” shall be permitted onto Hull Road or Jenkins Avenue; and
- (2) A pedestrian linkage must be provided through Parcels “A” and “B” to Parcel “C”.

6.91.07 Minimum Parcel Requirement

(1) **Commercial Area – Parcel “A”**

- (a) No **lot** having a **lot area** less than 695.0 m² (7,480.9 ft²) may be created by subdivision.

(2) **Residential Areas – Parcel “B”**

- (a) No **lot** having a **lot area** less than 1,800.0 m² (19,375.0 ft²) may be created by subdivision; and
- (b) No **lot** having a **lot width** less than 18.0 m (59.1 ft) may be created by subdivision.

6.91.08 Subdivision – General

In the event of subdivision of Parcels “A” or “B”, the minimum **setback** requirement pertaining to parcel boundaries not coincident with the boundaries of Parcels “A” or “B” shall be zero and **buildings** located on any parcel boundary may have a **common wall**.

Section 6.92 – Comprehensive Development 3 – Westhills (CD3) Zone

The intent of the CD3 Zone is to accommodate a mix of residential, commercial and light industry to create a well-rounded community development.

6.92.01 Permitted Uses

- (1) Within that Portion of the lands identified as “Area 1 – Community Core”, on the CD3 Zone map attached as Schedule “L”, the following **uses** and no others are permitted:
 - (a) **Accessory buildings and structures**, subject to Section 3.05;
 - (b) **Apartment**;
 - (c) **Apartment, senior citizens**;
 - (d) **Artist or craftsperson studio**, in enclosed **buildings**;
 - (e) **Assisted living**;
 - (f) **Bakery**, not exceeding 350.0 m² (3,767.4 ft²) of **gross floor area**;
 - (g) **Business support service**;
 - (h) **Catering**;
 - (i) **Charitable facility**;
 - (j) **Community garden**;
 - (k) **Cultural facility**;
 - (l) **Dwelling, two-family**, subject to Section 3.07;
 - (m) **Equipment sales, service, repair and rental, minor**;
 - (n) **Film production studio**;
 - (o) **Financial institution**;
 - (p) **Fitness centre**;
 - (q) **Group daycare**, subject to Subsection 3.26.02 and limited to not more than 20 children on **lots** that are less than 1,394.0 m² (15,004.9 ft²) in **lot area** and not more than 36 children on **lots** that are greater than 1,394.0 m² (15,004.9 ft²) in **lot area** and, in the latter case only, on **lots** with at least 30.0 m (98.4 ft) of frontage;
 - (r) **Home occupation**, subject to Section 3.09;
 - (s) **Hospital**;
 - (t) **Hotel**;
 - (u) **Library**;

- (v) **Licensed premises;**
 - (w) **Medical Clinics** and accessory related commercials uses;
 - (x) **Office;**
 - (y) **Personal service establishment;**
 - (z) **Place of worship;**
 - (aa) **Recreation facility, indoor;**
 - (bb) **Recreation facility, outdoor;**
 - (cc) **Recycling depot;**
 - (dd) **Research and development facility;**
 - (ee) **Restaurant;**
 - (ff) **Retail store;**
 - (gg) **School;**
 - (hh) **Secondary suite** in a **townhouse**, subject to Section 3.08;
 - (ii) **Townhouse ;**
 - (jj) **Training and education facility;**
 - (kk) **Transportation terminal;**
 - (ll) **Uses accessory** to a **principal use** permitted in this Article;
 - (mm) **Uses** permitted by Section 3.01 of this Bylaw; and
 - (nn) **Veterinary practice**, in enclosed **buildings**.
- (2) Within those portions of the lands identified as “Area 2 – Single-Family Residential Area” on the CD3 Zone map attached as Schedule “L”, the following **uses** and no others are permitted:
- (a) **Accessory buildings** and **structures**, subject to Section 3.05;
 - (b) **Apartment;**
 - (c) **Apartment, senior citizens;**
 - (d) **Assisted living;**
 - (e) **Bed and breakfast** in **one-family dwellings** on **lots** of 550.0 m² (5,920.2 ft²) or greater in **lot area** and subject to Section 3.09;
 - (f) **Charitable facility;**

- (g) **Community garden;**
 - (h) **Cultural facility;**
 - (i) **Dwelling, one-family**, on lots with areas greater than or equal to 550m² (5,920ft²), which must have a secondary suite, garden suite, or carriage suite in accordance with Section 3.08;
 - (j) **Dwelling, one-family**, on lots with areas less than 550m² (5,920ft²) and greater than or equal to 300m² (3,229ft²), which may have a secondary suite or carriage suite in accordance with Section 3.08;
 - (k) **Dwelling, one-family**, on **lots** with **lot areas** less than 300.0 m² (3,229.2 ft²) which may contain a **secondary suite**, subject to Section 3.08;
 - (l) **Dwelling, two-family**, on **lots** with **lot areas** greater than 300.0 m² (3,229.2 ft²) and **lot widths** not less than 10.0 m (32.8 ft);
 - (m) **Fitness centre;**
 - (n) **Group daycare**, subject to Subsection 3.26.02 and limited to not more than 20 children on **lots** that are less than 1,394.0 m² (15,004.9 ft²) in **lot area** and not more than 36 children on **lots** that are greater than 1,394.0 m² (15,004.9 ft²) in **lot area** and, in the latter case, only on **lots** with at least 30.0 m (98.4 ft) of frontage;
 - (o) **Home occupation**, subject to Section 3.09;
 - (p) **Hospital;**
 - (q) **Place of worship;**
 - (r) **Recreation facility, indoor;**
 - (s) **Recreation facility, outdoor;**
 - (t) **School;**
 - (u) **Secondary suite in a townhouse;**
 - (v) The keeping of not more than four **boarders** in a **one-family dwelling**;
 - (w) **Townhouse;**
 - (x) **Uses accessory** to a **principal use** permitted in this Article; and
 - (y) **Uses** permitted by Section 3.01 of this Bylaw.
- (3) Within those portions of the lands identified as “Area 3 – Medium and High Density Multi-Family Residential Area” on the CD3 Zone Map attached as Schedule “L”, the following **uses** and no others are permitted:
- (a) **Accessory buildings and structures**, subject to Section 3.05;
 - (b) **Apartment;**

- (c) **Apartment, senior citizens;**
 - (d) **Assisted living;**
 - (e) **Charitable facility;**
 - (f) **Community garden;**
 - (g) **Cultural facility;**
 - (h) **Dwelling, two-family,** subject to Section 3.07;
 - (i) **Fitness centre,** as an **accessory use**;
 - (j) **Group daycare,** subject to Subsection 3.26.02 and limited to not more than 20 children on **lots** that are less than 1,394.0 m² (15,004.9 ft²) in **lot area** and not more than 36 children on **lots** that are greater than 1,394.0 m² (15,004.9 ft²) in **lot area** and, in the latter case, only on **lots** with 30.0 m (98.4 ft) of frontage;
 - (k) **Home occupation,** subject to Section 3.09;
 - (l) **Hospital;**
 - (m) **Place of worship;**
 - (n) **Recreation facility, indoor;**
 - (o) **Recreation facility, outdoor;**
 - (p) **School;**
 - (q) **Secondary suite** in a **townhouse**;
 - (r) **Townhouse;**
 - (s) **Uses accessory** to a **principal use** permitted in this Article; and
 - (t) **Uses** permitted by Section 3.01 of this Bylaw.
- (4) Within those portions of the lands identified as “Area 4 – Non-Core Related Mixed Use Nodes” on the CD3 Zone map attached as Schedule “L”, the following **uses** and no others are permitted:
- (a) **Accessory buildings and structures,** subject to Section 3.05;
 - (b) **Apartment;**
 - (c) **Artist or craftsperson studio,** in enclosed **buildings**;
 - (d) **Assisted living;**
 - (e) **Bakery,** not exceeding 200.0 m² (2,152.8 ft²) of **gross floor area**;
 - (f) **Business support service;**

- (g) **Charitable facility;**
 - (h) **Community garden;**
 - (i) **Cultural facility;**
 - (j) **Fitness centre;**
 - (k) **Home occupation,** subject to Section 3.09;
 - (l) **Hospital;**
 - (m) **Hotel;**
 - (n) **Medical Clinics** and accessory related commercial uses;
 - (o) **Office;**
 - (p) **Place of worship;**
 - (q) **Recreation facility, indoor;**
 - (r) **Recreation facility, outdoor;**
 - (s) **Restaurant ;**
 - (t) **Retail store;**
 - (u) **School;**
 - (v) **Secondary suite in a townhouse;**
 - (w) **Townhouse;**
 - (x) **Uses accessory** to a **principal use** permitted in this Article; and
 - (y) **Uses** permitted by Section 3.01 of this Bylaw.
- (5) Within those portions of the lands identified as “Area 5 – Langford Lake Foreshore” on the CD3 Zone map attached as Schedule “L”, the following **uses** and no others are permitted:
- (a) **Accessory buildings and structures,** subject to Section 3.05;
 - (b) **Community garden;**
 - (c) **Licensed premises;**
 - (d) **Marina;**
 - (e) **Recreation facility, indoor;**
 - (f) **Recreation facility, outdoor;**
 - (g) **Restaurant ;**

- (h) **Uses accessory** to a **principal use** permitted in this Article; and
 - (i) **Uses** permitted by Section 3.01 of this Bylaw.
- (6) Within those portions of the lands identified as “Area 6 – Business Park” on the CD3 Zone map attached as Schedule “L”, the following **uses** and no others are permitted:
- (a) **Accessory buildings and structures**, subject to Section 3.05;
 - (b) **Bakery**;
 - (c) **Building and lumber supply store**;
 - (d) **Business support service**;
 - (e) Carpentry shop;
 - (f) **Commercial nursery and greenhouse**;
 - (g) **Contractor service**;
 - (h) **Electronics sales, service and manufacturing**;
 - (i) **Equipment sales, service, repair and rental, minor**;
 - (j) **Film production studio**;
 - (k) **Fitness centre**;
 - (l) **Household equipment and appliance service and repair**;
 - (m) **Industrial use, light**;
 - (n) **Medical Clinics** and accessory related commercials uses;
 - (o) **Mini-storage facility**;
 - (p) **Office**;
 - (q) **Recreation facility, indoor**, with a **gross floor area** of 1,395.0 m² (15,015.7 ft²);
 - (r) **Recycling facility**;
 - (s) Rental of goods and equipment, excluding **automobiles, large automobiles** and **recreational vehicles**;
 - (t) **Research and development facility**;
 - (u) **Retail store**, as an **accessory use** limited to a maximum of 10% of the **gross floor area** occupied by a business;
 - (v) **Uses accessory** to a **principal use** permitted in this Article;
 - (w) **Uses** permitted by Section 3.01 of this Bylaw; and

- (x) **Warehouse.**

6.92.02 Accessory Utility Uses

In addition to the **uses** permitted in Subsection 3.01.01 of this Bylaw, the following **uses** are permitted as **accessory uses** to any of the **uses** defined in Subsection 3.01.01 within the CD3 Zone:

- (1) Storage **buildings** and **unenclosed storage**;
- (2) Works yards; and
- (3) One **caretaker dwelling unit**.

6.92.03 Subdivision Lot Requirements

- (1) No **lot** having a **lot area** less than 200.0 m² (2,152.8 ft²) may be created by subdivision.
- (2) No **lot** having a **lot width** less than 9.5 m (31.2 ft) may be created by subdivision.
- (3) No **lot** having a **lot area** greater than, or equal to 550.0 m² (5,920.2 ft²) may be created by subdivision having a **lot width** less than 10.0 m (32.8 ft).
- (4) No Lot having a **building envelope** width or depth less than 7.0 m (23.0 ft) nor a **building envelope** area less than 93.0 m² (1,001.0 ft²) may be created by subdivision.
- (5) No **lot** having a **lot area** greater than or equal to 550.0 m² (5,920.2 ft²) may be created by subdivision having a **building envelope** area less than 186.0 m² (2,002.1 ft²).
- (6) Despite Articles 6.92.03(1) to (5), a **lot** having a **lot area** of no less than 70.0 m² (753.5 ft²) and a **lot width** no less than 4.0 m (13.1 ft) may be created by subdivision for a **townhouse use**.
- (7) Land in the CD3 Zone shall not be subdivided unless the density regulations for the Zone are made applicable to the individual parcels created, either by means of amendment of this Bylaw or by means of a covenant registered under Section 219 of the *Land Title Act*, such that the density limits in Subsection 6.92.04 cannot be exceeded in the development of the Zone as a whole.

6.92.04 Density of Development on Individual Lots

There may not be more than one **dwelling unit**, exclusive of any **secondary suite, garden suite, or carriage suite** on a **lot** with a **lot area** less than 750m² (8,072.9 ft²).

6.92.05 Density of Development in the CD3 Zone

- (1) There may not be more than 100 **dwelling units** and 2,000.0 m² (21,527.8 ft²) of non-residential **gross floor area** in the CD3 Zone, of which not more than 200.0 m² (2,152.8ft²) of non-residential **gross floor area** may be within the area identified as "Area 5 – Langford Lake Foreshore" on the CD3 Zone map attached as Schedule "L".
- (2) Despite Article 6.92.05(1), land in the CD3 Zone may be developed for more than 100 but not more than 500 **dwelling units** and for more than 2,000.0 m² (21,527.8 ft²) of non-residential **gross floor area** of which more than 200.0 m² (2,152.8 ft²) may be within the

area identified as “Area 5 – Langford Lake Foreshore” on the CD3 Zone map attached as Schedule “L” if the owner of the land proposed to be built upon has:

- (a) Constructed, in accordance with plans approved by the City Council, a water feature and a public amphitheatre having an aggregate construction value certified by a professional engineer of at least \$500,000, in the commons area of the community core, prior to the construction of adjacent **buildings**;
 - (b) Provided, in accordance with plans approved by the City Council, a public pier and park **abutting** Langford Lake having an aggregate construction value certified by a professional engineer of at least \$250,000;
 - (c) Entered into a housing agreement with the City of Langford, in respect to at least 150 **dwelling units** in the CD3 Zone, limiting the **dwelling units** to rental tenure in perpetuity, and requiring that the rental **dwelling units** are constructed within a period of six years from the date of adoption of Langford Zoning Bylaw, Amendment No. 212 (Text Amendment – CD3 [Comprehensive Development 3 – Westhills], 2007; and
 - (d) Made, or entered into an agreement with the City of Langford to provide the following contributions according to the following schedule to the City of Langford’s amenity fund for Westhills;
 - (i) \$300,000 payable 60 days from the date of adoption of Langford Zoning Bylaw, Amendment No. 212 (Text Amendment – CD3 [Comprehensive Development 3 – Westhills], 2007;
 - (ii) \$600,000 payable 150 days from the date of adoption of Langford Zoning Bylaw, Amendment No. 212 (Text Amendment – CD3 [Comprehensive Development 3 – Westhills], 2007;
 - (iii) \$600,000 payable 365 days from the date of adoption of Langford Zoning Bylaw, Amendment No. 212 (Text Amendment – CD3 [Comprehensive Development 3 – Westhills], 2007.
- (3) Despite Articles 6.92.05(1) and (2), development in the CD3 Zone may exceed 500 **dwelling units** if the owner of the land proposed to be built upon has:
- (a) Entered into a parkland dedication agreement, satisfactory to City Council, whereby 40% of the lands within the CD3 Zone are preserved as public open space comprising land that has been dedicated and land that is to be dedicated as parkland concurrent with the subdivision of the land of which the parkland forms a part, regardless of the number or **lot area** of parcels being created by the subdivision and that the area described in Clauses 6.92.05(2)(i) and (ii) may be included in the calculation of 40% of the lands; and
 - (b) Provided \$1 million to the City of Langford to be used towards rail-based transit serving the CD3 Zone, to be held in trust by the City until such time as a rail-based transit service is established. If this service has not been created by December 31, 2013 to be deposited with accumulated interest to the City of Langford amenity fund for Westhills and road improvements south of the TransCanada Highway.

- (4) Provided that all of the density bonus provisions of Subsection 6.92.05 have been met, the maximum density of development within the CD3 Zone is as follows:
- (a) Within “Area 1”:
 - (i) The **floor area ratio** may not be less than 1.0; and
 - (ii) The **floor area ratio** may not exceed 6.0.
 - (b) Within “Area 4”:
 - (i) The non-residential **gross floor area** may not exceed 6,000.0 m² (64,583.5 ft²); and
 - (ii) The number of **hotel** rooms may not exceed 250, in addition to the non-residential **gross floor area** described in Clause 6.92.05(4)(b)(i).
 - (c) Within “Area 5”, the **gross floor area** may not exceed 650.0 m² (6,996.5 ft²).
- (5) Under no circumstances may the number of **one-family dwellings** in the CD3 Zone exceed 1500, whether or not the dwellings have **secondary suites**, garden suites, or carriages suites, nor be less than 850 when the maximum density permitted in Subsection 6.92.05(6) has been achieved.
- (6) Under no circumstance may the total number of **dwelling units** other than **secondary suites, garden suites, or carriage suites** within Areas “2”, “3”, “4”, and “5” of the CD3 Zone exceed 5,950.
- (7) In this Section, “non-residential **gross floor area**” means **gross floor area** for the **uses** permitted in the CD3 Zone other than **apartment, senior citizens apartments, one-family dwellings** with **secondary suites**, garden suites or carriages suites, **one-family dwellings, townhouses, and two-family dwellings**.

6.92.06 Lot Coverage

Within “Area 6”, the **lot coverage** of all **buildings** and **structures** may not exceed 50%.

6.92.07 Height and Size of Principal Use Buildings

Within “Area 6”, no **building** or **structure** may exceed a **height** of 12.0 m (39.4 ft).

6.92.08 Setbacks

Within “Area 6”, no **building** or **structure** may be located:

- (1) Within 7.5 m (24.6 ft) of any **front lot line**; or
- (2) Within 6.0 m (19.7 ft) of any **interior side lot line** that does not **abut** a **lot** in a **Commercial, Industrial or Business Park Zone**; or
- (3) Within 0.0 m (0.0 ft) of one **interior side lot line** if the **lot line abuts** a **lot** in a **Commercial, Industrial, or Business Park Zone**, provided, however, that the sum of the **setbacks** from any two **side lot lines** is not less than 6.0 m (19.7 ft); or

- (4) Within 10.0 m (32.8 ft) of any **rear lot line** except that the **setback** from a **rear lot line** that **abuts** a **lot** in a **Commercial, Industrial, or Business Park Zone** may be reduced to nil; or
- (5) Within 6.0 m (19.7 ft) of any **exterior side lot line**.

6.92.09 Landscape Screening

In addition to the regulations contained in Section 3.21 of this Bylaw, the following requirements apply to landscape screening in the CD3 Zone:

- (1) A continuous **landscape and screening area** not less than 3.0 m (9.8 ft) wide, or a continuous **landscape and screening area** not less than 2.5 m (8.2 ft) in width containing a decorative fence not less than 1.8 m (5.9 ft) in **height** together with decorative planting, must be provided along the developed portion of each **lot** in “Area 6” which **abuts** a **highway** or a property in an **Agricultural, Residential, or Institutional Zone** other than the CD3 Zone. This **landscape and screening area** may be interrupted at boulevard crossings, or to provide necessary pedestrian access to a **building** or for viewing shop windows. The width of the **landscape and screening area** may also include the width of a planted boulevard.

Section 6.93 – Comprehensive Development 4 – Olympic View (CD4) Zone

The intent of the CD4 Zone is to accommodate a mix of residential and recreation based commercial to create a well-rounded community development.

6.93.01 Permitted Uses

The following **uses** and no others are permitted in the CD4 Zone:

- (1) Within that portion of the lands identified as Area “1” on the CD4 Zone Map attached as Schedule “H”:
 - (a) **Accessory buildings and structures**, subject to Section 3.05;
 - (b) **Apartment**;
 - (c) **Bakery**, not exceeding 200.0 m² (2,152.8 ft²) in **gross floor area**;
 - (d) **Business support service**;
 - (e) **Charitable facility**;
 - (f) **Community care facility**;
 - (g) **Community garden**;
 - (h) **Cultural facility**;
 - (i) **Golf course**;
 - (j) **Golf course, miniature**;
 - (k) **Golf driving range**;
 - (l) **Home office**, subject to Section 3.09;
 - (m) **Hotel**;
 - (n) **Licensed premises**;
 - (o) **Medical Clinics** and accessory related commercial uses;
 - (p) **Office**;
 - (q) **Personal service establishment**;
 - (r) **Recreation facility, indoor**;
 - (s) **Recreation facility, outdoor**;
 - (t) **Restaurant** ;

- (u) **Retail store;**
 - (v) **Townhouse ;**
 - (w) **Uses accessory** to a **principal use** permitted in this Article; and
 - (x) **Uses** permitted by Section 3.01 of this Bylaw.
- (2) Within that portion of the lands identified as Area “2” on the CD4 Zone Map attached as Schedule “H”:
- (a) **Accessory buildings and structures**, subject to Section 3.05;
 - (b) **Bed and breakfast** in a **one-family dwelling** subject to Section 3.09;
 - (c) **Community garden;**
 - (d) **Dwelling, one-family;**
 - (e) **Dwelling, two-family**, subject to Section 3.07;
 - (f) **Golf course;**
 - (g) **Golf course, miniature;**
 - (h) **Golf driving range;**
 - (i) **Home office**, subject to Section 3.09;
 - (j) **Secondary suite** in a **one-family dwelling**, subject to Section 3.08;
 - (k) **Townhouse ;**
 - (l) **Uses accessory** to a **principal use** permitted in this Article; and
 - (m) **Uses** permitted by Section 3.01 of this Bylaw.

6.93.02 Subdivision Lot Requirements

- (1) Within that portion of the lands identified as Area “1” on the CD4 Zone Map attached as Schedule “H”, no **lot** having a **lot area** less than 695.0 m² (7,480.9 ft²) may be created by subdivision.
- (2) Within that portion of the lands identified as Area “1” on the CD4 Zone Map attached as Schedule “H”, no **lot** having a **lot width** less than 16.0 m (52.5 ft) may be created by subdivision.
- (3) Within that portion of the lands identified as Area “2” on the CD4 Zone Map attached as Schedule “H”, no **lot** having a **lot area** less than 500.0 m² (5,382.0 ft²) may be created by subdivision.
- (4) Within that portion of the lands identified as Area “2” on the CD4 Zone Map attached as Schedule “H”, no **lot** having a **lot width** less than 15.0 m (49.2 ft) may be created by subdivision.

- (5) Within that portion of the lands identified as Area “2” on the CD4 Zone Map attached as Schedule “H”, no **lot** having a **building envelope** with a width or depth less than 7.0 m (23.0 ft) nor an area less than 186.0 m² (2,002.1 ft²) may be created by subdivision.

6.93.03 Density of Development

- (1) Despite any regulations in this Section, the maximum number of **dwelling units** permitted in the CD4 Zone is 461.
- (2) Despite any other regulations in this Section, the maximum number of **hotel** rooms permitted within that portion of the lands identified as Area “1” on the CD4 Zone Map attached as Schedule “H” is 120.
- (3) The maximum **gross floor area** for retail **use** within that portion of the lands identified as Area “1” on the CD4 Zone Map attached as Schedule “H”, shall not exceed 2,250.0 m² (24,218.8 ft²).

6.93.04 Regulations for Two-Family Dwelling Use

- (1) In addition to the other regulations in this Section, the regulations that apply to **two-family dwellings** within that portion of the lands identified as Area “2” on the CD4 Zone Map attached as Schedule “H”, shall be as follows:
 - (a) **Two-family dwellings** are prohibited on **panhandle lots**; and
 - (b) The **lot area** may not be less than 80.00 m² (8,611.1 ft²).
- (2) Despite Article 6.93.04(1), there may be two **residential buildings** on a **lot** if the **lot area** is not less than 800.0 m² (8,611.1 ft²), and not greater than 999.0 m² (10,753.2 ft²).

6.93.05 Regulations for Multi-Family Dwelling Use

In addition to the other regulations in this Section, the **lot area** for a **townhouse** within that portion of the lands identified as Area “2” on the CD4 Zone Map attached as Schedule “H”, be not less than 1,800.0 m² (0.5 ac).

6.93.06 Lot Coverage

- (1) **Lot coverage** within the area identified as Area “1” on the CD4 Zone Map attached as Schedule “H” shall not exceed 80%.
- (2) **Lot coverage** within the area identified as Area “2” on the CD4 Zone Map attached as Schedule “H” shall not exceed 35%.

6.93.07 Height, Location, and Size of Principal Use Buildings

- (1) Within the area identified as Area “1” on the CD4 Zone Map attached as Schedule “H”, no **principal building** or **structure** shall exceed a **height** of 9.0 m (29.5 ft) or two storeys.
- (2) Despite Article 6.93.07(1), no **principal building** or **structure** for an **office** or **apartment use** within the area identified as Area “1” on the CD4 Zone Map attached as Schedule “H”, shall exceed a **height** of 12.0 m (39.4 ft) or three storeys.

- (3) Despite Article 6.93.07(1), no **principal building** or **structure** for a **hotel use** within the area identified as Area “1” on the CD4 Zone Map attached as Schedule “H”, shall exceed a **height** of 24.0 m (78.7 ft) or six storeys.
- (4) Within the area identified as Area “2” on the CD4 Zone Map attached as Schedule “H”, no **principal building** or **structure** shall exceed a **height** of 9.0 m (29.5 ft).

6.93.08 Setbacks

- (1) Within that portion of the lands identified as Area “1” on the CD4 Zone Map attached as Schedule “H”, no **building** or **structure** may be located:
 - (a) Within 6.0 m (19.7 ft) of any **front lot line** or **exterior side lot line**; or
 - (b) Within 3.0 m (9.8 ft) of any **interior side lot line**; or
 - (c) Within 4.5 m (14.8 ft) of any **rear lot line**.
- (2) Despite any other provision of this Section, and within that portion of the lands identified as Area “1” on the CD4 Zone Map attached as Schedule “H”, a **building** or **structure** that is wholly underground and used for parking may be located within 0.0 m (0.0 ft) of any **lot line**.
- (3) Within that portion of the lands identified as Area “2” on the CD4 Zone Map attached as Schedule “H”, no **one-family dwelling** or **two-family dwelling** may be located:
 - (a) Within 6.0 m (19.7 ft) of any **front lot line**; or
 - (b) Within 1.5 m (4.9 ft) of any **interior side lot line**; or
 - (c) Within 4.5 m (14.8 ft) of any **exterior side lot line**, except that no **garage** or **carport** whose vehicle access crosses an **exterior side lot line** may be located within 5.5 m (18.0 ft) of the **exterior side lot line**; or
 - (d) Within 4.5 m (14.8 ft) of any **rear lot line**.
- (4) Within that portion of the lands identified as Area “2” on the CD4 Zone Map attached as Schedule “H”, no **townhouse** may be located:
 - (a) Within 6.0 m (19.7 ft) of any **front lot line**; or
 - (b) Within 4.5 m (14.8 ft) of any **rear lot line**; and
 - (c) Within 3.0 m (9.8 ft) of any **side lot line**, except that no **garage** or **carport** whose vehicle access crosses an **exterior side lot line** may be located within 5.5 m (18.0 ft) of the **exterior side lot line**.
- (5) Despite any other provision of this **section**, and within that portion of the lands identified as Area “2” on the CD4 Zone Map attached as Schedule “H”, a **townhouse** may be located within 0.0 m (0.0 ft) of any **interior side lot line**, provided that the **lot** is within a comprehensive development of at least four contiguous **lots** where the **buildings** are separated by a minimum of 3.0 m (9.8 ft).

6.93.09 Open Space and Landscape Screening

In addition to the regulations contained in Section 3.21 of this Bylaw, the following requirements apply to landscape screening in the CD4 Zone:

- (1) Parking areas shall be screened from any **abutting** commercial **use** by a landscape screen not less than 3.0 m (9.8 ft) in width;
- (2) Parking areas shall be screened from any **abutting** residential or multi-family **use** by a landscaped screen of not less than 1.8 m (5.9 ft) in **height** at the time of planting;
- (3) Landscaping in the form of grass, shrubs, ground cover, native plant communities, plants, trees, and/or flowers shall be maintained in a total of not less than 10% of the **lot area**;
- (4) All areas of the **lot** not covered by **buildings**, parking or **structures** shall maximize retention of native planting;
- (5) The general location of open space within this Zone is illustrated on the CD4 Zone Map attached as Schedule "H"; and
- (6) Open space shall consist of a combination of public areas, private areas and boundary setbacks, and shall constitute not less than 15% of the total area encompassed by the CD4 Zone.

Section 6.95 – Resort Community of Bear Mountain 1 Zone (RCBM1)

The intent of the RCBM1 Zone is to accommodate primarily residential with some commercial uses.

6.95.01 Permitted Uses

The following **uses** and no others are permitted in the RCBM1 Zone:

- (1) Within that portion of the lands identified as Area “1” on the RCBM1 Zone Map attached as Schedule “O”:
 - (a) **Accessory buildings and structures**, subject to Section 3.05;
 - (b) **Apartment**;
 - (c) **Assisted living**;
 - (d) **Bakery**, not exceeding 200.0 m² (2,152.8 ft²) of **gross floor** ;
 - (e) **Bed and breakfast** in a **one-family dwelling**, on **lots** of 550.0 m² (5,920.2 ft²) or greater in **lot area** and subject to Section 3.09;
 - (f) **Business support service**;
 - (g) **Charitable facility**;
 - (h) **Community garden**;
 - (i) **Cultural facility**, excluding a movie theatre;
 - (j) **Dwelling, one-family**;
 - (k) **Dwelling, two-family**, subject to Section 3.07;
 - (l) **Financial institution**;
 - (m) **Golf course**;
 - (n) **Golf course, miniature**;
 - (o) **Golf driving range**;
 - (p) **Group daycare**, subject to Subsection 3.26.02;
 - (q) **Home occupation**, subject to Section 3.09;
 - (r) **Hospital**;
 - (s) **Hotel**;
 - (t) **Licensed premises**;
 - (u) **Medical Clinics** and accessory related commercial uses;

- (v) **Mini-storage facility**, on the property legally described as Lot 9, Section 82, Highland District, Plan VIP76365 (2020 Country Club Way) only;
 - (w) **Office**;
 - (x) **Parking facility**;
 - (y) **Personal service establishment**;
 - (z) **Place of worship**;
 - (aa) **Recreation facility, indoor**;
 - (bb) **Recreation facility, outdoor**;
 - (cc) **Restaurant** ;
 - (dd) Retail sale and rental of mountain bikes and scooters;
 - (ee) **Retail store**;
 - (ff) **Schools**;
 - (gg) **Townhouse** ;
 - (hh) **Uses accessory** to a **principal use** permitted in this Article; and
 - (ii) **Uses** permitted by Section 3.01 of this Bylaw.
- (2) Within that portion of the lands identified as Area “2” on the RCBM1 Zone Map attached as Schedule “O”:
- (a) **Accessory buildings and structures**;
 - (b) **Apartment**, limited to a maximum of three **dwelling units**;
 - (c) **Community garden**;
 - (d) **Dwelling, one-family**;
 - (e) **Dwelling, two-family**, subject to Section 3.07;
 - (f) **Home occupation**, subject to Section 3.09;
 - (g) **Preschool**, as an **accessory use** to a **school**;
 - (h) **Recreation facility, indoor**;
 - (i) **Recreation facility, outdoor**;
 - (j) Ronald McDonald House or similar use providing accommodation for the relatives of seriously ill children;
 - (k) **School**;

- (l) **Secondary suite** in a **one-family dwelling**, subject to Section 3.08;
 - (m) **Townhouse**, on the property legally described as Lot 1, Section 2, Range 4W, Highland District, Plan VIP83430 (2332 Copper Rock Crt) only;
 - (n) **Uses accessory** to a **principal use** permitted in this Article; and
 - (o) **Uses** permitted by Section 3.01 of this Bylaw.
 - (p) **Townhouses**, on the property legally described as Lot 2, Section 1, Range 4W, Highland District, Plan VIP83411 (See plan as to limited access), PID No. 027-170-829 (2500 Echo Valley Drive), subject to Section 6.95.04(9).
- (3) Within that portion of the lands identified as Areas “3A”, “3B” and “3C” on the RCBM1 Zone Map attached as Schedule “O”:
- (a) **Accessory buildings and structures**, subject to Section 3.05;
 - (b) **Apartment**;
 - (c) **Community garden**;
 - (d) **Dwelling, one-family**;
 - (e) **Dwelling, two-family**, subject to Section 3.07;
 - (f) **Home occupation**, subject to Section 3.09;
 - (g) **Secondary suite** in a **one-family dwelling**, subject to Section 3.08;
 - (h) **Townhouse**;
 - (i) **Uses accessory** to a **principal use** permitted in this Article; and
 - (j) **Uses** permitted by Section 3.01 of this Bylaw.
- (4) Within that portion of the lands identified as Area “3C” on the RCBM1 zone Map attached as Schedule “O”:
- (a) **Accessory buildings and structures**, subject to Section 3.05;
 - (b) All of the **uses** permitted by Section 6.95.01(3);
 - (c) **Uses accessory** to a **principal use** permitted in this Article;
 - (d) **Uses** permitted by Section 3.01 of this Bylaw;
 - (e) **Viniculture**;
 - (f) **Winery**; and

- (g) Where a minimum of 100 **dwelling units** are proposed within a single development:
 - (i) **Fitness centre**;
 - (ii) **Personal service establishment**;
 - (iii) **Restaurant**, not exceeding 929.0 m² (9,999.7 ft²) in **gross floor area**; and
 - (iv) **Retail store**, with each store not exceeding 200.0 m² (2,152.8 ft²) in **gross floor area**.
- (5) Within that portion of the lands identified as Area “4” on the RCBM1 Zone Map attached as Schedule “O”:
 - (a) Ronald McDonald House or similar Use providing accommodation for the relatives of seriously ill children.
- (6) Within that portion of the lands identified as Area “5” on the RCBM1 Zone Map attached as Schedule “O”:
 - (a) **Accessory buildings and structures**, subject to Section 3.05;
 - (b) **Uses accessory** to a **principal use** permitted in this Article;
 - (c) **Uses** permitted by Section 3.01 of this Bylaw;
 - (d) **Viniculture**; and
 - (e) **Winery**.
- (7) Within that portion of the lands identified as Area “6” on the RCBM1 Zone Map attached as Schedule “O”:
 - (a) **Accessory buildings and structures**, subject to Section 3.05;
 - (b) **Community garden**;
 - (c) **Dwelling, one-family**;
 - (d) **Home occupation**, subject to Section 3.09;
 - (e) **Secondary suite** in a **one-family dwelling**, subject to Section 3.08;
 - (f) The keeping of not more than four **boarders** in a **one-family dwelling**;
 - (g) **Uses accessory** to a **principal use** permitted in this Article; and
 - (h) **Uses** permitted by Section 3.01 of this Bylaw.

6.95.02 Subdivision Lot Requirements

- (1) No **panhandle lots** may be created by subdivision.
- (2) No **lot** having a **lot area** less than 550.0 m² (5,920.2 ft²) may be created by subdivision..

- (3) No **lot** having a **lot width** less than 16.0 m (52.5 ft) may be created by subdivision, unless access to the **lot** is provided by way of a rear access route.
- (4) No **lot** for a **residential use** having a **building envelope** width or depth less than 7.0 m (23.0 ft) nor a **building envelope** area less than 186.0 m² (2,002.1 ft²) may be created by subdivision.
- (5) The minimum **lot area** for **two-family dwellings** and **apartment buildings** with a maximum of three **dwelling units** are as follows:
 - (a) 835.0 m² (8,987.9 ft²) for a **two-family dwelling**; and
 - (b) 1,000.0 m² (10,763.9 ft²) for an **apartment** with a maximum of three **dwelling units**.
- (6) Despite Article 6.95.02(2), a **lot** having a **lot area** less than 550.0 m² (5,920.2 ft²) and not less than 370.0 m² (3,982.7 ft²) may be created by subdivision for a **one-family dwelling**, provided that:
 - (a) The **lot width** is not less than 12.0 m (39.4 ft); and
 - (b) The **building envelope** on the **lot** created has a width and depth of at least 7.0 m (23.0 ft).
- (7) No **lot** having a **lot area** less than 900.0 m² (9,687.5 ft²) may be used for a commercial, **townhouse** or **apartment use**.
- (8) No **lot** having a **lot area** less than 695.0 m² (7,480.9 ft²) may be used for an institutional **use**.

6.95.03 Density of Development on Individual Lots

- (1) There may not be more than one **residential building** on a **lot**.
- (2) Despite Article 6.95.03(1), there may be two **residential buildings** on a **corner lot** having a **lot area** of not less than 835.0 m² (8,987.9 ft²), if each of the **buildings** has its entrance facing a street.
- (3) Despite Article 6.95.03(1), an **accessory building** containing a **dwelling unit** may be constructed on a **lot** with a **lot area** of not less than 1,000.0 m² (10,763.9 ft²), if the **gross floor area** of the **dwelling unit** in the **accessory building** does not exceed 74.0 m² (796.5 ft²) and the **dwelling unit** is located entirely on either the ground floor or the second floor of the **accessory building**.
- (4) Despite Article 6.95.03(1), there may be more than one **residential building** on a **lot** if all of the **residential buildings** on the **lot** are of the same type, being , **townhouses**, **two-family dwellings** or **apartment buildings**. The density of **townhouse** and **two-family dwellings** may not exceed one **dwelling unit** per 285.0 m² (3,067.7 ft²) of **lot area**.
- (5) The **floor area ratio** of a **building** for an **apartment** or combined **apartment** and commercial **use** may not exceed 3.0, unless 95% of the required off-street parking is provided underground or within a **building**, in which case it may not exceed 7.0. The **floor area ratio** of a **building** for a commercial **use** may not exceed 7.0.

6.95.04 Density of Development in the RCBM1 Zone

- (1) There may not be more than 150 **dwelling units** within that portion of the lands identified as Area “1” on the RCBM1 Zone Map attached as Schedule “O”, nor more than 25 **dwelling units** within that portion of the lands identified as Area “2”, Area “3A”, Area “3B”, or Area “3C” on the RCBM1 Zone Map attached as Schedule “O”.
- (2) Despite Article 6.95.04(1), the number of **dwelling units** in the RCBM1 Zone may exceed 150 **dwelling units** within that portion of the lands identified as Area “1” on the RCBM1 Zone Map attached as Schedule “O”, and 25 **dwelling units** within that portion of the lands identified as Area “2”, Area “3A”, Area “3B”, or Area “3C” if the applicant for a building permit provides to the City:
 - (a) \$500 per additional **dwelling unit** other than **secondary suites** and **dwelling units** permitted under Article 6.95.03(3), to be held in a reserve fund and used for affordable housing;
 - (b) \$1,500 per additional dwelling unit other than secondary suites and dwelling units permitted under Article 6.95.03(3), to be held in a reserve fund and used for parks and recreation, and only until such time as the combined contribution made towards a parks and recreation reserve fund and a general amenity reserve fund in respect of development in the RCBM1 Zone totals \$2,500,000;
 - (c) \$500 per additional **dwelling unit** other than **secondary suites** and **dwelling units** permitted under Article 6.95.03(3), to be held in a reserve fund and used for general amenity purposes and only until such time as the combined contribution made towards a parks and recreation reserve fund and a general amenity reserve fund in respect of development in the RCBM1 Zone totals \$2,500,000;and grants, or causes to be granted to the City:
 - (d) A covenant charging the land in the RCBM1 Zone, in terms satisfactory to the City, ensuring that 3.9 ha (9.5 ac) of land in the RCBM1 Zone will, at a time specified by the City, be transferred to the City at no cost, for community amenity purposes (such as park, sports fields, schools, or other civic uses); and
 - (e) A covenant charging the land in the RCBM1 Zone, in terms satisfactory to the City, ensuring that park land in an amount equal to at least 24.6% of the land area within the RCBM1 Zone, and in a location satisfactory to the City, and including at least 12.2 ha (30.1 ac) of land at 1321 Parkdale Drive, inclusive of any area dedicated under Section 941 of the *Land Government Act* and amenity lands as described in Clause 6.95.04(2)(d), is dedicated to the City at a time specified by the City; and
 - (f) A covenant charging the land in the RCBM1 Zone, in terms satisfactory to the City, ensuring that an area at a location satisfactory to the City is transferred to the City as a fire hall site upon registration of a subdivision of the portion of the RCBM1 Zone in which that area is located.
- (3) Despite Articles 6.95.04(1) and 6.95.04(2), there may not be more than 15 **dwelling units** within that portion of the lands identified as Area “6” on the RCBM1 Zone Map attached as Schedule “O” exceed 15.

- (a) Despite Article 6.95.04 (3), there may be more than 15 **dwelling units** within that portion of the lands identified as Area “6” on the RCBM1 Zone Map attached as Schedule “O” if the owner of the land proposed to be developed pays to the City \$7,500 per Lot created in excess of 15 towards the General Amenity Reserve Fund for Taxation Stabilization.
- (4) A maximum of one dwelling unit may be developed on the property legally described as Lot 2, Section 1, Range 4w, Highland District, Plan VIP83411 (See Plan as to limited access), PID No. 027-170-829 (2500 Echo Valley Drive).
- (5) Despite Section 6.95.04(4), more than one but no more than 175 dwelling units may be developed on the property legally described as Lot 2, Section 1, Range 4W, Highland District, Plan VIP83411 (See Plan as to limited access), PID No. 027-170-829 (2500 Echo Valley Drive) if the owner of the land or applicant for a building permit:
 - (a) Provides \$3,667 per Single Family Equivalent (SFE) to the City’s General Amenity Reserve Fund; and
 - (b) Provides the amenity contributions noted in Section 6.95.04(2) above.
- (6) Under no circumstance may the total number of **dwelling units** within the RCBM1 Zone exceed 5,000, exclusive of **secondary suites** and **dwelling units** permitted under Article 6.95.03(3).
- (7) For the purposes of Articles 6.95.04(2) and (3), a commercial **building** shall be deemed to be one **dwelling unit**.
- (8) For the purposes of Articles 6.95.04(2) through (4), **hotels** and care facilities are deemed to be commercial **buildings**.
- (9) For the purposes of Clauses 6.95.04(2)(a), (b), and (c), **townhouse** or **apartment** type **dwelling unit** are deemed equivalent to 0.57 **dwelling units**.
- (10) Under no circumstances may the total **gross floor area** of commercial **uses**, including any **golf course buildings**, clubhouse, **hotel**, or adult care facilities, in the RCBM1 Zone exceed 60,000.0 m² (645,834.6 ft²).

6.95.05 Regulations for Accessory Buildings

Despite any other regulations in this Bylaw, **accessory buildings** on lots that **abut a golf course** must be situated within the side yard or front yard, and must not be situated closer to the **front lot line** than the required front yard **setback** for the **principal building**.

6.95.06 Regulations for Two- and Three-family Dwelling Use

Two-family dwellings and **apartments** with a maximum of three **dwelling units** may only be located on **corner lots**.

6.95.07 General Regulations for Use

- (1) No **building** that has a mix of **residential uses** and commercial **uses** may have any **residential uses** on the ground floor, unless the **residential uses** are situated to the rear of the commercial **uses** on the ground floor.
- (2) A minimum of one fully enclosed parking space, provided either within a **principal building**, or within an **accessory building**, is required in conjunction with any **one-family dwelling**.

6.95.08 Height and Size of Principal Use Buildings

- (1) No **one-family dwelling**, **two-family dwelling**, **townhouse** or **apartment** with a maximum of three **dwelling units** may exceed a **height** of 9.0 m (29.5 ft).
- (2) Within that portion of the lands identified as “Area 3A” on the RCBM1 Zone Map attached as Schedule “O”, no **building** or **structure** may exceed a **height** of three storeys (exclusive of wholly non-residential storeys provided as parking).
- (3) Within that portion of the lands identified as “Area 3B” on the RCBM1 Zone Map attached as Schedule “O”, no **building** or **structure** may exceed a **height** of 10 storeys (exclusive of wholly non-residential storeys provided as parking).

6.95.09 Setbacks

Golf Course Lots

- (1) On residential **lots** that **abut** a **golf course**, no **principal building** or **structure** may be located:
 - (a) Within 7.5 m (24.6 ft) from any **front lot line**; or
 - (b) Within 7.5 m (24.6 ft) from any **rear lot line**; or
 - (c) Within 6.0 m (19.7 ft) from any **exterior side lot line**; or
 - (d) Within 3.0 m (9.8 ft) of any **interior side lot line** not **abutting** a **golf course**; or
 - (e) Within 10.0 m (32.8 ft) of any **lot line abutting** a **golf course**.

Estate Residential Lots

- (2) On residential **lots** with **lot areas** greater than 2,024.0 m² (0.5 ac), no **principal building** or **structure** may be located:
 - (a) Within 7.5 m (24.6 ft) of any **front lot line**; or
 - (b) Within 10.0 m (32.8 ft) of any **rear lot line**; or
 - (c) Within 3.0 m (9.8 ft) of any **interior side lot line**; or
 - (d) Within 10.0 m (32.8 ft) of any **exterior side lot line**.

One- and Two-Family Residential Lots

- (3) On residential **lots** with **lot areas** greater than or equal to 550.0 m² (5,920.2 ft²) and less than 2,024.0 m² (0.5 ac), no **one-family dwelling** may be located:
- (a) Within 5.5 m (18.0 ft) of any **front lot line**; or
 - (b) Within 6.0 m (19.7 ft) of any **rear lot line**; or
 - (c) Within 1.5 m (4.9 ft) of any **interior side lot line**; or
 - (d) Within 4.5 m (14.8 ft) of any **exterior side lot line**, except that no **garage or carport** whose vehicle access crosses an **exterior side lot line** may be located within 5.5 m (18.0 ft) of the **exterior side lot line**.
- (4) On residential **lots** with **lot areas** greater than or equal to 835.0 m² (8,987.9 ft²) and less than 2,024.0 m² (0.5 ac), no **two-family dwelling** may be located:
- (a) Within 6.0 m (19.7 ft) of any **front lot line**; or
 - (b) Within 6.0 m (19.7 ft) of any **rear lot line**; or
 - (c) Within 3.0 m (9.8 ft) of any **interior side lot line**; or
 - (d) Within 4.5 m (14.8 ft) of any **exterior side lot line**, except that no **garage or carport** whose vehicle access crosses an **exterior side lot line** may be located within 5.5 m (18.0 ft) of the **exterior side lot line**.

Small Lot

- (5) On residential **lots** with **lot areas** greater than or equal to 370.0 m² (3,982.7 ft²) and less than 550.0 m² (5,920.2 ft²), no **building** or **structure** may be located:
- (a) Within 4.5 m (14.8 ft) of any **front lot line**, except that no **garage or carport** whose vehicle access crosses a **front lot line** may be located within 5.5 m (18.0 ft) of the **front lot line**. This minimum **setback** may be reduced to 3.0 m (9.8 ft) where **automobile** access to the dwelling is provided from the rear by way of a rear lane or access route in a bare land strata plan and all parking is located at the rear of the dwelling; or
 - (b) Within 6.0 m (19.7 ft) of any **rear lot line**; or
 - (c) Within 1.2 m (3.9 ft) of any **interior side lot line**; or
 - (d) Within 3.0 m (9.8 ft) of any **exterior side lot line**, except that no **garage or carport** whose vehicle access crosses an **exterior side lot line** may be located within 5.5 m (18.0 ft) of the **exterior side lot line**.

Townhouse

- (6) No **townhouses** may be located:
- (a) Within 6.0 m (19.7 ft) from any **front lot line**; or
 - (b) Within 10.0 m (32.8 ft) from any **rear lot line**; or

- (c) Within 6.0 m (19.7 ft) of any **interior side lot line**; or
- (d) Within 7.5 m (24.6 ft) of any **exterior side lot line**.

Apartment

- (7) No **apartment building** may be located:
 - (a) Within 0.0 m (0.0 ft) of any **front lot line**; or
 - (b) Within 7.5 m (24.6 ft) of any **side lot line**, or a distance from the **side lot line** equal to 0.6 multiplied by the **height** of the **building**, whichever is less; or
 - (c) Within 10.0 m (32.8 ft) of the **rear lot line** or a distance from the **rear lot line** equal to the **height** of the **building**, whichever is less; or
 - (d) Despite the **setbacks** for **apartment buildings**, any parking structure associated with an **apartment building** may have a zero **setback** to any **lot line**.

Commercial

- (8) No **building** with a commercial **use** may be located:
 - (a) Within 6.0 m (19.7 ft) of any **interior side lot line** where the **interior side lot line abuts** a **lot** with a wholly **residential use**; or
 - (b) Within 2.0 m (6.6 ft) of any **exterior side lot line**, except where the **building** is flanked by a sidewalk with a width of at least 2.0 m (6.6 ft) in which case the exterior side yard **setback** may be reduced to nil; or
 - (c) Within 6.0 m (19.7 ft) of any **rear lot line**.
- (9) Despite Article (8) , any parking structure associated with a **building** with a commercial Use may have a zero **setback** to any **lot line**.

Institutional

- (10) No **building** with a **principal** institutional **use** may be located:
 - (a) Within 6.0 m (19.7 ft) of any **interior side lot line**; or
 - (b) Within 10.0 m (32.8 ft) of any **rear lot line**.
- (11) Despite Article (10), any parking structure associated with a **principal building** with an institutional **use** may have a zero **setback** to any **lot line**.

Area 1 – Village Centre

- (12) Despite any other regulation in this Subsection 6.95.09, a **principal use building** or **structure** within that portion of the lands identified as “Area 1” on the RCBM1 Zone Map attached as Schedule “O” may have a zero **setback** to any **lot line**.

6.95.10 Landscape Screening

In addition to the regulations contained in Section 3.21 of this Bylaw, the following requirements

apply to landscape screening in the RCBM1 Zone:

- (1) Parking areas shall be screened from any **abutting residential**, commercial or **golf course use** by a landscape screen not less than 3.0 m (9.8 ft) in width and 1.8 m (5.9 ft) in height, measured at the time of planting;
- (2) Landscaping in the form of grass, shrubs, ground cover, native plant communities, plants, trees, or flowers or a combination of them shall be installed and maintained in a total of not less than 10% of the **lot area**; and
- (3) Open space including community park, natural open space, **golf course** fairways and buffers, and the BC Hydro right-of-way, shall constitute not less than 52.7% of the total area encompassed by the RCBM1 Zone.

Section 6.95A – Resort Community of Bear Mountain 2 Zone (RCBM2)

The intent of the RCBM2 Zone is to accommodate residential, commercial and very light resort related industry.

6.95A.01 Permitted Uses

The following **uses** and no others are permitted in the RCBM2 Zone:

- (1) Within that portion of the lands identified as “Area 1” on the RCBM2 Zone Map attached as Schedule “O-2”:

General Uses

- (a) **Accessory buildings and structures**, subject to Section 3.05;
- (b) **Parking facility**;
- (c) Rental and repair of goods, sport and recreational equipment, tools and small equipment relating directly to any other permitted use in this Zone, including but without limiting the generality of the foregoing: bicycles, scooters, golf equipment, tennis racquets and climbing gear, but specifically excluding the repair or maintenance of anything that utilizes an internal combustion engine, other than a golf cart or **golf course** maintenance equipment;
- (d) **Transportation terminal**;
- (e) **Uses accessory** to a **principal use** permitted in this Article;
- (f) **Uses** permitted in Section 3.01 of this Bylaw;

Residential Uses

- (g) **Apartment**;
- (h) **Apartment, senior citizens**;
- (i) **Assisted living** ;
- (j) **Dwelling, one-family**;
- (k) **Dwelling, two-family**, subject to Section 3.07;
- (l) **Home occupation**, subject to Section 3.09;
- (m) **Townhouse**;

Resort Commercial and Retail Uses

- (n) **Catering**;
- (o) **Financial institution**;
- (p) **Hotel**;

- (q) **Licensed premises;**
- (r) **Medical Clinics** and accessory related commercials uses;
- (s) **Office;**
- (t) **Personal service establishment;**
- (u) **Residential hotel;**
- (v) **Restaurant;**
- (w) **Retail store;**

Business and Technology Uses

- (x) **Business support service;**
- (y) **Electronics sales, service and manufacturing;**
- (z) **Film production studio;**
- (aa) **Industrial use, light;**
- (bb) **Mini-storage facility**, in any **building** occupied by another permitted **principal use**, and not accounting for more than 25% of the **gross floor area** of any **building**;
- (cc) **Research and development facility;**

Educational, Cultural, Recreational and Institutional Uses

- (dd) **Charitable facility;**
- (ee) **Community care facility;**
- (ff) **Community garden;**
- (gg) **Cultural facility;**
- (hh) **Dormitory**, as an **accessory use** to a **school** or institutional **use**;
- (ii) **Golf course;**
- (jj) **Golf course, miniature;**
- (kk) **Golf driving range;**
- (ll) **Greenhouse**, as an **accessory buildings**;
- (mm) **Group daycare**, subject to Subsection 3.26.02;
- (nn) Outdoor gardening and bee-keeping as **accessory uses**, subject to Section 3.12;
- (oo) **Place of worship;**

- (pp) **Recreation facility, indoor;**
 - (qq) **Recreation facility, outdoor;**
 - (rr) **School;**
 - (ss) **Training and education facility;**
- (2) Within that portion of the lands identified as “Area 2” on the CD6A Zone Map attached as Schedule “O-2”:

General and Residential Uses

- (a) **Accessory buildings and structures;**
- (b) **Apartment;**
- (c) **Apartment, senior citizens;**
- (d) **Dwelling, one-family;**
- (e) **Dwelling, two-family,** subject to Section 3.07;
- (f) **Home occupation,** subject to Section 3.09;
- (g) **Townhouse;**
- (h) **Uses accessory** to a **principal use** permitted in this Article;
- (i) **Uses** permitted in Section 3.01 of this Bylaw;

Educational, Cultural, Recreational and Institutional Uses

- (j) **Charitable facility;**
- (k) **Community garden;**
- (l) **Cultural facility;**
- (m) **Golf course;**
- (n) **Golf course, miniature;**
- (o) **Golf driving range;**
- (p) Greenhouse, as an **accessory building;**
- (q) Outdoor gardening and bee-keeping as **accessory** Uses, subject to Section 3.12;
- (r) **Place of worship;**
- (s) **Recreation facility, indoor;**
- (t) **Recreation facility, outdoor;**

- (3) Within that portion of the lands identified as “Area 3” the CD6A Zone Map attached as Schedule “O-2”:

General and Residential Uses

- (a) **Accessory buildings and structures;**
- (b) **Apartment;**
- (c) **Apartment, senior citizens;**
- (d) **Dwelling, one-family;**
- (e) **Dwelling, two-family,** subject to Section 3.07;
- (f) **Home occupation,** subject to Section 3.09;
- (g) **Townhouse;**
- (h) **Uses accessory to a principal use** permitted in this Article;
- (i) **Uses** permitted in Section 3.01 of this Bylaw;

Resort Commercial and Retail Uses

- (j) **Hotel;**
- (k) **Personal service establishment;**
- (l) Rental and repair of goods, sport and recreational equipment, including, but without limiting the generality of the foregoing: bicycles, scooters, golf equipment, tennis racquets and climbing gear, but specifically excluding the repair or maintenance of anything that utilizes an internal combustion engine;
- (m) **Residential hotel;**
- (n) **Restaurant;**
- (o) **Retail store ;**

Educational, Cultural, Recreational and Institutional Uses

- (p) **Community care facility;**
- (q) **Dormitory,** as an **accessory** Use to a School or institutional Use;
- (r) Greenhouse, as an **accessory buildings;**
- (s) **Group daycare,** subject to Subsection 3.26.02;
- (t) Outdoor gardening and bee-keeping as **accessory** Uses, subject to Section 3.12;
- (u) **Place of worship;**
- (v) **School;**

- (w) **Training and education facility;**
- (4) Within that portion of the lands identified as “Area 4” on the CD6A Zone Map attached as Schedule “O-2”:

General and Residential Uses

- (a) **Accessory buildings and structures;**
- (b) **Apartment;**
- (c) **Apartment, senior citizens;**
- (d) **Dwelling, one-family;**
- (e) **Dwelling, two-family**, subject to Section 3.07;
- (f) **Home occupation**, subject to Section 3.09;
- (g) **Townhouse;**
- (h) **Uses accessory to a principal use** permitted in this Article;
- (i) **Uses** permitted in Section 3.01 of this Bylaw;

Business and Technology Uses

- (j) **Business support service;**
- (k) **Catering;**
- (l) **Electronics sales, service and manufacturing;**
- (m) **Film production studio;**
- (n) **Industrial use, light;**
- (o) **Medical Clinics** and accessory related commercials uses;
- (p) **Mini-storage facility**, in any **building** occupied by a **principal use** permitted in this Article, and not accounting for more than 25% of the **gross floor area** in any **building**;
- (q) **Office;**
- (r) Rental and repair of goods, sport and recreational equipment, including, but without limiting the generality of the foregoing: bicycles, scooters, golf equipment, tennis racquets and climbing gear, but specifically excluding the repair or maintenance of anything that utilizes an internal combustion engine;
- (s) **Research and development facility;**
- (t) **Restaurant**, limited to a maximum of 100.0 m² (1,076.4 ft²) of **gross floor area**;

Educational, Cultural, Recreational and Institutional Uses

- (u) **Community care facility;**
 - (v) **Community garden;**
 - (w) **Dormitory**, as an **accessory use** to a **school** or institutional **use**;
 - (x) Greenhouse, as an **accessory buildings**;
 - (y) **Group daycare**, subject to Subsection 3.26.02;
 - (z) Outdoor gardening and bee-keeping as **accessory** Uses, subject to Section 3.12;
 - (aa) **Place of worship**;
 - (bb) **School**;
 - (cc) **Training and education facility**;
- (5) Within that portion of the lands identified as “Area 5” on the CD6A Zone Map attached as Schedule “O-2”:
- (a) **Accessory buildings and structures**, subject to Section 3.05;
 - (b) **Apartment**;
 - (c) **Apartment, senior citizens**;
 - (d) **Bed and breakfast** in a **one-family dwelling** on **lots** of 550.0 m² (5,920.2 ft²) or greater in **lot area**, subject to Section 3.09;
 - (e) **Community garden**;
 - (f) **Dwelling, one-family**;
 - (g) **Dwelling, two-family**, subject to Section 3.07;
 - (h) **Home occupation**, subject to Section 3.09;
 - (i) **Secondary suite** in a **one-family dwelling**, subject to Section 3.08;
 - (j) **Townhouse**;
 - (k) **Uses accessory** to a **principal use** permitted in this Article;
 - (l) **Uses** permitted in Section 3.01 of this Bylaw;
- (6) Within that portion of the lands identified as “Area 6” on the CD6A Zone Map attached as Schedule “O-2”:
- (a) **Accessory buildings and structures**, subject to Section 3.05;
 - (b) **Community care facility**;
 - (c) **Community garden**;

- (d) **Dormitory**, as an **accessory use** to a School or institutional Use;
- (e) Greenhouse, as an **accessory building**;
- (f) **Group daycare**, subject to Subsection 3.26.02;
- (g) Outdoor gardening and bee-keeping as **accessory uses**, subject to Section 3.12;
- (h) **Place of worship**;
- (i) **Recreation facility, indoor**;
- (j) **Recreation facility, outdoor**;
- (k) **School**;
- (l) **Training and education facility**;
- (m) **Uses accessory** to a **principal use** permitted in this Article; and
- (n) **Uses** permitted by Section 3.01 of this Bylaw.

6.95A.02 Subdivision Lot Requirements

- (1) No **panhandle lots** may be created by subdivision.
- (2) No **lot** having a **lot area** less than 550.0 m² (5,920.2 ft²) may be created by subdivision.
- (3) No **lot** having a **lot width** less than 16.0 m (52.5 ft) may be created by subdivision, unless access to the **lot** is provided by way of a rear access route.
- (4) No **lot** for a **residential use** having a **building envelope** width or depth less than 7.0 m (23.0 ft) nor a **building envelope** area less than 186.0 m² (2,002.1 ft²) may be created by subdivision.
- (5) The minimum **lot area** for **two-family dwellings** and **apartments** with a maximum of three **dwelling units** is as follows:
 - (a) 835.0 m² (8,987.9 ft²) for a **two-family dwelling**; and
 - (b) 1,000.0 m² (10,763.8 ft²) for an **apartment** with a maximum of three **dwelling units**.
- (6) Despite Article 6.95A.02(2), a **lot** having a **lot area** less than 550.0 m² (5,920.2 ft²) and not less than 370.0 m² (3,982.7 ft²) may be created by subdivision for a **one-family dwelling**, provided that:
 - (a) The **lot width** is not less than 12.0 m (39.4 ft); and
 - (b) The **building envelope** on the **lot** created has a width and depth of at least 7.0 m (23.0 ft).
- (7) No **lot** having a **lot area** less than 900.0 m² (9,687.5 ft²) may be used for a commercial **use**, **townhouse** or any type of **apartment use**.

- (8) No **lot** having a **lot area** less than 695.0 m² (7,480.9 ft²) may be used for an institutional **use**.

6.95A.03 Density of Development on Individual Lots

- (1) There may not be more than one **residential building** on a **lot**.
- (2) Despite Article 6.95A.03(1), there may be more than one **residential building** on a **lot** if all of the **residential buildings** on the **lot** are of the same type, being **townhouses**, **two-family dwellings** or **apartment buildings**.
- (3) The density of **townhouse** and **two-family dwellings** may not exceed one **dwelling unit** per 285.0 m² (3,067.7 ft²) of **lot area**.
- (4) The **floor area ratio** of a **building** for an **apartment** or combined **apartment** and commercial **use** may not exceed 3.0, unless 95% of the required off-street parking is provided underground or within a **building**, in which case it may not exceed 7.0.
- (5) The **floor area ratio** of a **building** for a commercial **use** may not exceed 7.0.

6.95A.04 Density of Development in the RCBM2 Zone

- (1) There may not be more than one **dwelling unit** and not more than 100.0 m² (1,076.4 ft²) of commercial floorspace within each area (Areas 1 through 6) identified on the RCBM2 Zone Map attached as Schedule "O-2".
- (2) Despite Article 6.95A.04(1), the number of **dwelling units** in the RCBM2 Zone may exceed one **dwelling unit** in each identified area of the RCBM2 Zone if the owner of the land or applicant for a building permit provides the following to the City:
 - (a) \$2500 per **dwelling unit** towards the City's General Amenity Reserve Fund; and
 - (b) A covenant charging the land in the RCBM2 Zone is provided, in terms satisfactory to the City, ensuring that park land or green/open space or golf course in an amount equal to at least 40% of the land area within the RCBM1 and RCBM2 Zones combined;
- (3) For the purposes of Clauses 6.95A.04(2)(a) and (b), a **dwelling unit** is authorized when a Building Permit authorizing the construction of the **dwelling unit** is issued, except that in the case of a subdivision of land into **lots** on which the RCBM2 regulations permit the construction of a **one-family dwelling** or **two-family dwelling**, **dwelling units** are authorized on such **lots** when the **approving officer** approves the subdivision plan creating the **lots**.
- (4) For the purposes of Clauses 6.95.04(2)(a) and (b) a **dwelling unit** is defined as a single residential **lot** of not less than 550 m² (5920 ft²) or a **one-family dwelling** on a lot not less than 550 m² (5920 ft²);
- (5) For the purpose of Clauses 6.95.04(2)(a) and (b):
 - (a) A **one-family dwelling** on a **lot** less than 550.0 m² (5,920.2 ft²) is deemed equivalent to 0.66 **dwelling units**;
 - (b) A **two-family dwelling** is deemed to be equivalent to 1.32 **dwelling units** (2 x 0.66); and

- (c) A multi-family **dwelling unit (townhouse, or apartment)** is deemed equivalent to 0.61 dwelling units.
- (6) Under no circumstance may the total number of **dwelling units** within the RCBM2 Zone Density Map attached as Schedule O-3 exceed:
- (a) 473 dwelling units in Area A;
 - (b) 102 dwelling units in Area B;
 - (c) 16 dwelling units in Area C;
 - (d) 19 dwelling units in area D;
 - (e) 500 dwelling units in Area E1;
 - (f) 18 dwelling units in Area E2;
 - (g) 209 dwelling units in Area E3;
 - (h) 60 dwelling units in Area E4;
 - (i) 15 dwelling units in Area E5;
 - (j) 39 dwelling units in Area E6;
 - (k) 800 dwelling units in Area E7; and
 - (l) 1,049 dwelling units in Area E8.
- (7) Under no circumstances may the total **gross floor area** of commercial **uses**, including any **golf course buildings**, clubhouse, **hotel**, or adult care facilities, in the RCBM2 Zone exceed 35,760.0 m² (384,917.4 ft²).
- (8) Despite Article 6.95A.04(6), an application may be made to Council to amend the maximum permitted number of dwelling units in an area shown on the RCBM2 Zone Density Map attached as Schedule O-3, if the owner of the land or the applicant for a density amendment provides amenity contributions in accordance with Council's Affordable Housing and Amenity Contribution Policy, as amended from time to time.
- (9) Despite Article 6.95A.04(6), more than 16 dwelling units but not more than 500 dwelling units may be constructed on Area C, as shown on the RCBM2 Zone Density Map attached as Schedule O-3, if the owner of the land or the applicant provides the following for each dwelling unit over and above 16, in addition to the requirements of Subsection 6.95A.04(2);
- (a) \$1000 per Single Family Equivalent (SFE) toward the Affordable Housing Reserve Fund; and
 - (b) \$6000 per SFE toward the General Amenity Reserve Fund.

6.95A.05 Height and Size of Principal Use Buildings

- (1) No **one-family dwelling, two-family dwelling, townhouse or apartment** with a maximum of three **dwelling units** may exceed a **height** of 9.0 m (29.5 ft).

- (2) Within that portion of the lands identified as “Area 2” and “Area 5” on the RCBM2 Zone Map attached as Schedule “O-2”, no **building** or **structure** may exceed a **height** of six storeys (exclusive of wholly non-residential storeys provided as parking).
- (3) Within that portion of the lands identified as “Area 6” on the RCBM2 Zone Map attached as Schedule “O-2”, no **building** or **structure** may exceed a **height** of four storeys (exclusive of wholly non-residential storeys provided as parking).

6.95A.06 Setbacks for All Land Uses within that portion of the lands identified as “Area 1” on the RCBM2 Zone Map attached as Schedule “O-2”:

- (1) Within 0.0 m (0.0 ft) from any **front lot line**; or
- (2) Within 0.0 m (0.0 ft) from any **rear lot line**; or
- (3) Within 0.0 m (0.0 ft) of any **interior side lot line**; or
- (4) Within 0.0 m (0.0 ft) of any **exterior side lot line**.

6.95A.07 Setbacks for One- and Two-Family Dwellings within that portion of the lands identified as “Area 2”, “Area 3” and “Area 4” on the RCBM2 Zone Map attached as Schedule “O-2”:

One- and Two-Family Residential Lots

- (1) On residential **lots** with **lot areas** greater than or equal to 550.0 m² (5,920.2 ft²) and less than 2,024.00 m² (0.5 ac), no **one-family dwelling** may be located:
 - (a) Within 5.5 m (18.0 ft) of any **front lot line**; or
 - (b) Within 6.0 m (19.7 ft) of any **rear lot line**; or
 - (c) Within 2.4 m (7.9 ft) of any **interior side lot line**; or
 - (d) Within 4.5 m (14.8 ft) of any **exterior side lot line**, except that no **garage or carport** whose vehicle access crosses an **exterior side lot line** may be located within 5.5 m (18.0 ft) of the **exterior side lot line**.
- (2) On residential **lots** with **lot areas** greater than or equal to 835.0 m² (8,987.9 ft²) and less than 2,024.0 m² (0.5 ac), no **two-family dwelling** may be located:
 - (a) Within 5.5 m (18.0 ft) of any **front lot line**; or
 - (b) Within 6.0 m (19.7 ft) of any **rear lot line**; or
 - (c) Within 3.0 m (9.8 ft) of any **interior side lot line**; or
 - (d) Within 4.5 m (14.8 ft) of any **exterior side lot line**, except that no **garage or carport** whose vehicle access crosses an **exterior side lot line** may be located within 5.5 m (18.0 ft) of the **exterior side lot line**.

Small Lot

- (3) On residential **lots** with **lot areas** greater than or equal to 370.0 m² (3,982.7 ft²) and less than 550.0 m² (5,920.2 ft²), no **building** or **structure** may be located:

- (a) Within 4.5 m (14.8 ft) of any **front lot line**, except that no **garage or carport** whose vehicle access crosses a **front lot line** may be located within 5.5 m (18.0 ft) of the **front lot line**. This minimum **setback** may be reduced to 3.0 m (9.8 ft) where **automobile** access to the dwelling is provided from the rear by way of a rear lane or access route in a bare land strata plan and all parking is located at the rear of the dwelling; or
- (b) Within 6.0 m (19.7 ft) of any **rear lot line**; or
- (c) Within 1.2 m (3.9 ft) of any **interior side lot line**; or
- (d) Within 3.0 m (9.8 ft) of any **exterior side lot line**, except that no **garage or carport** whose vehicle access crosses an **exterior side lot line** may be located within 5.5 m (18.0 ft) of the **exterior side lot line**.

6.95A.08 Setbacks for One-, Two-Family Dwellings and Apartments with a maximum of three Dwelling Units within that portion of the lands identified as “Area 5” on the RCBM2 Zone Map attached as Schedule “O-2”:

One- and Two-Family Residential Lots

- (1) On residential **lots** with **lot areas** greater than or equal to 550.0 m² (5,920.2 ft²) and less than 2,024.0 m² (0.5 ac), no **one-family dwelling** may be located:
 - (a) Within 5.5 m (18.0 ft) of any **front lot line**; or
 - (b) Within 6.0 m (19.7 ft) of any **rear lot line**; or
 - (c) Within 1.5 m (4.9 ft) of any **interior side lot line**; or
 - (d) Within 4.5 m (14.8 ft) of any **exterior side lot line**, except that no **garage or carport** whose vehicle access crosses an **exterior side lot line** may be located within 5.5 m (18.0 ft) of the **exterior side lot line**.
- (2) On residential **lots** with **lot areas** greater than or equal to 835.0 m² (8,987.9 ft²) and less than 2,024.0 m² (0.5 ac), no **two-family dwelling** may be located:
 - (a) Within 6.0 m (19.7 ft) of any **front lot line**; or
 - (b) Within 6.0 m (19.7 ft) of any **rear lot line**; or
 - (c) Within 3.0 m (9.8 ft) of any **interior side lot line**; or
 - (d) Within 4.5 m (14.8 ft) of any **exterior side lot line**, except that no **garage or carport** whose vehicle access crosses an **exterior side lot line** may be located within 5.5 m (18.0 ft) of the **exterior side lot line**.

Small Lot

- (3) On residential **lots** with **lot areas** greater than or equal to 370.0 m² (3,982.7 ft²) and less than 550.0 m² (5,920.2 ft²), no **building or structure** may be located:
 - (a) Within 4.5 m (14.8 ft) of any **front lot line**, except that no **garage or carport** whose vehicle access crosses a **front lot line** may be located within 5.5 m (18.0 ft) of the **front lot line**. This minimum **setback** may be reduced to 3.0 m (9.8 ft) where

automobile access to the dwelling is provided from the rear by way of a rear lane or access route in a bare land strata plan and all parking is located at the rear of the dwelling; or

- (b) Within 6.0 m (19.7 ft) of any **rear lot line**; or
- (c) Within 1.2 m (3.9 ft) of any **interior side lot line**; or
- (d) Within 3.0 m (9.8 ft) of any **exterior side lot line**, except that no **garage or carport** whose vehicle access crosses an **exterior side lot line** may be located within 5.5 m (18.0 ft) of the **exterior side lot line**.

6.95A.9 Setbacks for Multi-Family Residential Uses within that portion of the lands identified as “Area 2”, “Area 3”, “Area 4” and “Area 5” on the RCBM2 Zone Map attached as Schedule “O-2”:

Townhouses

- (1) No **townhouses** may be located:
 - (a) Within 6.0 m (19.7 ft) of any **front lot line**; or
 - (b) Within 10.0 m (32.8 ft) of any **rear lot line**; or
 - (c) Within 6.0 m (19.7 ft) of any **interior side lot line**; or
 - (d) Within 7.5 m (24.6 ft) of any **exterior side lot line**.

Apartments

- (2) No **apartment building** may be located:
 - (a) Within 0.0 m (0.0 ft) of any **front lot line**; or
 - (b) Within 7.5 m (24.6 ft) of any **side lot line**, or a distance from the **side lot line** equal to 0.6 multiplied by the **height** of the **building**, whichever is less; or
 - (c) Within 10.0 m (32.8 ft) of the **rear lot line** or a distance from the **rear lot line** equal to the **height** of the **building**, whichever is less; or
 - (d) Despite the **setbacks** for **apartment buildings**, any parking structure associated with an **apartment building** may have a zero **setback** to any **lot line**.

6.95A.10 Setbacks for Commercial Uses within that portion of the lands identified as “Area 2”, “Area 3”, “Area 4” and “Area 5” on the RCBM2 Zone Map attached as Schedule “O-2”:

- (1) No **building** with a commercial **use** may be located:
 - (a) Within 6.0 m (19.7 ft) of any **interior side lot line** where the **interior side lot line** **abuts** a **lot** with a wholly **residential use**; or
 - (b) Within 2.0 m (6.6 ft) of any **exterior side lot line**, except where the **building** is flanked by a sidewalk with a width of at least 2.0 m (6.6 ft) in which case the exterior side yard setback may be reduced to nil; or

- (c) Within 6.0 m (19.7 ft) of any **rear lot line**.
- (2) Despite Article (1), any parking structure associated with a **building** with a commercial **use** may have a zero **setback** to any **lot line**.

6.95A.11 Setbacks for Institutional Uses within that portion of the lands identified as “Area 2”, “Area 3”, “Area 4” and “Area 5” on the RCBM2 Zone Map attached as Schedule “O-2”:

- (1) No **building** with a **principal** institutional **use** may be located:
 - (a) Within 6.0 m (19.7 ft) of any **interior side lot line**; or
 - (b) Within 10.0 m (32.8 ft) of any **rear lot line**.
- (2) Despite Article (1), any parking structure associated with a **principal building** with an institutional **use** may have a zero **setback** to any **lot line**.

6.95A.13 General Regulations

In addition to the regulations contained in Part 3 of this Bylaw, the following requirements apply to Development in the RCBM2 Zone:

- (1) Despite any other regulations in this Bylaw, **accessory buildings** on **lots** that **abut** a **golf course** must be situated within the side yard or front yard, and must not be situated closer to the **front lot line** than the required front yard **setback** for the **principal building**.
- (2) Except on lands identified as “Area 1” on the RCBM2 Zone Map attached as Schedule “O-2”; no **building** that has a mix of **residential** and commercial **uses** may have any **residential uses** on the ground floor, unless the **residential uses** are situated to the rear of the commercial **uses** on the ground floor or have their **principal** entrance facing a side or rear setback, or a rear access route;

Section 6.96 – Comprehensive Development 7 – Sooke/Jacklin (CD7) Zone

The intent of the CD7 Zone is to accommodate commercial and light industry use.

6.96.01 Permitted Uses

The following **uses** and no others are permitted in the CD7 Zone:

- (1) Within that portion of the lands identified as “Lot 1” on the CD7 Zone Map attached as Schedule “N”:
 - (a) **Accessory buildings and structures**, subject to Section 3.05;
 - (b) **Animal hospital**, in enclosed **buildings**;
 - (c) **Bakery**, not exceeding 200.0 m² (2,152.8ft²) of **gross floor area**;
 - (d) **Business support service**;
 - (e) **Car wash**;
 - (f) **Community garden**;
 - (g) **Dwelling units**, located above the ground floor;
 - (h) **Film productions studio**;
 - (i) **Financial institution**;
 - (j) **Gasoline service station**;
 - (k) **Licensed premises**;
 - (l) **Medical Clinics** and accessory related commercials uses;
 - (m) **Office**;
 - (n) **Personal service establishment**;
 - (o) **Restaurant** , limited to a total **gross floor area** not exceeding 450.0 m² (4,483.8 ft²) for all **restaurants** on the site;
 - (p) **Restaurant, drive-through**, limited to a total **gross floor area** not exceeding 450.0 m² (4,483.8 ft²) for all **restaurants** on the site;
 - (q) **Retail store**;
 - (r) **Taxi office**;
 - (s) **Training and education facility**;
 - (t) **Uses accessory** to a **principal use** permitted in this Article;

- (u) **Uses** permitted by Section 3.01 of this Bylaw; and
 - (v) **Veterinary practice**, enclosed **buildings**.
- (2) Within that portion of the lands identified as “Lot 2” on the CD7 Zone Map attached as Schedule “N”:
- (a) **Accessory buildings and structures**, subject to Section 3.05;
 - (b) **Apartment**;
 - (c) **Community garden**;
 - (d) **Dwelling, two-family**, subject to Section 3.07;
 - (e) **Home occupation**, subject to Section 3.09;
 - (f) **Townhouse**;
 - (g) **Uses accessory to a principal use** permitted in this Article; and
 - (h) **Uses** permitted by Section 3.01 of this Bylaw.

6.96.02 Subdivision Lot Requirements

- (1) No **lot** having a **lot area** less than 2,000.0 m² (21,527.8 ft²) may be created by subdivision.
- (2) No **lot** having a **lot width** less than 25.0 m (82.0 ft) may be created by subdivision.

6.96.03 Lot Coverage

Lot coverage of all **buildings and structures** may not exceed 75%.

6.96.04 Density of Development

- (1) The combined density for all multi-family **residential uses** permitted by Article 6.96.01(2) shall not exceed a **floor area ratio** of 1.25 on that part of the lands where **residential uses** are permitted, unless at least 50% of required parking is provided underground, in which case the density of a **residential use** may be increased to 1.5, and further increased by 0.025 to a maximum **floor area ratio** of 1.75 for every additional 5% of parking that is provided underground, and the total combined **gross floor area** of all **residential uses** shall be limited to not more than 10,500.0 m² (113,021.1 ft²).
- (2) The combined density for all commercial **uses** permitted by Article 6.96.01(1) shall not exceed a **floor area ratio** of 0.8 on that part of the lands where a commercial **use** is permitted, and the total combined **gross floor area** of all such **uses** be limited to not more than 3,250.0 m² (34,982.7 ft²).
- (3) For the purposes of this Subsection 6.96.04, if the land is not subdivided such that Lots 1 and 2 on the CD7 Zone Map constitute separate legal **lots**, the **floor area ratio** shall be calculated by dividing the **gross floor area** of all **buildings** on that portion of a **lot** on which **buildings** of that type are permitted by Subsection 6.96.01, by the area of that portion of the **lot**.

- (4) Despite Articles 6.96.04(1), (2), and (3), on land whose legal description is set out in the following table, the density of development may exceed three **dwelling units** and a **floor area ratio** of 0.6 if the owner of the land pays to the City the amount specified in Column 2 of Table 1 below, prior to the issuance of a Building Permit, towards the General Amenity Reserve Fund.

Table 1

1. Legal Description	2. Amenity Contribution
Lot 2, Section 83, Esquimalt District, Plan VIP84322 (3240 Jacklin Road)	\$3,900 per Dwelling Unit

6.96.05 Height and Size of Principal Use Buildings

- (1) No **apartment building** may exceed a **height** of 15.0 m (49.2 ft) or four storeys.
- (2) No **townhouse** or **two-family dwelling** may exceed a **height** of 9.0 m (29.5 ft).
- (3) No commercial **building** may exceed a **height** of 12.2 m (40.0 ft) or four storeys.

6.96.06 Setbacks

No **building** or **structure** may be located:

- (1) Within 2.0 m (6.6 ft) of the Sooke Road right-of-way; or
- (2) Within 3.0 m (9.8 ft) of the Jacklin Road right-of-way; or
- (3) Within 3.0 m (9.8 ft) of any internal access route; or
- (4) Within 6.0 m (19.7 ft) of any **lot line** common to a **lot** in a **Residential Zone**; or
- (5) Within 0.0 m (0.0 ft) of any **interior side lot line** common to a **lot** in a **Commercial Zone**.

6.96.07 Landscape Screening

In addition to the regulations contained in Section 3.21 of this Bylaw, the following requirements apply to landscape screening in the CD7 Zone:

- (1) A continuous **landscape and screening area** not less than 1.5 m (4.9 ft) wide including a solid decorative fence of 1.8 m (5.9 ft) high must be provided along all **lot lines** that **abut** the developed portion of the **lot** and any other **Residential Zone**; and
- (2) A continuous **landscape and screening area** not less than 3.0 m (9.8 ft) wide must be provided along any portion of any **front lot line** or **exterior side lot line** that **abuts** a commercially developed portion of the **lot**.

Section 6.97 – Comprehensive Development 8 – Valley View (CD8) Zone

The intent of the C8 Zone is accommodate residential and related uses.

6.97.01 Permitted Uses

The following **uses** and no others are permitted in the CD8 Zone:

- (1) Within that portion of the lands identified as “Area 1 – Single Family Residential”, on the CD8 Zone Map attached as Schedule “Q”:
 - (a) **Accessory buildings and structures**, subject to Section 3.05;
 - (b) **Bed and breakfast in one-family dwellings** on **lots** of 550.0 m² (5,920.2 ft²) or greater in **lot area** and subject to Section 3.09;
 - (c) **Community garden**;
 - (d) Concession stands that are **accessory** to **outdoor recreation facilities** on the **lot** referred to in Clause 6.97.04(1)(b);
 - (e) **Dwelling, one-family**;
 - (f) **Home occupation**, subject to Section 3.09;
 - (g) **Parking facility**;
 - (h) **Recreation facility, outdoor**;
 - (i) **Secondary suite** in a **one-family dwelling**, subject to Section 3.08;
 - (j) **Garden suite or carriage suite** on **lots** over 700.0 m² (7,534.7 ft²) in accordance with section 3.08;
 - (k) The keeping of not more than four **boarders** in a **one-family dwelling** on a **lot** having a **lot area** of 699.0 m² (7,524.0 ft²);
 - (l) The keeping of not more than two **boarders** in a **one-family dwelling** on a **lot** having a **lot area** less than 699.0 m² (7,524.0 ft²);
 - (m) The keeping of not more than one **boarder** in a **one-family dwelling** on a **lot** having a **lot area** less than 550.0 m² (5,920.0 ft²);
 - (n) **Unenclosed storage** of seasonal **recreational vehicles**, on **lots** of 550.0 m² (5,920.2 ft²) or greater in **lot area**;
 - (o) **Uses accessory** to a **principal use** permitted in this Article; and
 - (p) **Uses** permitted by Section 3.01 of this Bylaw.
- (2) Within that portion of the lands identified as “Area 2 – Townhouse Residential”, on the

CD8 Zone Map attached as Schedule “Q”:

- (a) **Accessory buildings and structures**, subject to Section 3.05;
- (b) **Community garden**;
- (c) **Dwelling, two-family**, subject to Section 3.07;
- (d) **Home occupation**, subject to Section 3.09;
- (e) **Townhouse**;
- (f) **Uses accessory** to a **principal use** permitted in this Article;
- (g) **Uses** permitted by Section 3.01 of this Bylaw.

6.97.02 Subdivision Lot Requirements

- (1) No **panhandle lots** may be created by subdivision.
- (2) Within that portion of the lands identified as “Area 1 – Single-Family Residential”, on the CD8 Zone Map attached as Schedule “Q”:
 - (a) No **lot** having a **lot area** less than 550.0 m² (5,920.2 ft²) may be created by subdivision;
 - (b) No **lot** having a **lot width** less than 16.0 m (52.5 ft) may be created by subdivision;
 - (c) No **lot** for a **residential use** having a **building envelope** width or depth less than 7.0 m (23.0 ft) nor a **building envelope** area less than 186.0 m² (2,002.1 ft²) may be created by subdivision;
 - (d) Despite Clauses 6.97.02(2)(a), (b), and (c), a **lot** having a **lot area** of not less than 300.0 m² 3,229.2 ft²) may be created by subdivision for a **one-family dwelling**, provided that:
 - (i) The **lot width** is not less than 9.0 m (29.5 ft); and
 - (ii) The **building envelope** on the **lot** created has a width and depth of at least 6.0 m (19.7 ft); and
 - (e) Despite Clauses 6.97.02(a), (b) and (c), a **lot** having a **lot area** of not less than 250.0 m² (2,691.0 ft²) but not more than 299.0 m² (3,218.4 ft²) may be created by subdivision for a **one-family dwelling**, provided that the **lot width** is not less than 9.0 m (29.5 ft).
- (3) Within that portion of the lands identified as “Area 2 – Townhouse Residential”, on the CD8 Zone Map attached as Schedule “Q”, not **lot** having a **lot area** less than 1,500.0 m² (16,145.9 ft²) may be created by subdivision.

6.97.03 Density of Development on Individual Lots

- (1) There may not be more than one **residential building** on a **lot**.

- (2) The **gross floor area** of a **principal building** on any **lot** having a **lot area** of not less than 250.0 m² (2,691.0 ft²), but not exceeding 299.0 m² (3,218.4 ft²), shall be between 74.0 m² (796.5 ft²) and 91.0 m² (979.5 ft²).
- (3) The **gross floor area** of an **accessory building** on any **lot** having a **lot area** of not less than 250.0 m² (2,691.0 ft²), but not exceeding 299.0 m² (3,218.4 ft²), shall not exceed 9.2 m² (99.0 ft²).

6.97.04 Density of Development in the CD8 Zone

- (1) Within that portion of the lands identified as “Area 1 – Residential”, on the CD8 Zone Map attached as Schedule “Q”:
 - (a) No **lot** may be created by subdivision unless the owner of the land proposed to be subdivided has:
 - (i) Deposited for registration against title to that **lot**, in priority to all financial charges, a housing agreement in a form satisfactory to the City of Langford which includes the following:
 - (a) Provisions insuring the **lot** will be provided for initial sale as affordable housing at a cost of no more than \$150,000, which includes a house between the size of 74.0 m² (796.5 ft²) and 91.0 m² (979.5 ft²); and
 - (b) Restrictions on resale price; or
 - (ii) First paid to the City of Langford, in respect of that Lot, \$3,000 towards the General Amenity Reserve Fund.
 - (b) No **lot** may be created by subdivision if, as a result of the subdivision creating that **lot**, the number of **lots** in the CD8 Zone will exceed 50, unless the owner of the land proposed to be subdivided has first conveyed to the City of Langford in fee simple a portion of the land in the CD8 Zone that is at least 1.2 ha (3.0 ac) in area and upon which has been built to the specifications and satisfaction of the City a multi-purpose sports field, tot lot, concession stand, parking lot, and landscape screen;
 - (c) No **lot** may be created by subdivision unless, upon the creation of that **lot**, it will be the case that there are housing agreements that conform with Clause 6.97.04(1)(a) registered, in priority, to all financial charges, against at least 10% of the **lots** in the CD8 Zone;
 - (d) There shall be no more than 167 fee simple residential **lots**;
 - (e) There shall be no more than 16 **lots** that have a **lot area** less than 300.0 m² (3,229.2 ft²);
 - (f) There shall be no more than 79 **lots** that have a **lot area** less than 550.0 m² (5,920.2 ft²); and
 - (g) No **lot** shall have a **lot area** less than 250.0 m² (2,691.0 ft²).

- (2) Within that portion of the lands identified as “Area 2 – Townhouse Residential”, on the CD8 Zone Map attached as Schedule “Q”:
 - (a) Except as provided in Article (b) below, the **floor area ratio** may not exceed 0.3;
 - (b) Despite Clause 6.97.04(2)(a), the **floor area ratio** may be increased to 0.75, if the owner of the land proposed to be developed pays \$9,300 to the City towards the General Amenity Reserve Fund prior to the issuance of a Building Permit.

6.97.05 Height and Size of Principal Use Buildings

- (1) No **one-family dwelling** may exceed a **height** of 9.0 m (29.5 ft).
- (2) No **townhouse** or **two-family dwelling** may exceed a **height** of three storeys.

6.97.06 Setbacks

One-Family Residential Lots

- (1) On residential **lots** with **lot areas** greater than or equal to 550.0 m² (5,920.2ft²), no **principal building** may be located:
 - (a) Within 6.0 m (19.7 ft) of any **front lot line**; or
 - (b) Within 6.0 m (19.7 ft) of any **rear lot line**; or
 - (c) Within 1.5 m (4.9 ft) of any **interior side lot line**; or
 - (d) Within 4.5 m (14.8 ft) of any **exterior side lot line**, except that no **garage or carport** whose vehicle access crosses an **exterior side lot line** may be located within 5.5 m (18.0 ft) of the **exterior side lot line**.

Small Lot

- (2) On residential **lots** with **lot areas** greater than or equal to 300.0 m² (3,229.2 ft²) and less than 550.0 m² (5,920.2 ft²), no **principal building** may be located:
 - (a) Within 4.5 m (14.8 ft) of any **front lot line**, except that no **garage or carport** whose vehicle access crosses a **front lot line** may be located within 5.5 m (18.0 ft) of the **front lot line**. This minimum **setback** may be reduced to 3.0 m (9.8 ft) where **automobile** access to the dwelling is provided from the rear by way of a rear lane or access route in a bare land strata plan and all parking is located at the rear of the dwelling; or
 - (b) Within 6.0 m (19.7 ft) of any **rear lot line**; or
 - (c) Within 3.0 m (9.8 ft) of any **exterior side lot line**, except that no **garage or carport** whose vehicle access crosses an **exterior side lot line** may be located within 5.5 m (18.0 ft) of the **exterior side lot line**; or
 - (d) Within 1.2 m (3.9 ft) of any **interior side lot line**.

Small Lot Affordable Housing

- (3) On residential **lots** with **lot areas** greater than or equal to 250.0 m² (2,691.0 ft²) and less than 300.0 m² (3,229.2 ft²) no **principal building** may be located:
- (a) Within 4.0 m (13.1 ft) of any **front lot line**, except that no **garage or carport** whose vehicle access crosses a **front lot line** may be located within 5.5 m (18.0 ft) of the **front lot line**. This minimum **setback** may be reduced to 3.0 m (9.8 ft) where **automobile** access to the dwelling is provided from the rear by way of a rear lane of access route in a bare land strata plan and all parking is located at the rear of the dwelling; or
 - (b) Within 6.0 m (19.7 ft) of any **rear lot line**; or
 - (c) Within 3.0 m (9.8 ft) of any **exterior side lot line**, except that no **garage or carport** whose vehicle access crosses an **exterior side lot line** may be located within 5.5 m (18.0 ft) of the **exterior side lot line**; or
 - (d) Within 1.2 m (3.9 ft) of any **interior side lot line**.

Accessory Buildings

- (4) On residential **lots** with **lot areas** greater than or equal to 550.0 m² (5,920.2 ft²), no **accessory building** may be located:
- (a) Within 1.0 m (3.3 ft) of the **principal building**; or
 - (b) Within 15.0 m (49.2 ft) of any **front lot line** unless it complies with the **front lot line setback** requirements applicable to the **principal building**; or
 - (c) Within 1.0 m (3.3 ft) of any **side lot line**; or
 - (d) Within 1.0 m (3.3 ft) of any **rear lot line**.
- (5) On residential **lots** with **lot areas** greater than or equal to 250.0 m² (2,691.0 ft²) and less than 550.0 m² (5,920.2 ft²), no **accessory building** may be located:
- (a) Within 1.0 m (3.3 ft) of the **principal building**; or
 - (b) Within 5.5 m (18.0 ft) of any **front lot line**; or
 - (c) Within 1.0 m (3.3 ft) of any **side lot line**; or
 - (d) Within 1.0 m (3.3 ft) of any **rear lot line**.

Townhouses and Two-Family Dwellings

- (6) On **lots** with **townhouses** and **two-family dwellings**, no **principal building** may be located:
- (a) Within 6.0 m (19.7 ft) of any **front lot line**; or
 - (b) Within 3.0 m (9.8 ft) of any **side lot line**, except that no **garage or carport** whose vehicle access crosses an **exterior side lot line** may be located within 5.5 m (18.0

ft) of the **exterior side lot line**; or

(c) Within 10.0 m (32.8 ft) of any **rear lot line**.

6.97.07 Landscape Screening

In addition to the regulations contained in Section 3.21 of this Bylaw, the following requirements apply to landscape screening in the C8 Zone:

- (1) Parking areas shall be screened from any **abutting residential use** or commercial **use** by a **landscape and screening area** not less than 3.0 m (9.8 ft) in width and 1.8 m (5.9 ft) in **height**, measured at the time of planting.
- (2) A continuous **landscape and screening area** not less than 1.5 m (4.9 ft) wide including a solid decorative fence of 1.8 m (5.9 ft) high must be provided along all commercial or park property **lot lines** that **abut** a **residential use**. The **landscape and screening area** must be provided on the commercial or park side of the property line and must be provided by the developer of the commercial or park property.

Section 6.98 – Comprehensive Development – Baker View Heights (CD9) Zone

The intent of the CD9 Zone is accommodate residential oriented development.

6.98.01 Permitted Uses

The following **uses** and no others are permitted in the CD9 Zone:

- (1) **Accessory buildings and structures**, subject to Section 3.05;
- (2) **Community garden**;
- (3) **Dwelling, one-family**, on **lots** no less than 270.0 m² (2,906.3 ft²) in **lot area**;
- (4) **Dwelling, two-family**, subject to Section 3.07 and on **lots** no less than 1,800.0 m² (0.5 ac) in **lot area**;
- (5) **Home occupation**, subject to Section 3.09;
- (6) **Townhouse**, on **lots** no less than 1,800.0 m² (0.5 ac) in **lot area**;
- (7) **Uses accessory** to a **principal use** permitted in this Zone; and
- (8) **Uses** permitted by Section 3.01 of this Bylaw.

6.98.02 Subdivision Lot Requirements

- (1) No **lot** having a **lot area** less than 1,000.0 m² (10,763.9 ft²) may be created by subdivision for a **one-family dwelling**.
- (2) No **lot** having a **lot area** less than 1,800.0 m² (0.5 ac) may be created by subdivision for an **townhouse or two-family dwelling**.
- (3) No **lot** for a **one-family dwelling** may be created having a **lot width** less than 9.5 m (31.2ft).
- (4) No **lot** for a **townhouse or two-family dwelling** may be created having a **lot width** less than 18.0 m (59.1 ft).
- (5) No **lot** for a **one-family dwelling** may be created having a **building envelope** with a width or depth less than 7.0 m (23.0 ft) nor a **building envelope** area less than 93.0 m² (1,001.0ft²).
- (6) No **panhandle lots** may be created by subdivision in the CD9 Zone.
- (7) Despite Article 6.98.02(1), the minimum **lot area** for subdivision for a **one-family dwelling** shall be 300.0 m² (3,229.2 ft²) if the owner of the land proposed to be subdivided:
 - (a) Pays to the City, prior to the time of subdivision approval, in respect of any proposed parcel that has a **lot area** of less than 1,000.0 m² (10,763.9 ft²) and more than 299.0 m² (3,218.4 ft²), \$2,000 towards the General Amenity Reserve Fund; and

- (b) Enters into a housing agreement with the City in respect of at least the number of parcels in the subdivision indicated in Column 2 of Table 1 below, which parcels may, despite Article 6.98.02(1) and Clause 6.98.02(7)(a), have a **lot area** of not less than 270.0 m² (2,906.3ft²), requiring the owner to construct on each such parcel within 26 weeks of the deposit of the subdivision plan a **one-family dwelling** having a **gross floor area** of between 74.0 m² (796.5 ft²) and 91.0 m² (979.5 ft²), restricting the selling price of the parcel and dwelling to \$150,000 for the first five years following deposit of the subdivision plan, and restricting the selling price of the parcel and dwelling for the following twenty years to \$150,000 plus \$2,000 for each full year that has elapsed following the expiry of the initial five-year period; and
- (c) Contributes to the General Amenity Reserve Fund in an amount specified in column 3 of Table 1 below:

Table 1

1. Legal description	2. Affordable Housing Lots	3. Cash Contribution to General Amenity Reserve Fund
That Part of Section 3, Range 3 West, Highland District, Shown Coloured Red on Plan Attached to DD 13124, Except Part in Plan 27507 (2110 Millstream Road)	3	\$8,000

6.98.03 Lot Coverage

Lot coverage of all **buildings** and **structures** may not exceed 40%.

6.98.04 Density of Development on Individual Lots

- (1) There may not be more than one **residential building** on a **lot**.
- (2) There may not be more than one **residential building** on a **lot** equal to or greater than 1,800.0 m² (0.5 ac) unless the applicant for a Building Permit provides to the City \$1,250 per additional **dwelling unit**, to be held in a reserve fund for parks, playgrounds, recreational fields and trails.
- (3) Despite Article 6.98.04(1), there may be more than one **residential building** on a **lot** if the **residential buildings** on the **lot** are either all of the **townhouse** type or all of the **two-family dwelling** type.

6.98.05 Density of Development in the CD9 Zone

- (1) There shall be no more than 37 **one-family dwelling lots** in the CD9 Zone.
- (2) There shall be no more than 44 multi-family **dwelling units** in the CD9 Zone.
- (3) No **lot** in the CD9 Zone shall have a **lot area** less than 270.0 m² (2,906.3 ft²).

6.98.06 Height and Size of Principal Use Buildings

- (1) No **one-family dwelling** may exceed a **height** of 8.5 m (27.9 ft).

- (2) No **townhouse** or **two-family dwelling** may exceed a **height** of 9.0 m (29.5 ft).

6.98.07 Setbacks

One-Family Residential Lots

- (1) No **principal building** may be located:
- (a) Within 4.5 m (14.8 ft) of any **front lot line**, except that no **garage or carport** whose vehicle access crosses a **front lot line** may be located within 5.5 m (18.0 ft) of the **front lot line**. This minimum **setback** may be reduced to 3.0 m (9.8 ft) where **automobile** access to the dwelling is provided from the rear, by way of a rear lane or rear access route in a bare land strata plan, and all parking is located at the rear of the dwelling; or
 - (b) Within 6.0 m (19.7 ft) of any **rear lot line**; or
 - (c) Within 3.0 m (9.8 ft) of any **exterior side lot line** except that no **garage or carport** whose vehicle access crosses an **exterior side lot line** may be located within 5.5 m (18.0 ft) of the **exterior side lot line**; or
 - (d) Within 1.2 m (3.9 ft) of any **interior side lot line**.
- (2) Despite Clause 6.98.07(1)(a), on residential **lots** with **lot areas** greater than or equal to 270.0 m² (2,906.3 ft²) and less than 300.0 m² (3,229.2 ft²), and that are subject to a housing agreement under Clause 6.98.02(7)(b), no **principal building** may be located within 4.0 m (13.1 ft) from any **front lot line**.

Townhouses and Two-Family Dwellings

- (3) No **townhouse** or **two-family dwelling** may be located:
- (a) Within 6.0 m (19.7 ft) of any **front lot line**; or
 - (b) Within 10.0 m (32.8 ft) of any **rear lot line**; or
 - (c) Within 7.5 m (24.6 ft) of any **exterior side lot line**; or
 - (d) Within 6.0 m (19.7 ft) of any **interior side lot line**.

6.98.08 Landscape Screening

In addition to the regulations contained in Section 3.21 of this Bylaw, the following requirements apply to landscape screening in the CD9 Zone:

- (1) On **lots** with an **townhouse** or **two-family dwelling use**, a **landscape and screening area** must be provided along any **interior side lot line** 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 1.0 m (3.3 ft) in width containing a decorative fence of a minimum **height** of 1.8 m (5.9 ft) and decorative planting.

6.98.09 General

In addition to the regulations of Part 3 of this Bylaw, the following requirements apply to Development in the CD9 Zone:

- (1) No plan of subdivision may be approved in this Zone if more than two **lots** with a **lot area** less than 300.0 m² (3,229.2 ft²), and that are subject to a housing agreement under Clause 6.98.02(7)(b), are contiguous along their **interior side lot lines**.

Section 6.99 – Comprehensive Development – Boulder Ridge (CD10) Zone

The intent of the CD10 zone is to accommodate residential and light commercial use.

6.99.01 Permitted Uses

- (1) Within that portion of the lands identified as “Area 1 – Mixed Use Residential/Commercial” on the CD10 Zone Map attached as Schedule “V” the following **uses** and no others are permitted:
 - (a) **Community garden;**
 - (b) **Dwelling, one-family;**
 - (c) No more than four **dwelling units** which can be located on either the ground level or second storey, or a combination thereof; and
 - (d) No more than two commercial units on the ground level, each not exceeding 93.0 m² (1,001.0 ft²) in **gross floor area**, in which the following **uses** are permitted:
 - (i) **Office;**
 - (ii) **Personal service establishment;**
 - (iii) **Restaurant;**
 - (iv) **Retail store;**
 - (v) **Uses accessory** to a **principal use** permitted in this Clause; and
 - (vi) **Uses** permitted by Section 3.01 of this Bylaw, other than 3.01.01(5) and (9).
- (2) Within that portion of the lands identified as “Area 2 – Community Institutional” on the CD10 Zone Map attached as Schedule “V”, the following **uses** and no others are permitted:
 - (a) **Accessory buildings and structures**, subject to Section 3.05;
 - (b) **Community garden;**
 - (c) **Dwelling, one-family;**
 - (d) No more than one **principal residential use** on proposed Lot 2 shown on the site plan prepared by Wensley Architecture Limited and dated August 13, 2008, which may be either a **one-family dwelling** which may contain a **secondary suite**;
 - (e) **Secondary suite** in a **one-family dwelling**, on the lot legally described as Lot 19, Section 86, Metchosin District, Plan EPP14196 (3368 Happy Valley Road);
 - (f) **Townhouse or two-family dwelling**, on Lot 20, Section 86, Metchosin District, Plan EPP14196 (3364 Happy Valley Road) and on Lot 21 Section 86, Metchosin District, Plan EPP14196 (3360 Happy Valley Road);

- (g) **Uses accessory** to a **principal use** permitted in this Article; and
 - (h) **Uses** permitted by Section 3.01 of this Bylaw.
- (3) Within those portions of the lands identified as “Area 3 – Attached Housing A” and “Area 5 – Attached Housing B” on the CD10 Zone Map attached as Schedule “V”, the following **uses** and no others are permitted:
- (a) **Accessory buildings and structures**, subject to Section 3.05;
 - (b) **Community garden**;
 - (c) **Dwelling, one-family**;
 - (d) **Dwelling, two-family**, subject to Section 3.07;
 - (e) **Home occupation**, subject to Section 3.09;;
 - (f) **Townhouse**;
 - (g) **Uses accessory** to a **principal use** permitted in this Article; and
 - (h) **Uses** permitted by Section 3.01 of this Bylaw.
- (4) Within that portion of the lands identified as “Area 4 – **Apartments**”, on the CD10 Zone Map attached as Schedule “V”, the following **uses** and no others are permitted:
- (a) **Accessory buildings and structures**, subject to Section 3.05;
 - (b) **Apartment**;
 - (c) **Community garden**;
 - (d) **Dwelling, one-family**;
 - (e) **Dwelling, two-family**, subject to Section 3.07;
 - (f) **Group daycare**, subject to Subsection 3.26.02;
 - (g) **Home office**, subject to Section 3.09;
 - (h) **Parking facility**, as an **accessory use** to an **apartment** ;
 - (i) **Pet daycare**;
 - (j) **Preschool**;
 - (k) **Townhouse**;
 - (l) **Uses accessory** to a **principal use** permitted in this Article;
 - (m) **Uses** permitted by Section 3.01 of this Bylaw; and
 - (n) **Veterinary practice**, in enclosed **buildings**.

6.99.02 Subdivision Lot Requirements

- (1) No **lot** having a **lot area** less than 850.0 m² (9,149.3 ft²) may be created by subdivision.
- (2) No **lot** having a **lot width** less than 16.0 m (52.5 ft) may be created by subdivision.
- (3) No **lot** having a **building envelope** width or depth of less than 7.0 m (23.0 ft) nor a **building envelope** area of less than 186.0 m² (2,002.1 ft²) may be created by subdivision.

6.99.03 Density of Development

- (1) There may not be more than one **residential building** on a **lot**, except that two **apartment buildings** may be located on a **lot** not less than 2,500.0 m² (26,909.8 ft²) in **lot area**.
- (2) The **gross floor area** of an **accessory building** on any **lot** shall not exceed 9.2 m² (99.0 ft²).
- (3) The density of development of **lots** containing **apartment buildings** is limited to six **dwelling units**, unless all of the amenities described in Subsection 6.99.04 are provided, in which case more than six **apartment dwelling units** are permitted per **lot** to a maximum of 70 **apartments** in the CD10 Zone.
- (4) Despite Subsection 6.99.02, if all of the amenities described in Subsection 6.99.04 are provided and the total number of **lots** in Areas 3 and 5 shown on the CD10 Zone Map attached as Schedule "V" does not exceed 89, the minimum **lot area** for subdivision in those areas is 75.0 m² (807.3 ft²), the minimum **lot width**, **building envelope** width and **building envelope** depth in those areas is 4.6 m (15.1 ft), and the minimum **building envelope** area in those areas is 43.0 m² (462.9 ft²).

6.99.04 Amenities for Density Increases

- (1) The conditions for the density increases specified in Articles 6.99.03(3) and (4) are that prior to any subdivision approval or issuance of any building permit that results in **dwelling units** or **lots** in Areas 1, 3, 4 and 5 exceeding the density otherwise permitted, the owner has:
 - (a) Provided to the City either:
 - (i) Conveyance of land in fee simple to the City, for the purpose of greenspace or park area, being those portions of land designated as "Park Area" and "Green Space" on the site plan prepared by Wensley Architecture Limited and dated August 13, 2008, after having installed on such land to the satisfaction of the City any landscape screening required by Section 6.99 in respect of park property **lot lines abutting a residential use**; or
 - (ii) Cash-in-lieu contribution to the City for the portions of land described in (i) above, being \$200,400 to be deposited in the General Amenity Reserve Fund.
 - (b) Registered a non-disturbance covenant, in favour of the City of Langford, over the portion of land designated as 'Common Property Green Space' on the sketch plan prepared by McIlvaney Riley Land Surveying Inc. and dated May 15, 2018, prohibiting the alteration of the land including the deposit or removal of soil and the alteration and removal of vegetation without the prior written consent of the City.
(Bylaw 1775)

- (c) Registered a restrictive covenant that prohibits the rear yard setbacks of the western residential units to be no closer than 1.0m west of the previous non-disturbance boundary as identified as 'existing covenant boundary' on the sketch plan prepared by McIlvaney Riley Land Surveying Inc. and dated May 15, 2018. **(Bylaw 1775)**
- (d) Pays to the City the amount specified in Column 4 of Table 1 of Schedule "AD", prior to subdivision or Building Permit, whichever comes first.

6.99.05 Height and Size of Principal Use Buildings

- (1) No **townhouse** or **two-family dwelling** may exceed a **height** of 10.0 m (32.8 ft).
- (2) No **one-family dwelling** shall exceed a **height** of three storeys, except that no **one-family dwelling** that fronts on Tayberry Terrace and whose legal parcel was created through the deposit of subdivision plan EPP14196 may exceed a **height** of 10.0 m (32.8 ft) or two storeys, whichever is less.
- (3) No **apartment building** may exceed a **height** of 15.0 m (49.2 ft).
- (4) No mixed use commercial **buildings** may exceed a **height** of 10.0 m (32.8 ft) or two storeys, whichever is less.
- (5) Despite Article 6.99.05(1), **one-family dwellings** in Area 1 shall not exceed a **height** of 9.7 m (31.8 ft).

6.99.06 Setbacks

Apartment

- (1) On any **lot** for **apartment use**, no **building** may be located:
 - (a) Within 9.0 m (29.5 ft) of any **front lot line**; or
 - (b) Within 5.0 m (16.4 ft) of any **rear lot line**; or
 - (c) Within 4.5 m (14.8 ft) of any **interior side lot line**; or
 - (d) Within 3.5 m (11.5 ft) of any **exterior side lot line**.

Townhouse and Two-Family Dwellings

- (2) No **townhouse** or **two-family dwelling** may be located:
 - (a) Within 1.3 m (4.3 ft) of any **front lot line**, except that no **garage or carport** whose vehicle access crosses a **front lot line** may be located within 5.5 m (18.0 ft) of the **front lot line**; or
 - (b) Within 2.3 m (7.6 ft) of any **exterior side lot line**, except that no **garage or carport** whose vehicle access crosses an **exterior side lot line** may be located within 5.5 m (18.0 ft) of the **exterior side lot line**. **One-Family Dwelling, Community Institutional and Mixed Use Residential/Commercial**
- (3) No **principal building** that is not an **apartment building, townhouse** or **two-family dwelling** may be located:

- (a) Within 3.5 m (11.5 ft) of any **front lot line**, except that no **garage or carport** whose vehicle access crosses a **front lot line** may be located within 5.5 m (18.0 ft) of the **front lot line**; or
- (b) Within 5.0 m (16.4 ft) of any **rear lot line**; or
- (c) Within 1.5 m (4.9 ft) of any **interior side lot line**; or
- (d) Within 4.3 m (14.1 ft) of any **exterior side lot line**, except that no **garage of carport** whose vehicle access crosses an **exterior side lot line** may be located within 5.5 m (18.0 ft) of the **exterior side lot line**.

Accessory Buildings

- (4) No **building accessory** to a community institutional **use** may be located:
 - (a) Within 1.0 m (3.3 ft) of the **principal building**; or
 - (b) Within 15.0 m (49.2 ft) of any **front lot line** unless it complies with the **front lot line setback** requirements applicable to the **principal building**; or
 - (c) Within 1.0 m (3.3 ft) of any **side lot line**; or
 - (d) Within 1.0 m (3.3 ft) of any **rear lot line**.

6.99.07 Lot Coverage

- (1) The maximum **lot coverage** for **one-family dwellings** and **townhouse** units is 50% and for loft units is 57%.
- (2) The maximum **lot coverage** of all other **uses** is 40% except that, in Area 1, the maximum **lot coverage** is 75%.

6.99.08 Landscape Screening

In addition to the regulations contained in Section 3.21 of this Bylaw, the following requirements apply to landscape screening in the CD10 Zone:

- (1) Parking areas shall be screened from any **abutting residential use** or commercial **use** by a **landscape and screening area** not less than 3.0 m (9.8 ft) in width and 1.8 m (5.9 ft) in **height**, measured at the time of planting.
- (2) A continuous **landscape and screening area** not less than 1.5 m (4.9 ft) wide including a solid decorative fence of 1.8 m (5.9 ft) high shall be provided along all commercial or park property **lot lines** that **abut** a **residential use**. The **landscape and screening area** shall be provided on the commercial or park side of the property line, in the case of commercial property by the owner of that property.

Section 6.101 – Comprehensive Development – South Skirt Mountain (CD12) Zone

The intent of the CD12 Zone is to accommodate residential, commercial and light industrial uses.

6.101.01 Permitted Uses

- (1) Within that portion of the lands identified as “Area I – One or Two Family Residential”, on the CD12 Zone Map attached as Schedule “X”, the following **uses** and no others are permitted:
 - (a) **Accessory buildings and structures**, subject to Section 3.05;
 - (b) **Assisted living**;
 - (c) **Bed and breakfast in a one-family dwelling**, on **lots** of 550.0 m² (5,920.2ft²) or greater in **lot area** and subject to Section 3.09;
 - (d) **Charitable facility**;
 - (e) **Community care facility**;
 - (f) **Community garden**;
 - (g) **Cultural facility**;
 - (h) **Dwelling, one-family**;
 - (i) **Dwelling, two-family**, on **lots** with a **lot area** greater than or equal to 750.0 m² (8,072.9 ft²), a **lot width** not less than 13.0 m (42.7 ft) and a **building envelope** width not less than 11.0 m (36.1 ft), subject to Section 3.07;
 - (j) **Group daycare**, subject to Subsection 3.26.02;
 - (k) **Home occupation**, subject to Section 3.09;
 - (l) **Hospital**;
 - (m) **Recreation facility, indoor**;
 - (n) **School**;
 - (o) **Secondary suite in a one-family dwelling**, on **lots** with a **lot area** less than 550.0 m² (5,920.2 ft²), subject to Section 3.08;
 - (p) **Secondary suite, garden suites, or carriage suites in a one-family dwelling** or in an **accessory building**, on **lots** with a **lot area** equal to or greater than 550.0 m² (5,920.2 ft²), subject to Section 3.08;
 - (q) The keeping of not more than four **boarders** in a **one-family dwelling**;
 - (r) **Townhouse**;

- (s) **Uses accessory** to a **principal use** permitted in this Article; and
 - (t) **Uses** permitted by Section 3.01 of this Bylaw.
- (2) Within those portions of the lands identified as “Area II – Multi-Family Residential” on the CD12 Zone map attached as Schedule “X”, the following **uses** and no others are permitted:
- (a) **Apartment**;
 - (b) **Apartment, senior citizens**;
 - (c) **Assisted living** ;
 - (d) **Uses accessory** to a **principal use** permitted in this Article; and
 - (e) **Uses** permitted by Article 6.101.01(1) of this Bylaw.
- (3) Within those portions of the lands identified as “Area III” – Mixed-Use Multi-Family Residential” on the CD12 Zone Map attached as Schedule “X”, the following **uses** and no others are permitted:
- (a) Commercial **uses** in a mixed-use **building**, including:
 - (i) **Bakery**;
 - (ii) **Medical Clinics** and accessory related commercials uses;
 - (iii) **Office**;
 - (iv) **Personal service establishment**;
 - (v) **Recreation facility, indoor**;
 - (vi) **Restaurant**;
 - (b) **Retail store; Place of worship**;
 - (c) **Uses accessory** to a **principal use** permitted in this Article; and
 - (d) **Uses** permitted by Articles 6.101.01(1) and (2) of this Bylaw.
- (4) Within those portions of the lands identified as “Area IV – Neighbourhood Centre” on the CD12 Zone Map attached as Schedule “X”, the following **uses** and no others are permitted:
- (a) **Accessory buildings and structures**, subject to Section 3.05;
 - (b) **Artist or craftsperson studio**, in enclosed **buildings**;
 - (c) **Assisted living**;
 - (d) **Bakery**, limited to a maximum of 220.0 m² (2,368.1 ft²) of **gross floor area**;
 - (e) **Business support service**;

- (f) **Catering;**
 - (g) **Charitable facility;**
 - (h) **Community garden;**
 - (i) **Cultural facility;**
 - (j) **Financial institution;**
 - (k) **Hospital;**
 - (l) **Hotel;**
 - (m) **Licensed premises;**
 - (n) **Medical Clinics** and accessory related commercial uses;
 - (o) **Office;**
 - (p) **Parking facility;**
 - (q) **Personal service establishment;**
 - (r) **Recreation facility, indoor;**
 - (s) **Recreation facility, outdoor;**
 - (t) **Restaurant ;**
 - (u) **Retail store;**
 - (v) **Uses accessory** to a **principal use** permitted in this Article;
 - (w) **Uses** permitted by Section 3.01 of this Bylaw;
 - (x) **Uses** permitted by Articles 3.101.01(1), (2) and (3) of this Bylaw; and
 - (y) **Veterinary practice**, in enclosed **buildings**.
- (5) Within those portions of the lands identified as “Area V (a & b) – Commercial” on the CD12 Zone Map attached as Schedule “X”, the following **uses** and no others are permitted:
- (a) **Accessory buildings and structures**, subject to Section 3.05;
 - (b) **Accessory commercial uses**, limited to the following;
 - (i) **Charitable facility;**
 - (ii) Conference and meeting facility;
 - (iii) **Cultural facility;**
 - (iv) **Licensed premises;**

- (v) **Recreation facility, indoor.**
 - (c) **Car wash;**
 - (d) **Community garden;**
 - (e) **Financial institution;**
 - (f) **Financial institution, drive-through;**
 - (g) **Fitness centre;**
 - (h) **Gasoline service station;**
 - (i) **Hotel;**
 - (j) **Household equipment and appliance service and repair;**
 - (k) **Medical Clinics** and accessory related commercial uses;
 - (l) **Office;**
 - (m) **Parking facility;**
 - (n) **Personal service establishment;**
 - (o) **Recreation facility, indoor;**
 - (p) **Residential hotel;**
 - (q) **Restaurant ;**
 - (r) **Restaurant, drive-through;**
 - (s) **Retail store;**
 - (t) **Transportation terminal;**
 - (u) **Uses accessory** to a **principal use** permitted in this Article; and
 - (v) **Uses** permitted by Section 3.01 of this Bylaw.
- (6) Within those portions of the lands identified as “Area VI – Commercial Mixed-Use” on the CD12 Zone Map attached as Schedule “X”, the following **uses** and no others are permitted:
- (a) **Accessory buildings and structures**, subject to Section 3.05;
 - (b) **Accessory** commercial **uses**, limited to the following;
 - (i) **Charitable facility;**
 - (ii) Conference and meeting facility;
 - (iii) **Cultural facility;**

- (iv) **Group daycare**, subject to Subsection 3.26.02;
- (v) **Licensed premises**;
- (vi) **Office**;
- (vii) **Parking facility**;
- (viii) **Personal service establishment**;
- (c) **Apartment**;
- (d) **Apartment, senior citizens**;
- (e) **Car wash**;
- (f) **Community garden**;
- (g) **Dwelling, two-family**, subject to Section 3.07;
- (h) **Financial institution**;
- (i) **Financial institution, drive-through**;
- (j) **Gasoline service station**;
- (k) **Hotel**;
- (l) **Medical Clinics** and accessory related commercial uses;
- (m) **Office**;
- (n) **Recreation facility, indoor**;
- (o) **Recreation facility, outdoor**;
- (p) **Residential hotel**;
- (q) **Restaurant** ;
- (r) **Restaurant, drive-through**;
- (s) **Retail store**;
- (t) **Townhouse**;
- (u) **Uses accessory** to a **principal use** permitted in this Article; and
- (v) **Uses** permitted by Section 3.01 of this Bylaw.

6.101.02 Subdivision Lot Requirements

- (1) In Areas I, II, III, and IV:

- (a) No **lot** having a **lot area** less than 200.0 m² (2,152.8 ft²) or a **lot width** less than 6.0 m (19.7 ft) may be created by subdivision;
 - (b) No **lot** with a **lot area** greater than, or equal to 550.0 m² (5,920.2 ft²) may be created having a **lot width** less than 10.0 m (32.8 ft); and
 - (c) Despite Clause 6.101.02(1)(a), a **lot** having a **lot area** of no less than 70.0 m² (753.5 ft²) and a **lot width** no less than 4.0 m (13.1 ft) may be created by subdivision for a **townhouse use**.
- (2) In Areas V (a & b) and VI:
- (a) No **lot** having a **lot area** less than 695.0 m² (7,480.9 ft²) may be created by subdivision; and
 - (b) No **lot** having a **lot width** less than 16.0 m (52.5 ft) may be created by subdivision.
- (3) No land may be subdivided unless, concurrently with the subdivision, the Owner has granted to the City a covenant under Section 219 of the *Land Title Act* restricting the **use** of the land being subdivided and the construction of **buildings** and **structures** on the land such that the land **use** and density regulations contained in the CD12 Zone including the provisions for bonus density in Article 6.101.04(3) are made applicable to the individual parcels created by the subdivision in a manner that is consistent with this Bylaw and the Official Community Plan.

6.101.03 Density of Development on Individual Lots

There may not be more than one **residential building**, exclusive of any garden suite or carriage suite on a **lot** with a **lot area** less than 750.0 m² (8,072.9 ft²).

6.101.04 Density of Development in the CD12 Zone

- (1) Within Area VI:
- (a) The **floor area ratio** may not exceed 1.0 for **buildings** containing **uses** other than **residential uses** and **hotels**; and
 - (b) The **floor area ratio** may not exceed 2.0 for **buildings** containing **residential** or **hotel uses**.
- (2) There may not be more than 16 **dwelling units** in Areas I, II, III, IV, and V of the CD12 Zone.
- (3) Despite Article 6.101.04(2), land in Areas I, II, III, and IV of the CD12 Zone may be subdivided and land may be developed for more than 16 **dwelling units** if the owner of the land to be built upon has provided the following to the City:
- (a) \$2,000 per **dwelling unit** towards the General Amenity reserve Fund; AND
 - (b) A covenant charging the land in CD12 Zone, in terms satisfactory to the City, ensuring that land in an amount equal to at least 40% of the land area within the CD12 Zone, and in location satisfactory to the City, is dedicated as public land or protected as covenanted open space.

- (4) For the purposes of Article 6.101.04(3), a **dwelling unit** is authorized when a building permit authorizing the construction of the **dwelling unit** is issued, except that in the case of a subdivision of land into **lots** on which the CD12 Zone regulations permit the construction of a **one-family dwelling** or **two-family dwelling**, **dwelling units** are authorized on such **lots** when the **Approving Officer** approves the subdivision plan creating the **lots**.
- (5) For the purposes of Articles 6.101.04(3) a **dwelling unit** is defined as a single residential **lot** of not less than 550.0 m² (5,920.2 ft²) or a **one-family dwelling** on a **lot** not less than 550.0 m² (5,920.2 ft²).
- (6) For the purpose of Article 6.101.04(3):
 - (a) A **one-family dwelling** on a **lot** less than 550.0 m² (5,920.2 ft²) is deemed equivalent to 0.66 **dwelling units**;
 - (b) A **two-family dwelling** is deemed to be equivalent to 1.32 **dwelling units** (2 x 0.66); and
 - (c) A multi-family **dwelling unit** (**townhouse**, or **apartment**) is deemed equivalent to 0.61 **dwelling units**.
- (7) Provided that all of the requirements of Subsection 6.101.04 have been met, the maximum density of development within Areas, I, II, III, IV and V (a & b) of the CD12 Zone is as follows:
 - (a) Within Area II the **floor area ratio** may not exceed 3.0;
 - (b) Within Area III:
 - (i) The commercial **uses** permitted by Clause 6.101.01(3)(b) may not exceed 600.0 m² (6,458.3 ft²) of **gross floor area**; and
 - (ii) The **floor area ratio** may not exceed 7.0.
 - (c) Within Areas IV and V9 A) the combined **gross floor area** for **uses** other than **residential uses** may not exceed 6,000.0 m² (64,583.5 ft²);
 - (d) Within Area V9 B) the **gross floor area** for **uses** other than **residential uses** may not exceed 1,000.0 m² (10,763.9 ft²);
 - (e) Within Area VI, the **floor area ratio** may not exceed 7.0; and
 - (f) Within Area V (a & b):
 - (i) The **floor area ratio** may not exceed 1.0 for **buildings** containing only **uses** other than **hotels**; and
 - (ii) The **floor area ratio** may not exceed 2.0 for **buildings** containing **hotel uses**.
- (8) Under no circumstances may the total number of residential dwellings other than **secondary suites** and **assisted living apartments** and **care facilities** in Areas I, II, III and IV of the CD12 Zone exceed 2,600.

6.101.05 Lot Coverage

Within Area V (a & b) and VI, the **lot coverage** of all **buildings** and **structures** may not exceed 50%.

6.101.06 Height and Size of Principal Use Buildings

- (1) Within Area I, the **height of principal use buildings** may not exceed three storeys.
- (2) Within Area II, the **height of principal use buildings** may not exceed six storeys, exclusive of up to two storeys primarily containing off-street motor vehicle parking spaces.
- (3) Within Area V (a & b) and VI, the **height of principal use buildings** may not exceed four storeys.

6.101.07 Setbacks

Within Area V (a & b) and VI, no **building** or **structure** may be located:

- (1) Within 7.5 m (24.6 ft) of any **front lot line**; or
- (2) Within 6.0 m (19.7 ft) of any **interior side lot line** that does not **abut** a **lot** in a **Commercial, Industrial** or **Business Park Zone**; or
- (3) Within 10.0 m (32.8 ft) of any **rear lot line** except that no **setback** is required from a **rear lot line** that **abuts** a **lot** in a **Commercial Zone, Industrial Zone, or Business Park Zone**; or
- (4) Within 6.0 m (19.7 ft) of any **exterior side lot line**.

6.101.08 Landscape Screening

In addition to the regulations contained in Section 3.21 of this Bylaw, the following requirements apply to landscape screening in the CD12 Zone:

- (1) A continuous **landscape and screening area** not less than 3.0 m (9.8 ft) wide must be provided along the developed portion of each **lot** in Area V (a & b) and VI which **abuts** a **highway**, and a continuous **landscape and screening area** not less than 3.0 m (9.8 ft) wide or not less than 2.5 m (8.2 ft) in width containing a decorative fence not less than 1.8 m (5.9 ft) in **height** together with decorative planting must be provided along the developed portion of each **lot** in Area V (a & b) and VI which **abuts** a property in an **Agricultural, Residential, or Institutional Zone** other than the CD12 Zone.
- (2) The **landscape and screening area** may be interrupted at boulevard crossings, or to provide necessary pedestrian access to a **building** or for viewing shop windows. The width of the **landscape and screening area** may include the width of any landscaped portion of the **abutting highway** that is contiguous with the **landscape and screening area** and not separated from it by any paved, graveled or concrete area.

Section 6.102 – Comprehensive Development – South Walfred (CD13) Zone

The intent of the CD13 Zone is accommodate residential and related uses.

6.102.01 Permitted Uses

The following **uses** and no others are permitted in the CD13 Zone:

- (1) **Accessory buildings and structures**, subject to Section 3.05;
- (2) **Bed and breakfast** in a **one-family dwelling** on **lots** of 550.0 m² (5,920.2 ft²) or greater in **lot area** and subject to Section 3.09;
- (3) **Community garden**;
- (4) **Dwelling, one-family**;
- (5) **Group daycare**, subject to Subsection 3.26.02;
- (6) **Home occupation**, subject to Section 3.09;
- (7) **Parking facility**;
- (8) **Recreation facility, outdoor**;
- (9) **Secondary suite** in a **one-family dwelling, garden suite, or carriage suite** on **lots** with **lot areas** greater than or equal to 550.0 m² (5,920.2 ft²), subject to Section 3.08;
- (10) The keeping of not more than two **boarders** in a **one-family dwelling** located on a **lot** having a **lot area** more than 550.0 m² (5,920.2 ft²), or not more than one **boarder** in a **one-family dwelling** located on a **lot** having a **lot area** less than 550.0 m² (5,920.2 ft²);
- (11) **Uses accessory** to a **principal use** permitted in this **Zone**; and
- (12) **Uses** permitted by Section 3.01 of this Bylaw.

6.102.02 Subdivision Lot Requirements in the CD13 Zone

- (1) A **lot** having a **lot area** of 850.0 m² (9,149.3 ft²) or greater may be created by subdivision for a **one-family dwelling**, provided that:
 - (a) The **lot width** is not less than 18.0 m (59.1 ft); and
 - (b) The **building envelope** width or depth is not less than 14.0 m (45.9 ft).

- (2) A **lot** having a **lot area** of between 550.0 m² (5,920.2 ft²) and 850.0 m² (9,149.3ft²) may be created by subdivision for a **one-family dwelling** , provided that:
 - (a) The **lot width** is not less than 16.0 m (52.5 ft); and
 - (b) The **building envelope** on the **lot** created has a width or depth no less than 7.0 m (23.0 ft) nor a **building envelope** area less than 186.0 m² (2,002.1 ft²).
- (3) A **lot** having a **lot area** of between 220.0 m² (2,368.1 ft²) and 550.0 m² (5,920.2 ft²) may be created by subdivision for a **one-family dwelling**, provided that:
 - (a) The **lot width** is not less than 9.0 m (29.5 ft); and
 - (b) The **building envelope** on the **lot** created has a width or depth no less than 6.0 m (19.7 ft) nor a **building envelope** area of less than 74.0 m² (796.5 ft²).

6.102.03 Density of Development on Individual Lots

- (1) There may not be more than one **residential building** on a **lot**.
- (2) Despite Article 6.102.03(1), an **accessory building** containing a **dwelling unit** may be constructed on a **lot** with a **lot area** of not less than 550.0 m² (5,920.2 ft²), if the **gross floor area** of the **dwelling unit** does not exceed 51.0 m² (549.0 ft²).

6.102.04 Density of Development in the CD13 Zone

- (1) No **lot** having a **lot area** less than 850.0 m² (9,149.3ft²) may be created by subdivision.
- (2) Despite Article 6.102.04(1), on land whose legal description is set out in the following table in Column 1, the minimum **lot area** for subdivision shall be 220.0 m² (2,368.1 ft²), if the owner of the land proposed to be subdivided:
 - (a) Enters into a housing agreement and covenant with the City in respect of at least the number of **lots** in the subdivision indicated in Column 2 of Table 1 below, which **lots** must have a **lot area** of not less than 220.0 m² (2,368.1 ft²) and no more than two of which **lots** may be contiguous along their **interior side lot lines**, requiring the owner to construct on each such **lot** within 26 weeks of the deposit of the subdivision plan a **one-family dwelling** having a **gross floor area** of not less than 83.0 m² (893.4 ft²), a single-car garage, and three bedrooms, and restricting the selling price of the **lot** and dwelling to \$165,000 for the first five years following deposit of the subdivision plan, and restricting the selling price of the **lot** and dwelling for the following 20 years to \$165,000 plus \$2,000 for each full year that has elapsed following the expiry of the initial five-year period; and
 - (b) Pays to the City the amount specified in Column 2 of Table 1 below prior to the time of subdivision approval;

Table 1

1. Legal Description	2. Amenity Contribution
Lot 6, Section 78 and 84, Esquimalt District, Plan 21772; Lot 5, Section 78 and	(a) Enters into a housing agreement and covenant for four affordable housing lots on the City's standard terms OR pays to the City \$50,000 for each required affordable house towards the Affordable Housing Reserve Fund;

84, Esquimalt District, Plan 21772; Lot 4, Section 84, Esquimalt District, Plan 21772 (923, 927, 931 Walfred Road)	(b) \$2,500 per new lot created over and above increments of 10 towards the General Amenity Reserve Fund; (c) \$6,800 per new lot created towards the General Amenity Reserve Fund; and (d) \$4.19 per m² lot area for each lot smaller than 500.0 m² (5,920.2 ft²); \$2.29 per m² lot area for each lot larger than or equal to 550.0 m² (5,920.2 ft²); towards the General Amenity Reserve Fund.
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- (3) No **lot** may be created by subdivision, if as a result of the subdivision creating that **lot**, the number of **lots** in the CD13 Zone will exceed 29, unless the owner of the land proposed to be subdivided has first conveyed to the City of Langford in fee simple a portion of the land in the CD13 Zone that is at least 6,835.0 m² (73,571.3 ft²) in area.
- (4) No **lot** may be created by subdivision unless upon the creation of that **lot** it will be the case that there are housing agreements that conform with Clause 6.102.04(2)(a) registered, in priority, to all financial charges, against at least 10% of the new **lots** in the CD13 Zone.
- (5) There shall be no more than 45 **lots** in the CD13 Zone.
- (6) There shall be no more than 37 **lots** in the CD13 Zone that have a **lot area** less than 550.0 m² (5,920.2 ft²).
- (7) No **lot** shall have a **lot area** less than 220.0 m² (2,368.1 ft²).

6.102.05 Height and Size of Principal Use Buildings

- (1) No **one-family dwelling** may exceed a **height** of 9.0 m (29.5 ft).
- (2) Despite Article 3.05.02(3), an **accessory building** on a **lot** greater than 550.0 m² (5,920.2 ft²) may not exceed a **height** of 85% of the **height** of the **principal building**.

6.102.06 Setbacks

One-Family Residential Lots

- (1) On **residential lots** with **lot areas** greater than or equal to 550.0 m² (5,920.2 ft²), no **principal building** may be located:
 - (a) Within 6.0 m (19.7 ft) of any **front lot line**; or
 - (b) Within 6.0 m (19.7 ft) of any **rear lot line**; or
 - (c) Within 1.5 m (4.9 ft) of any **interior side lot line**; or
 - (d) Within 4.5 m (14.8 ft) of any **exterior side lot line**, except that no **garage or carport** whose vehicle access crosses an **exterior side lot line** may be located within 5.5 m (18.0 ft) of the **exterior side lot line**.

Small Lots

- (2) On **residential lots** with **lot areas** greater than or equal to 220.0 m² (2,368.1ft²) and less than 550.0 m² (5,920.2ft²), no **principal building** may be located:
 - (a) Within 3.0 m (9.8 ft) of any **front lot line** , except no **garage or carport** whose vehicle access crosses a **front lot line** may be located within 5.5 m (18.0 ft) of the **front lot line**; or
 - (b) Within 5.5 m (18.0 ft) of any **rear lot line**; or
 - (c) Within 2.0 m (6.6 ft) of any **exterior side lot line**, except that no **garage or carport** whose vehicle access crosses an **exterior side lot line** may be located within 5.5 m (18.0 ft) of the **exterior side lot line**; (**Bylaw No. 1581**) or
 - (d) Within 1.2 m (3.9 ft) of any **interior side lot line**.

Accessory Buildings

- (3) On **residential lots** with **lot areas** greater than or equal to 550.0 m² (5,920.2 ft²), no **accessory building** may be located:
 - (a) Within 1.0 m (3.3 ft) of the **principal building**; or
 - (b) Within 15.0 m (49.2 ft) of any **front lot line** unless it complies with the **front lot line setback** requirements applicable to the **principal building**; or
 - (c) Within 1.0 m (3.3 ft) of any **side lot line**; or
 - (d) Within 1.0 m (3.3 ft) of any **rear lot line**.
- (4) On **residential lots** with **lot areas** greater than or equal to 220.0 m² (2,368.1 ft²) and less than 550.0 m² (5,920.2 ft²), no **accessory building** may be located:
 - (a) Within 1.0 m (3.0 ft) of the **principal building**; or
 - (b) Within 5.5m (18.0 ft) of any **front lot line**; or
 - (c) Within 1.0 m (3.3 ft) of any **side lot line**; or
 - (d) Within 1.0 m (3.3 ft) of any **rear lot line**.

6.102.07 Lot Coverage

- (1) On residential **lots** with **lot areas** greater than or equal to 550.0 m² (5,920.2 ft²), **lot coverage** of all **buildings** and **structures** shall not exceed 35%.
- (2) On residential **lots** with **lot areas** lesser than 550.0 m² (5,920.2 ft²), **lot coverage** of all **buildings** and **structures** shall not exceed 50%;

Section 6.103 – Comprehensive Development 14 – Hazelwood/Luxton (CD14) Zone

The intent of the CD14 Zone is to accommodate residential and related uses.

6.103.01 Permitted Uses

The following **uses** and no others are permitted in the CD14Zone:

- (1) **Accessory buildings and structures**, subject to Section 3.05;
- (2) **Bed and breakfast** in a **one-family dwellings**, subject to Section 3.09;
- (3) **Community garden**;
- (4) **Dwelling, one-family**;
- (5) **Dwelling, two-family**, on **lots** with **lot areas** greater than 850.0 m² (9,149.3 ft²), subject to Section 3.07;
- (6) **Group daycare**, subject to Subsection 3.26.02;
- (7) **Home occupation**, subject to Section 3.09;
- (8) One **apartment building** with a maximum of eight **dwelling units**, on the property legally described as Lot 11, Block 3, Sections 85, 86, 87 and 88, Metchosin District, Plan 1718 (3332 Hazelwood Road);
- (9) **Secondary suite** in a **one-family dwelling, garden suite or carriage house**, on **lots** with **lot areas** greater than or equal to 300.0 m² (3,229.2 ft²), subject to Section 3.08;
- (10) The keeping of not more than two **boarders** in a **one-family dwelling** located on a **lot** having a **lot area** more than 550.0 m² (5,920.2 ft²), or not more than one **boarder** in a **one-family dwelling** located on a **lot** having a **lot area** less than 550.0 m² (5,920.2 ft²);
- (11) **Uses accessory** to a **principal use** permitted in this Zone; and
- (12) **Uses** permitted by Section 3.01 of this Bylaw.

6.103.02 Subdivision Lot Requirements in the CD14 Zone

- (1) A **lot** having a **lot area** of 850.0 m² (9,149.3 ft²) or greater may be created by subdivision for a **one-family dwelling** or **two-family dwelling**, provided that:
 - (a) The **lot width** is not less than 18.0 m (59.1 ft); and
 - (b) The **building envelope** width or depth is not less than 14.0 m (45.9 ft).
- (2) A **lot** having a **lot area** of not less than 220.0 m² (2,368.1 ft²) and not greater than 850.0 m² (9,149.3 ft²) may be created by subdivision for a **one-family dwelling**, provided that:

- (a) The **lot width** is not less than 9.0 m (29.5 ft); and
 - (b) The **building envelope** on the **lot** created has a width or depth no less than 6.0 m (19.7 ft) nor a **building envelope** area of less than 74.0 m² (796.5 ft²).
- (3) A **lot** having a **lot area** of 700.0 m² (7,534.7ft²) or greater may be created by subdivision for a **multi-family residential use**, provided that the **lot width** is not less than 25.0 m (82.0 ft).:
- (4) No **lot** shall have a **lot area** less than 220.0 m² (2,368.1 ft²).
- (5) Despite Article 6.103.02(2), a **lot** that is subject to a housing agreement in accordance with Clause 6.103.04(2)(a) may be created by subdivision with:
- (a) A **lot width** of no less than 8.0 m (26.3 ft); and
 - (b) A **building envelope** width or depth of no less than 5.0 m (16.4 ft), and a **building envelope** area of no less than 70.0 m² (753.5 ft²).

6.103.03 Density of Development on Individual Lots

There may not be more than one **residential building** on a **lot**, exclusive of any **garden suite** or **carriage house** where permitted by Article 6.103.01(9).

6.103.04 Density of Development in the CD14 Zone

- (1) No **lot** having a **lot area** less than 850.0 m² (9,149.3 ft²) may be created by subdivision.
- (2) Despite Article 6.103.04(1), on land whose legal description is set out in the following table in Column 1, the minimum **lot area** for subdivision shall be 220.0 m² (2,368.1 ft²) or 700.0 m² (7,534.7 ft²) for a multi-family **building**, if the owner of the land proposed to be subdivided:
 - (a) Enters into a housing agreement and covenant, in priority to all financial charges, with the City in respect of at least one **lot** out of every 10 created by a plan of subdivision in the CD14 Zone, or at least one strata-titled **apartment** unit out of every seven Lots created by subdivision or pays to the City \$50,000 for each required affordable house towards the Affordable Housing Reserve Fund. The **lots** that are subject of the housing agreement and covenant must have a **lot area** of not less than 220.0 m² (2,368.1 ft²) and no more than two of which **lots** may be contiguous along their **interior side lot lines**. The housing agreement and covenant shall require the owner to construct on each such **lot** within 26 weeks of the deposit of the subdivision plan a **one-family dwelling** having a minimum of 74.0 m² (796.5 ft²) in **gross floor area**, a single-car garage, and three bedrooms, and restricting the selling price of the **lot** and dwelling to \$165,000 + HST for the first five years following deposit of the subdivision plan, and restricting the selling price of the **lot** and dwelling for the following twenty years to \$165,000 + HST plus \$2,000 for each full year that has elapsed following the expiry of the initial five-year period. A Housing Agreement and Covenant with respect to an **apartment** unit shall require the owner to build, within 26 weeks of the deposit of the subdivision plan an **apartment** unit with at least one bedroom and a den that is strata-titled and the selling price is restricted to \$124,000 + HST for the first five years following deposit of the strata plan and restricting the selling price of the **dwelling unit** for the following twenty years to

\$124,000 + HST plus \$2,000 for each full year that has elapsed following the expiry of the initial five-year period; and

- (b) Despite Clause 6.103.04(2)(a), no affordable house is required as part of the subdivision of the property legally described as Lot 14, Block 3, Sections 85, 86, 87 and 88, Metchosin District, Plan 1718 (3344 Hazelwood Road).

Table 1

1. Legal Description	2. Amenity Contribution
• Strata Lots 1 & 2, Section 87 & 88, Metchosin District, Plan VIS3860 (3371, 3373 Luxton Road) • Lots 9, 10, 12, 15, 16, and 17, Block 3 Sections 85-88, Metchosin District, Plan 1718 (3324, 3328, 3334-3336, 3348, 3352 Hazelwood Road, 1024 Englewood Avenue) • Strata Lots 1 and 2, Block 3 Sections 85-88, Metchosin District, Plan VIS39 (3340, 3342 Hazelwood Road)	(a) \$2,500 per new lot created over and above, or less than, increments of 10 lots towards the General Amenity Reserve Fund; (b) \$6,800 per new lot created towards the General Amenity Reserve Fund; (c) An amount equal to 10% of the assessed value (post-rezoning) of the parcel to be subdivided towards the General Amenity Reserve Fund; and (d) \$4.19 per m² of lot area towards the General Amenity Reserve Fund.
• Lot 11, Block 3, Sections 85, 86, 87 and 88, Metchosin District, Plan 1718 (3332 Hazelwood Road)	(a) \$2,500 per dwelling unit created towards the General Amenity Reserve Fund; (b) \$6,800 per dwelling unit created towards the General Amenity Reserve Fund; (c) \$31,500 towards the General Amenity Reserve Fund; and (d) \$4.19 per m² of lot area for one-family dwelling and \$6.10 per m² of lot area for multi-family units towards the General Amenity Reserve Fund.
Lot 14, Block 3, Sections 85, 86, 87 and 88, Metchosin District, Plan 1718 (3344 Hazelwood Road)	a) \$9,300 per new lot towards the General Amenity Reserve Fund; b) An amount equal to 10% of the assessed value (post-rezoning) of the parcel to be subdivided towards the General Amenity Reserve Fund; and c) \$4.19 per m² of lot area towards the General Amenity Reserve Fund.
Lot 8, Block 3, Section 86, Metchosin district, Plan 1718 (1017 Marwood Ave)	a) \$3,960 per new lot created towards the General Amenity Reserve Fund; and b) \$660 per new lot created towards the Affordable Housing Reserve Fund.

6.103.05 Height and Size of Principal Use Buildings

- (1) No **building** for **residential use** may exceed a **height** of 9.0 m (29.5 ft).
- (2) Despite the definition of “**height**” in Part 1 and Article 3.05.02(3), the highest point of the roof of the carriage suite may not exceed the **height** of 85% of the highest point of the roof of the **one-family dwelling** to which it is **accessory**, as measured from the average finished grade.

6.103.06 Setbacks

Principal Use Buildings

- (1) In “Area 1 – Hazelwood/Luxton Lots” and “Area 2 – Interior Lots” as shown on the CD14 Zone Map attached as Schedule “Y”, no **principal building** may be located:
 - (a) Within 3.0 m (9.8 ft) of any **front lot line**, except that no **garage or carport** whose vehicle access crosses a **front lot line** may be located within 5.5 m (18.0 ft) of the **front lot line**; or
 - (b) Within 5.5 m (18.0 ft) of any **rear lot line**; or
 - (c) Within 3.0 m (9.8 ft) of any **exterior side lot line**, except that no **garage or carport** whose vehicle access crosses an **exterior side lot line** may be located within 5.5 m (18.0 ft) of the **exterior side lot line**; or
 - (d) Within 1.2 m (3.9 ft) of any **interior side lot line**
- (2) In “Area 3 – Laneway Lots” as shown on the CD14 Zone Map attached as Schedule “Y”, no **principal building** may be located:
 - (a) Where the **lot** contains both a **one-family dwelling** and a **carriage suite**:
 - (i) Within 3.0 m (9.8 ft) of any **front lot line**; or
 - (ii) Within 5.5 m (18.0 ft) of any **rear lot line**; or
 - (iii) Within 3.0 m (9.8 ft) of any **exterior side lot line**; or
 - (iv) Within 1.2 m (3.9 ft) of any **interior side lot line**.
 - (b) Where the **lot** contains a **one-family dwelling** only (which may include a **secondary suite** within the **one-family dwelling**):
 - (i) Within 3.0 m (9.8 ft) of any **front lot line**; or
 - (ii) Within 3.5 m (11.5 ft) of any **rear lot line**, except that no **garage or carport** whose vehicle access crosses a **rear lot line** may be located within 5.5 m (18.0 ft) of the **rear lot line**; or
 - (iii) Within 3.0 m (9.8 ft) of any **exterior side lot line**, except that no **garage or carport** whose vehicle access crosses an **exterior side lot line** may be located within 5.5 m (18.0 ft) of the **exterior side lot line**; or

- (iv) Within 1.2 m (3.9 ft) of any **interior side lot line**.

Carriage Suite

- (3) No **carriage suite** may be located:
 - (a) Within 5.0 m (16.4 ft) of the **principal building**; or
 - (b) Within 5.5 m (18.0 ft) of any **front lot line**; or
 - (c) Within 1.2 m (3.9 ft) of any **side lot line**; or
 - (d) Within 1.2 m (3.9 ft) of any **rear lot line**.
- (4) For the purposes of Articles 6.103.06(2) and (3) and despite the “Lot Line” definition contained in “Part 1 – Interpretation” of this Bylaw, where **lots** have frontage on both a road and a rear lane, the **rear lot line** shall be interpreted to be that **lot line abutting** the lane, regardless of the length of that **lot line** in relation to the **lot line abutting** the road.

6.103.07 Lot Coverage

- (1) **Lot coverage** of all **buildings** and **structures** shall not exceed 50%, where the **one-family dwelling** is more than one-storey in **height**.
- (2) **Lot coverage** of all **buildings** and **structures** shall not exceed 60%, where the **one-family dwelling** is one-storey in **height**.
- (3) **Lot coverage** of all **buildings** and **structures** on a multi-family **residential lot** shall not exceed 50%.

Section 6.104 – Comprehensive Development 15 – McCormick Meadows (CD15) Zone

The intent of the CD15 Zone is to accommodate residential and related uses.

6.104.01 Permitted Uses

The following **uses** and no others are permitted in the CD15 Zone:

- (1) **Accessory buildings and structures**, subject to Section 3.05;
- (2) **Bed and breakfast in a one-family dwellings**, subject to Section 3.09;
- (3) **Community garden**;
- (4) **Dwelling, one-family**;
- (5) **Dwelling, two-family**, subject to Section 3.07;
- (6) **Group daycare**, subject to Subsection 3.26.02;
- (7) **Home occupation**, subject to Section 3.09;
- (8) **Secondary suite in a one-family dwelling**, subject to Section 3.08, on **lots** with **lot areas** greater than or equal to 350.0 m² (3,767.4 ft²);
- (9) **Secondary suite in a one-family dwellingg, garden suite**, subject to Section 3.08, on **lots** with **lot areas** greater than or equal to 550.0 m² (5,920.2 ft²);
- (10) The keeping of not more than four **boarders** in a **one-family dwelling** on **lots** with **lot areas** greater than or equal to 550.0 m² (5,920.2 ft²);
- (11) The keeping of not more than one **boarder** in a **one-family dwelling** on **lots** with **lot areas** less than 550.0 m² (5,920.2 ft²), or in a **townhouse**;
- (12) **Townhouse**;
- (13) **Uses accessory** to a **principal use** permitted in this Zone; and
- (14) **Uses** permitted by Section 3.01 of this Bylaw.

6.104.02 Subdivision Lot Requirements in the CD15 Zone

- (1) No **lot** having a **lot area** less than 300.0 m² (3,229.2 ft²) may be created by subdivision.
- (2) No **lot** having a **lot width** less than 13.0 m (42.7 ft) may be created by subdivision.
- (3) Despite Article 6.104.02(2), a minimum of 80 **lots** created by subdivision for a **one-family dwelling use** must have a **lot width** of no less than 14.0 m (45.9 ft).
- (4) Despite Article 6.104.02(2), a maximum of 18 **lots** may be created by subdivision for a **one-family dwelling use** having a **lot width** of less than 13.0 m (42.7 ft) but no less than 12.0 m (39.4 ft), provided that the **lot area** is less than 550.0 m² (5,920.2 ft²).

- (5) Despite Articles 6.104.02(1) and (2), no **lot** having a **lot area** of less than 100.0 m² (1,076.4 ft²) or a **lot width** less than 5.0 m (16.4 ft) may be created by subdivision for a **townhouse** or **two-family dwelling**.

6.104.03 Density of Development in the CD15 Zone

- (1) There may not be more than three **dwelling units** in the CD15 Zone.
- (2) Despite Article 6.104.03(1), there may be more than three **dwelling units** on land whose legal description is set out in Column 1 of Table 1 below, if the owner of the land proposed to be built upon, prior to the issuance of a Building Permit for **townhouse** and **two-family dwelling uses** and prior to subdivision approval for **one-family dwelling uses** pays to the City the amount specified in Column 2 of Table 1 below.:

Table 1

1. Legal Description	2. Amenity Contribution
Lot B, Section 77, Metchosin District, Plan VIP59646 (1067 Braeburn Avenue)	(i) \$1,000 towards the Affordable Housing Reserve Fund per one-family lot created with a lot area of 550.0 m² (5,920.0 ft²) or greater; (ii) \$6,000 towards the General Amenity Reserve Fund per one-family lot created with a lot area of 550.0 m² (5,920.0 ft²) or greater; (iii) \$660 towards the Affordable Housing Reserve Fund per one-family lot created with a lot area less than 550.0 m² (5,920.0 ft²); (iv) \$3,960 towards the General Amenity Reserve Fund per one-family lot created with a lot area less than 550.0 m² (5,920.0 ft²); (v) \$610 towards the Affordable Housing Reserve Fund per townhouse or two-family dwelling unit; (vi) \$3,660 towards the General Amenity Reserve Fund per townhouse or two-family dwelling unit;

- (b) Pays to the City \$200,000 towards the General Amenity Reserve Fund prior to October 30, 2014;
- (c) Enters into an agreement with the City to:
- (i) Implement an open space plan with respect to those lands shown generally and labelled as "open space" on the CD15 Zone Map attached as Schedule "Z" which, at the discretion of the City, may include a combination of the following: transfer of land to the City, protection of land with a Section 219 non-disturbance or no-build covenant, or registration of a Statutory Right-of-Way in favour of the City; and
 - (ii) Constructs a trail and park improvements within those open space lands to the satisfaction of the Parks Manager.
- (4) Under no circumstances may the total number of **dwelling units**, other than **suites**, in the CD15 Zone exceed 275.

6.104.04 Density of Development on Individual Lots

- (1) There may not be more than one **residential building** on a **lot**.
- (2) Despite Clause 6.104.04(1)(a), there may be more than one **residential building** on a **lot** under the following circumstances:
 - (a) One additional **residential building** is permitted for a **garden suite** or **carriage suite** where permitted by Article 6.104.01(8); or
 - (b) One or more additional **residential buildings** are permitted where **townhouse** units are located within a strata plan subdivided pursuant to the *Strata Property Act*.

6.104.05 Height and Size of Principal Use Buildings

- (1) No **one-family dwelling** may exceed a **height** of 9.0 m (29.5 ft).
- (2) No **townhouse** or **two-family dwelling building** may exceed a **height** of three storeys.

6.104.06 Setbacks

One-Family Dwellings

- (1) No **one-family dwelling** may be located:
 - (a) Within 3.0 m (9.8 ft) of any **front lot line**, except that no **garage or carport** whose vehicle access crosses a **front lot line** may be located within 5.5 m (18.0 ft) of the **front line**; or
 - (b) Within 1.5 m (4.9 ft) of any **interior side lot line**; or
 - (c) Within 3.0 m (9.8 ft) of any **exterior side lot line**, except that no **garage or carport** whose vehicle access crosses an **exterior side lot line** may be located within 5.5 m (18.0 ft) of the **exterior side line**; or
 - (d) Within 6.0 m (19.7 ft) of any **rear lot line**.

Townhouses and Two-Family Dwellings

- (2) No **townhouse** or **two-family dwelling** may be located:
 - (a) Within 3.0 m (9.8 ft) of any **front lot line**, except that no **garage or carport** whose vehicle access crosses a **front lot line** may be located within 5.5 m (18.0 ft) of the **front lot line**; or
 - (b) Within 3.0 m (9.8ft) of any **exterior side lot line**, except that no **garage or carport** whose vehicle access crosses an **exterior side lot line** may be located within 5.5 m (18.0 ft) of the **exterior side lot line**; or
 - (c) Within 4.0 m (13.1 ft) of any **Rear Lot Line**.

Garden Suites and Carriage Suites

- (3) No **garden suite or carriage suite** may be located:

- (a) Within 1.0 m (3.3 ft) of the **principal building**; or
- (b) Within 5.8 m (19.0 ft) of any **front lot line**; or
- (c) Within 1.2 m (3.9 ft) of any **side lot line**; or
- (d) Within 1.2 m (3.9 ft) of any **rear lot line**.

6.104.07 Lot Coverage

- (1) The **lot coverage** of all **buildings** and **structures** on **lots** containing **one-family dwellings** may not exceed 50%.
- (2) The **lot coverage** of all **buildings** and **structures** on lots containing **townhouses** or **two-family dwellings** must not exceed 60%.

Section 6.107 – Comprehensive Development 18 – Katie’s Pond (CD18) Zone

The intent of the CD18 Zone is to accommodate residential and related uses.

6.107.01 Permitted Uses

- (1) Within those portions of the lands identified as “Area 1 – Residential Use” on the CD18 Zone Map attached as Schedule “AC”, the following **uses** and no others are permitted:
 - (a) **Accessory buildings and structures**, subject to Section 3.05;
 - (b) **Bed and breakfast in a one-family dwellings**, subject to Section 3.09, on **lots** with **lot areas** greater than 300.0 m² (3,229.2 ft²);
 - (c) **Community garden**;
 - (d) **Dwelling, one-family**;
 - (e) **Dwelling, two-family**, subject to Section 3.07;
 - (f) **Group daycare**, subject to Subsection 3.26.02;
 - (g) **Home occupation**, subject to Section 3.09;
 - (h) **Secondary suite in a one-family dwelling**, subject to Section 3.08, on **lots** with **lot areas** greater than or equal to 300.0 m² (3,229.2 ft²);
 - (i) **Suite, carriage** subject to Section 3.08, on **lots** with **lot areas** greater than or equal to 310.0 m² (3,336.8 ft²);
 - (j) **Townhouse**;
 - (k) **Uses accessory** to a **principal use** permitted in this Article; and
 - (l) **Uses** permitted by Section 3.01 of this Bylaw.
- (2) Within those portions of the lands identified as “Area 2 – Amenity Area” on the CD18 Zone Map attached as Schedule “AC”, the following **uses** and no others are permitted:
 - (a) **Accessory buildings and structures**, subject to Section 3.05;
 - (b) **Community garden**;
 - (c) **Uses accessory** to a **principal use** permitted in this Article; and
 - (d) **Uses** permitted by Section 3.01 of this Bylaw.

6.107.02 Subdivision Lot Requirements in the CD18 Zone

- (1) Within those portions of the lands identified as “Area 1 – Residential Use” on the CD18 Zone Map attached as Schedule “AC”, the following Subdivision Lot requirements apply:

- (a) No **lot** for a **one-family dwelling** may be created by subdivision having a:
 - (i) **Lot area** less than 230.0 m² (2,475.7 ft²);
 - (ii) **Lot width** less than 9.0 m (29.5 ft);
 - (iii) **Building envelope** width or depth less than 6.0 m (19.7 ft); and
 - (iv) **Building envelope** area less than 74.0 m² (796.5 ft²);
 - (b) No **lot** for a **two-family dwelling** may be created by subdivision having a **lot area** less than 460.0 m² (4,951.4 ft²) or a **lot width** less than 18.0 m (59.1 ft); and
 - (c) No **lot** for a **townhouse** may be created by subdivision having a **lot area** less than 100.0 m² (1,076.4 ft²) or a **lot width** less than 5.0 m (16.4 ft).
- (2) Within those portions of the lands identified as “Area 2 – Open Space/Amenity” on the CD18 Zone Map attached as Schedule “AC”, no **lot** having a **lot area** less than 100.0 m² (1,076.4 ft²) may be created by subdivision.

6.107.03 Density of Development in the CD18 Zone

- (1) There may not be more than one **residential building** on a **lot**.
- (2) Despite Article 6.107.03(1), there may be more than one **residential building** on a **lot** under the following circumstances:
 - (a) One additional **residential building** is permitted for a **carriage suite** where permitted by Article 6.107.01(1)(i); or
 - (b) One or more additional **residential buildings** are permitted where **townhouse** units are located within a strata plan subdivided pursuant to the *Strata Property Act*.
- (3) There may not be more than three **dwelling units** in the CD18 Zone.
- (4) Despite Article 6.107.03(3) there may be more than three **dwelling units** in the CD18 Zone, if the owner of the land proposed to be built upon pays to the City the amount specified in Column 2 of Table 1 below, prior to subdivision approval for **one-family dwellings** and prior to Building Permit issuance for **townhouse** and **two-family dwellings**:

Table 1 – Amenity Contributions

1. Legal Description	2. Amenity Contribution
Parcel “A” (DD 140453-I), Section 84, Metchosin District (941 Flatman Avenue); and Amended Lot 3 (DD 316116I), Section 84, Metchosin District, Plan 9835 (3467 Happy Valley Road)	a) \$660 per new lot created towards the Affordable Housing Reserve Fund; b) \$3,960 per new lot created towards the General Amenity Reserve Fund; and c) 9,924.0 m ² (2.5 ac) of land dedication.

Lot 1, Sections 84 and 85, Metchosin District, Plan EPP40253 (3467 Happy Valley Rd)	a) \$660 per new lot created towards the Affordable Housing Reserve Fund; b) \$3,960 per new lot created towards the General Amenity Reserve Fund; c) \$1,320 per two-family dwelling created towards the Affordable Housing Reserve Fund; d) \$7,920 per two-family dwelling created towards the General Amenity Reserve Fund; e) \$610 per townhouse dwelling unit towards the Affordable Housing Reserve Fund; f) \$3,660 per two townhouse dwelling units towards the General Amenity Reserve Fund; and g) 1,151.0 m² (0.3 ac) of land dedication.
--	--

- (5) Despite the amenity contributions specified in Table 1 above, the owner may provide a reduced amenity contribution in accordance with Table 2 where the owner enters into an agreement with the City prior to subdivision approval, under which agreement the owner agrees to achieve a minimum Level 1 Rating defined by the Green Development Checklist Policy.

Table 2 – Amenity Contribution Reductions

Overall Green Development Checklist Project Rating	% Reduction to the Required Contributions Specified in Table 1
<i>Level 1</i>	10%
<i>Level 2</i>	15%
<i>Level 3</i>	25%
<i>Level 4</i>	50%

6.107.04 Height and Size of Principal Use Buildings

No **principal building** may exceed a **height** of 9.0 m (29.5 ft).

6.107.05 Setbacks

Principal Use Buildings

- (1) No **principal building** may be located:

- (a) Within 3.0 m (9.8 ft) of any **front lot line**, except that no **garage or carport** whose vehicle access crosses a **front lot line** may be located within 5.5 m (18.0 ft) of the **front lot line**; or
- (b) Within 1.2 m (3.9 ft) of any **interior side lot line**, except that no **setback** is required where **townhouse buildings** on **abutting lots** are attached; or
- (c) Within 3.0 m (9.8 ft) of any **exterior side lot line**, except that no **garage or carport** whose vehicle access crosses an **exterior side lot line** may be located within 5.5 m (18.0 ft) of the **exterior side lot line**; or
- (d) Within 5.5 m (18.0 ft) of any **rear lot line**.

Carriage Suite

- (2) No **carriage suite** may be located:
 - (a) Within 5.0 m (16.4 ft) of the **principal building**; or
 - (b) Within 5.8 m (19.0 ft) of any **front lot line**; or
 - (c) Within 1.2 m (3.9 ft) of any **side lot line**; or
 - (d) Within 1.2 m (3.9 ft) of any **rear lot line**.

6.107.06 Lot Coverage

- (1) **Lot coverage** of all **buildings** and **structures** shall not exceed 50% where the **principal building** is more than one storey in **height**.
- (2) **Lot coverage** of all **buildings** and **structures** shall not exceed 60% where the **principal building** is one-storey in **height**.

Section 6.109 – Comprehensive Development 20 – Eagle Ridge (CD20) Zone

The intent of the CD20 Zone is to accommodate residential and related uses.

6.109.01 Permitted Uses

- a) Within those portions of the lands identified as “Area 1” on the CD20 Zone Map attached as Schedule “AG”, the following **uses** and no others are permitted:
 - (a) **Accessory buildings and structures**, subject to Section 3.05;
 - (b) **Bed and breakfast** in a **one-family dwelling**, subject to Section 3.09;
 - (c) **Community garden**;
 - (d) **Dwelling, one-family**;
 - (e) **Dwelling, two-family**, subject to Section 3.07;
 - (f) **Group daycare**, subject to Subsection 3.26.02;
 - (g) **Home occupation**, subject to Section 3.09;
 - (h) **Secondary suite** in a **one-family dwelling**, subject to Section 3.08, on **lots** with **lot areas** greater than or equal to 550.0 m² (5,920.2 ft²);
 - (i) **Townhouse**;
 - (j) **Uses accessory** to a **principal use** permitted in this Article; and
 - (k) **Uses** permitted by Section 3.01 of this Bylaw.
- b) Within those portions of the lands identified as “Area 2” on the CD20 Zone Map attached as Schedule “AG”, the following **uses** and no others are permitted:
 - (a) **Accessory buildings and structures**, subject to Section 3.05;
 - (b) **Apartment**;
 - (c) **Bed and breakfast** in a **one-family dwelling**, subject to Section 3.09;
 - (d) **Community garden**;
 - (e) **Dwelling, one-family**;
 - (f) **Dwelling, two-family**, subject to Section 3.07;
 - (g) **Group daycare**, subject to Subsection 3.26.02;
 - (h) **Home occupation**, subject to Section 3.09;
 - (i) **Secondary suite** in a **one-family dwelling**, subject to Section 3.08, on **lots** with **lot**

areas greater than or equal to 550.0 m² (5,920.2 ft²);

- (j) **Townhouse**;
 - (k) **Uses accessory** to a **principal use** permitted in this Article; and
 - (l) **Uses** permitted by Section 3.01 of this Bylaw.
- c) Within those portions of the lands identified as “Area 3” on the CD20 Zone Map attached as Schedule “AG”, the following **uses** and no others are permitted:
- (a) **Accessory buildings and structures**, subject to Section 3.05;
 - (b) **Community garden**;
 - (c) **Dwelling, one-family**;
 - (d) **Home occupation**, subject to Section 3.09;
 - (e) **Uses accessory** to a **principal use** permitted in this Article; and
 - (f) **Uses** permitted by Section 3.01 of this Bylaw.
- d) Within those portions of the lands identified as “Area 4” on the CD20 Zone Map attached as Schedule “AG”, the following **uses** and no others are permitted:
- (a) **Accessory buildings and structures**, subject to Section 3.05;
 - (b) **Community garden**;
 - (c) **Dwelling, one-family**;
 - (d) **Home occupation**, subject to Section 3.09;
 - (e) **Secondary suite** in a **one-family dwelling**, subject to Section 3.08;
 - (f) **Uses accessory** to a **principal use** permitted in this Article; and
 - (g) **Uses** permitted by Section 3.01 of this Bylaw.

6.109.02 Subdivision Lot Requirements

- (1) Within those portions of the lands identified as “Area 1” on the CD20 Zone Map attached as Schedule “AG”, the following Subdivision Lot Requirements apply:
- (a) No **lot** having a **lot area** less than 300.0 m² (3,229.2 ft²) or a **lot width** less than 9.0 m (29.5 ft) may be created by subdivision for a **one-family dwelling**; and
 - (b) No **lot** having a **lot area** less than 100.0 m² (1,076.4 ft²) or a **lot width** less than 5.0 m (16.4 ft) may be created by subdivision for a **townhouse** or **two-family dwelling**.
- (2) Within those portions of the lands identified as “Area 2” on the CD20 Zone Map attached as Schedule “AG”, the following Subdivision Lot Requirements apply:

- (a) No **lot** having a **lot area** less than 300.0 m² (3,229.2 ft²) or a **lot width** less than 9.0 m (29.5 ft) may be created by subdivision for a **one-family dwelling**;
 - (b) No **lot** having a **lot area** less than 100.0 m² (1,076.4 ft²) or a **lot width** less than 5.0 m (16.4 ft) may be created by subdivision for a **townhouse** or **two-family dwelling**; and
 - (c) No **lot** having a **lot area** less than 695.0 m² (7,480.9 ft²) may be created by subdivision for an **apartment**.
- (3) Within those portions of the lands identified as “Area 3” on the CD20 Zone Map attached as Schedule “AG”, no Lot having a Lot Area less than 400.0 m² (4,305.6 ft²) or a width less than 9.0 m (29.5 ft) may be created by subdivision.
- (4) Within those portions of the lands identified as “Area 4” on the CD20 Zone Map attached as Schedule “AG”, no **lot** having a **lot area** less than 1,374.0 m² (14,789.6 ft²) may be created by subdivision.

6.109.03 Density of Development in the CD20 Zone

- (1) There may not be more than 60 Single Family Equivalent (SFE) **dwelling units** in the CD20 Zone and land shall not be subdivided so as to permit more than 60 SFE **dwelling units** in the CD20 Zone assuming that the parcels in the subdivision are developed to their maximum permitted density.
- (2) Despite Article 6.109.03(1), there may be more than 60 SFE **dwelling units** in the CD20 Zone and land may be subdivided so as to permit more than 60 SFE **dwelling units** in the CD20 Zone if the owner of the land proposed to be built upon:
- (a) Pays to the City \$150,000 towards the General Amenity Reserve Fund, prior to subdivision approval for **one-family dwellings** and prior to the issuance of a Building Permit for **townhouses, two-family dwellings** and **apartments**; and
 - (b) Pays to the City the amount specified in Column 2 of Table 1 below, prior to subdivision approval for **one-family dwellings** and prior to the issuance of a Building Permit for **townhouse, two-family dwellings** and **apartments**:

Table 1 – Amenity Contributions

1. Legal Description	2. Amenity Contribution
Lot 1 Section 2 Range 3 West Highland District Plan VIP74176 Except Parts In Plans VIP74179, VIP74903, VIP75624, VIP76187, VIP77432, VIP77698, VIP78206, VIP79183 AND VIP89330 (2154 Millstream Rd); Lot 2 Section 1 & 2 Range 4 West Highland District Plan VIP89331 (974 Arngask Ave);	d) \$5,400 per one-family lot greater than or equal to 550.0 m ² (5,920.0 ft ²) towards the General Amenity Reserve Fund; e) \$3,564 per one-family lot less than 550.0 m ² (5,920.0 ft ²) towards the General Amenity Reserve Fund; f) \$3,294 per townhouse, two-family dwelling or apartment dwelling unit towards the General Amenity Reserve Fund;

Lot 1 Section 1 & 2 Range 4 West Highland District Plan VIP89331 (2317 Echo Valley Dr)	g) \$900 per one-family lot greater than or equal to 550.0 m² (5,920.0 ft²) towards the Affordable Housing Reserve Fund; h) \$594 per one-family lot less than 550.0 m² (5,920.0 ft²) towards the Affordable Housing Reserve Fund; and i) \$549 per townhouse, two-family dwelling or apartment dwelling unit towards the Affordable Housing Reserve Fund.
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- (3) Despite the amenity contributions specified in Table 1 above, the owner may provide a reduced amenity contribution in accordance with Table 2 where the owner enters into an agreement with the City prior to the issuance of a Development Permit, under which agreement the owner agrees to achieve a minimum Level 2 Rating defined by the Green Development Checklist attached as Schedule "AH."

Table 2 – Amenity Contribution Reductions

Overall Green Development Checklist Project Rating	% Reduction to the Required Contributions Specified in the Amenity Contribution Policy
<i>Level 2</i>	15%
<i>Level 3</i>	25%
<i>Level 4</i>	50%

- (4) Under no circumstances may there be more than 56 SFE **dwelling units** created within those portions of the lands identified as "Area 1" on the CD20 Zone Map attached as Schedule "AG".
- (5) Under no circumstances may there be more than 37 SFE **dwelling units** created within those portions of the lands identified as "Area 2" on the CD20 Zone Map attached as Schedule "AG".
- (6) Under no circumstances may there be more than two **one-family dwellings** created within those portions of the lands identified as "Area 3" on the CD20 Zone Map attached as Schedule "AG".
- (7) Under no circumstances may there be more than one **one-family dwelling** created within those portions of the lands identified as "Area 4" on the CD20 Zone Map attached as Schedule "AG".
- (8) The following conversion ratios shall be used for the purposes of determining SFE density within the CD20 Zone:
- (a) A **one-family dwelling** on a **lot** greater than or equal to 550.0 m² (5,920.0 ft²) in **lot area** = 1.0 SFE;
 - (b) A **one-family dwelling** on a **lot** less than 550.0 m² (5,920.0 ft²) in **lot area** = 0.66 SFE; and

- (c) An **apartment, townhouse or two-family dwelling unit** = 0.61 SFE.

6.109.04 Height and Size of Principal Use Buildings

- (1) No **one-family dwelling** may exceed a **height** of 9.0 m (29.5 ft).
- (2) No **townhouse or two-family dwelling** may exceed a **height** of three storeys.
- (3) Despite any other part of this Bylaw, no **building or structure** constructed within those portions of the lands identified as “Area 2” on the CD20 Zone Map attached as Schedule “AG” may exceed a **height** of four storeys above the average finished grade of the westerly façade of that **building or structure**,

6.109.05 Setbacks

- (1) No **one-family dwelling** on a **lot** with a **lot area** of 550.0 m² (5,920.0 ft²) or greater may be located:
 - (a) Within 5.5 m (18.0 ft) of any **front lot line**; or
 - (b) Within 1.5 m (4.9 ft) of any **interior side lot line**; or
 - (c) Within 4.5 m (14.8 ft) of any **exterior side lot line**, except that no **garage or carport** whose vehicle access crosses an **exterior side lot line** may be located within 5.5 m (18.0 ft) of the **exterior side lot line**; or
 - (d) Within 6.0 m (19.7 ft) of any **rear lot line**.
- (2) No **one-family dwelling** on a **lot** with a **lot area** less than 550.0 m² (5,920.0 ft²) may be located:
 - (a) Within 4.5 m (14.8 ft) of any **front lot line**, except that no **garage or carport** whose vehicle access crosses a **front lot line** may be located within 5.5 m (18.0 ft) of the **front lot line**; or
 - (b) Within 1.2 m (3.9 ft) of any **interior side lot line**; or
 - (c) Within 3.0 m (9.8 ft) of any **exterior side lot line**, except that no **garage or carport** whose vehicle access crosses an **exterior side lot line** may be located within 5.5 m (18.0 ft) of the **exterior side lot line**; or
 - (d) Within 6.0 m (19.7 ft) of any **rear lot line**.
- (3) No **townhouse or two-family dwelling** may be located:
 - (a) Within 3.0 m (9.8 ft) of any **front lot line**, except that no **garage or carport** whose vehicle access crosses a **front lot line** may be located within 5.5 m (18.0 ft) of the **front lot line**; or
 - (b) Within 1.2 m (3.9 ft) of any **interior side lot line abutting** any Zone other than the CD20 Zone; or

- (c) Within 3.0 m (9.8 ft) of any **exterior side lot line**, except that no **garage or carport** whose vehicle access crosses an **exterior side lot line** may be located within 5.5 m (18.0 ft) of the **exterior side lot line**; or
 - (d) Within 6.0 m (19.7 ft) of any **rear lot line**.
- (4) No **apartment building** may be located:
- (a) Within 3.0 m (9.8 ft) of any **front lot line**; or
 - (b) Within 3.0 m (9.8 ft) of any **interior side lot line**; or
 - (c) Within 3.0 m (9.8 ft) of any **exterior side lot line**; or
 - (d) Within 6.0 m (19.7 ft) of any **rear lot line**.

6.109.06 Lot Coverage

- (1) **Lot coverage** of all **buildings** and **structures** on any **lot** containing a **one-family dwelling** may not exceed 50%.
- (2) **Lot coverage** of all **buildings** and **structures** on any **lot** containing **apartment, townhouse** or **two-family dwelling uses** may not exceed 60%.

Section 6.110 – Comprehensive Development 21 – Radiant Way (CD21) Zone

The intent of the CD21 Zone is to accommodate residential and related uses.

6.110.01 Permitted Uses

The following **uses** and no others are permitted in the CD21 Zone:

- (1) **Accessory buildings and structures**, subject to Section 3.05;
- (2) **Community garden**;
- (3) **Dwelling, one-family**;
- (4) **Home occupation**, subject to Section 3.09;
- (5) **Secondary suite** in a **one-family dwelling** on a lot with a **lot area** greater than or equal to 450.0 m² (4,843.8 ft²);
- (6) The keeping of not more than one **boarder** in a **one-family dwelling**;
- (7) **Townhouse**;
- (8) **Uses accessory** to a **principal use** permitted in this Zone; and
- (9) **Uses** permitted by Section 3.01 of this Bylaw.

6.110.02 Subdivision Lot Requirements in the CD21 Zone

- (1) A **lot** having a **lot area** of not less than 220.0 m² (2,368.1 ft²) may be created by subdivision for a **one-family dwelling**, provided that:
 - (a) The **lot width** is not less than 8.5 m (27.9 ft); and
 - (b) The **building envelope** width or depth is not less than 5.5 m (18.0 ft).
- (2) A **lot** having a **lot area** of not less than 100.0 m² (1,076.4 ft²) may be created by subdivision for a **townhouse**, provided that the **lot width** is not less than 5.0 m (16.4 ft).

6.110.03 Density of Development on Individual Lots

- (1) There may not be more than one **one-family dwelling** on a **lot**.
- (2) There may not be more than three **townhouse** units in the CD21 Zone.

6.110.04 Density of Development in the CD21 Zone

- (1) No **lot** having a **lot area** less than 1,000.0 m² (10,763.9 ft²) may be created by subdivision.
- (2) Despite Article 6.110.04(1), on land whose legal description is set out in Column 1 of Table 1 below, the minimum **lot area** for subdivision shall be 220.0 m² (2,368.1 ft²) for a **one-family dwelling** and 100.0 m² (1,076.4 ft²) for a **townhouse** if the owner of the land proposed to be built upon pays to the City the amount specified in Column 2 of Table 1 below, prior to subdivision approval for **one-family dwellings** and prior to the issuance of a Building Permit for a **townhouse** :

Table 1

1. Legal Description	2. Amenity Contributions
Lot 3, Sections 85 and 86, Metchosin District, Plan 12293 (3372 Happy Valley Rd)	a) \$660 per dwelling unit towards the Affordable Housing Reserve Fund; and b) \$3,960 per dwelling unit towards the General Amenity Reserve Fund.

6.110.05 Lot Coverage

- (1) **Lot coverage** of all **buildings** and **structures** on any **lot** containing a **one-family dwelling** may not exceed 50%.
- (2) **Lot coverage** of all **buildings** and **structures** on any **lot** containing a **townhouse** may not exceed 60%.

6.110.06 Height of Principal Use Buildings

- (1) No **one-family dwelling** on a **lot** with a **lot area** less than 450.0 m² (4,843.8 ft²) may exceed a **height** of 8.5 m (27.9 ft).
- (2) No **one-family dwelling** on a **lot** with a **lot area** equal to or greater than 450.0 m² (4,843.8ft²) may exceed a **height** of 9.0 m (29.5 ft).
- (3) No **townhouse** may exceed a **height** of three storeys.

6.110.07 Setbacks

One-Family Residential Lots

- (1) No **principal building** may be located:
 - (a) Within 3.0 m (9.8 ft) of any **front lot line**, except that no **garage or carport** whose vehicle access crosses a **front lot line** may be located within 5.5 m (18.0 ft) of the **front lot line**; or
 - (b) Within 3.0 m (9.8 ft) of any **rear lot line**; or

- (c) Within 3.5 m (11.5 ft) of any **exterior side lot line**, except that no **Garage or Carport** that faces an **exterior side lot line** may be located within 5.5 m (18.0 ft) of the **exterior side lot line**; or
- (d) Within 1.2 m (3.9 ft) of any **interior side lot line**.

Townhouse Lots

- (2) No **principal building** may be located:
 - (a) Within 3.0 m (9.8 ft) of any **front lot line**, except that no **garage or carport** whose vehicle access crosses a **front lot line** may be located within 5.5 m (18.0 ft) of the **front lot line**; or
 - (b) Within 3.0 m (9.8 ft) of any **rear lot line**; or
 - (c) Within 1.2 m (3.9 ft) of any **interior side lot line**, except that no **setback** is required where the **interior side lot line** is **abutting a townhouse use** in the CD21 Zone;
 - (d) Within 3.0 m (9.8 ft) of any **exterior side lot line** except that no **garage or carport** whose vehicle access crosses an **exterior side lot line** may be located within 5.5 m (18.0 ft) of the **exterior side lot line**.



City of Langford

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NOTICE OF PUBLIC HEARING

The City of Langford has received an application to amend Zoning Bylaw No. 300 by means of proposed Bylaw No. 1662. All persons who believe that their interest in property is affected by the proposed Bylaw will be afforded an opportunity to be heard or to present written submissions respecting matters contained in the Bylaw at a Public Hearing to be held in **the CITY OF LANGFORD COUNCIL CHAMBERS, Third Floor, 877 Goldstream Avenue, Langford, BC, on Monday, 3 February 2020, at 5:30 pm**. Please be advised that no representations may be received by Council after the close of the Public Hearing and any submissions made to Council, whether orally or in writing, will form part of a public record.

Proposal: The purpose of Bylaw No. 1662 is to amend Schedule A of the City of Langford Zoning Bylaw No. 300. The amendments focus on updating terminology and definitions, consistency of measurements and conversions, and general document formatting in order to improve clarity and usability.

Applicant: City of Langford

Location: The land that is the subject of Bylaw No. 1662 is all the lands within the City of Langford boundaries.

COPIES of the complete proposed Bylaw and other material that the Council may consider in relation to the Bylaw may be viewed from 8:30 am to 4:30 pm, Monday to Friday (holidays excluded), from Monday, 20 January 2020 to Monday, 3 February 2020, inclusive, at Langford City Hall, 2nd Floor, 877 Goldstream Avenue, Langford, BC, V9B 2X8. Please contact Wolfgang Schoenefuhs in the Planning Department at 250-478-7882 with any questions on this Bylaw.

Braden Hutchins
Director of Corporate Services

Colwood a haven for small business

Nina Grossman
News Staff

The City of Colwood is among the top three finalists in SmallBusinessBC's Open for Business Awards.

The annual program recognizes communities that have "created a friendly environment for small businesses."

Colwood was shortlisted as one of three medium-sized communities with populations between 5,000 and 25,000 residents. The top three contenders also include Dawson Creek and the Township of Spallumcheen.

"As a fast-growing seaside community, Colwood offers an increasing number of commercial opportunities for small business owners," Mayor Rob Martin said in a statement.

"Colwood looks for innovative ways to attract businesses and help them thrive while

enhancing our understanding of their needs and expectations."

Saanich is recognized in the top three for the large community category (25,000 residents and more) alongside Campbell River and Coquitlam.

The Open for Business Awards were launched in 2011 to celebrate communities where small businesses flourish. Created in partnership with the Province of B.C. and the BC Small Business Roundtable, nominees are selected for showcasing their "commitment to supporting the growth and success of the small business sector and looking for innovative solutions to drive economic development within their communities."

Ucluelet, Harrison Hot Springs and Lumby are among the contenders for the under 5,000 residents category. Winners will be announced on Feb. 21 at the Small Business BC Awards Gala in Vancouver.

Four Mile Pub reopens after fire

Aaron Guillen
News Staff

The wait is over – the Four Mile Pub officially reopened its doors on Monday, Jan. 20.

This comes nearly three months after a fire ravaged through the restaurant in October 2019, causing extensive damage.

"We're just really excited to be back up and running and we're thrilled to have 100 per cent of our staff come back," said Meg Porter, spokesperson for Four Mile Pub.

"We've had tons of support and well wishes from the community and we're ready to have

everyone back in."

The pub had a soft opening Sunday to prepare staff for what's to come in the following days, as they expect residents to revisit the well-known establishment. Porter added that pieces of kitchen equipment have been replaced and the restaurant feels 'clean and refreshed.'

aaron.guillen@goldstreamgazette.com

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Proposal:

The purpose of Bylaw No. 1662 is to amend Schedule A of the City of Langford Zoning Bylaw No. 300. The amendments focus on updating terminology and definitions, consistency of measurements and conversions, and general document formatting in order to improve clarity and usability.

Applicant:

City of Langford

Location:

The land that is the subject of Bylaw No. 1662 is all the lands within the City of Langford boundaries.

COPIES of the complete proposed Bylaw and other material that the Council may consider in relation to the Bylaw may be viewed from 8:30 am to 4:30 pm, Monday to Friday (holidays excluded), from Monday, 20 January 2020 to Monday, 3 February 2020, inclusive, at Langford City Hall, 2nd Floor, 877 Goldstream Avenue, Langford, BC, V9B 2X8. Please contact Wolfgang Schoenefuhs in the Planning Department at 250-478-7882 with any questions on this Bylaw.

Braden Hutchins
Director of Corporate Services

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Notice of Intention to Consider Issuance of a Temporary Use Permit

NOTICE is hereby given that the City of Langford will consider issuance of a TEMPORARY USE PERMIT Renewal in the CITY OF LANGFORD COUNCIL CHAMBERS, Third Floor, 877 Goldstream Avenue, Langford, BC, on Monday, 3 February 2020, at 5:30 pm.

File: Temporary Use Permit No. TUP16-0006-Renewal

Purpose: The purpose of the proposed Temporary Use Permit Renewal is to renew a group day care for 28 children at 2619 Sooke Rd and to permit the business to operate without the proprietors living on site.

Applicant: Marianne Whitaker

Location: The land that is the subject of TEMPORARY USE PERMIT NO. TUP16-0006 Renewal is 2619 Sooke Rd.

COPIES of the complete proposed TEMPORARY USE PERMIT Renewal and other related material may be viewed during normal working hours, 8:30 am to 4:30 pm, Monday to Friday (holidays excluded), from Monday, 20 January 2020 to Monday, 3 February 2020 , inclusive, at the Langford City Hall, Second Floor, 877 Goldstream Avenue, Langford, BC, V9B 2X8. Please contact Julia Buckingham in the Planning Department with any questions on this Temporary Use Permit.

Braden Hutchins
Director of Corporate Services





TOWN OF VIEW ROYAL
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN pursuant to the Local Government Act that a Public Hearing will be held at the Town of View Royal at 45 View Royal Ave, Victoria BC at 7pm on Tuesday, February 4, 2020 for the purpose of hearing representations concerning the following.

Official Community Plan No. 811, 2011, Amendment Bylaw No. 1024, 2019 proposes to replace the Official Community Plan's Regional Context Statement with a new statement that references the current Capital Regional District Regional Growth Strategy and indicates how the Town proposes to address the Strategy's targets.

TAKE NOTICE that more detailed information concerning the subject bylaw and any other reports and documents that may be considered by Council can be obtained at the Town of View Royal Municipal Office, Development Services Department, 45 View Royal Avenue, Victoria, B.C. (Telephone: 250-479-6800) between the hours of 8:30 am and 4:30 pm Monday to Friday, January 22, 2020 to February 4, 2020.

All persons who believe that their interest in property is affected by the proposed Bylaw shall be afforded an opportunity to be heard in person, by a representative or by written submission on all matters contained therein at the above-noted time and place. If you are unable to attend the Public Hearing, written comments may be mailed, facsimiled, emailed or hand delivered to the Town of View Royal by no later than 3:00 pm on February 4, 2020.

Mail: Development Services Department Town of View Royal, 45 View Royal Ave, Victoria, BC V9B 1A6 Facsimile: 250-727-9551 Email: info@viewroyal.ca

Please note that Council may not receive further submissions concerning the subject Bylaw after the Public Hearing has concluded.

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NOTICE OF PUBLIC HEARING

The City of Langford has received an application to amend Zoning Bylaw No. 300 by means of proposed Bylaw No. 1662. All persons who believe that their interest in property is affected by the proposed Bylaw will be afforded an opportunity to be heard or to present written submissions respecting matters contained in the Bylaw at a Public Hearing to be held in the **CITY OF LANGFORD COUNCIL CHAMBERS, Third Floor, 877 Goldstream Avenue, Langford, BC, on Monday, 3 February 2020, at 5:30 pm.** Please be advised that no representations may be received by Council after the close of the Public Hearing and any submissions made to Council, whether orally or in writing, will form part of a public record.

Proposal: The purpose of Bylaw No. 1662 is to amend Schedule A of the City of Langford Zoning Bylaw No. 300. The amendments focus on updating terminology and definitions, consistency of measurements and conversions, and general document formatting in order to improve clarity and usability.

Applicant: City of Langford

Location: The land that is the subject of Bylaw No. 1662 is all the lands within the City of Langford boundaries.

COPIES of the complete proposed Bylaw and other material that the Council may consider in relation to the Bylaw may be viewed from 8:30 am to 4:30 pm, Monday to Friday (holidays excluded), from Monday, 20 January 2020 to Monday, 3 February 2020, inclusive, at Langford City Hall, 2nd Floor, 877 Goldstream Avenue, Langford, BC, V9B 2X8. Please contact Wolfgang Schoenefuhs in the Planning Department at 250-478-7882 with any questions on this Bylaw.

Braden Hutchins
Director of Corporate Services

- iii. That the applicant agrees to implement the approved storm water management plan and to complete any required improvements and/or upgrades to on site and off site infrastructure necessary to facilitate proper drainage on the subject property at the applicant's expense;
- iv. That any necessary above or underground infrastructure or servicing upgrades, extensions or other required servicing requirements are to be fulfilled at the applicant's expense; and
- v. That the applicant provide a construction parking and traffic management plan to the satisfaction of the Director of Engineering.

CARRIED.

c) Bylaw No. 1662; Various Omnibus Amendments to Zoning Bylaw No. 300
- Staff Report (Planning)

MOVED BY: A. CREUZOT
SECONDED: K. SHELDRAKE

That the Planning, Zoning and Affordable Housing Committee recommend to Council:
That Council:

Give first reading to Bylaw No. 1662.

CARRIED.

5. ADJOURNMENT

The Chair adjourned the meeting at 6:25 p.m.

CHAIR

CERTIFIED CORRECT
(Corporate Officer)

That Council receive the minutes of the Administration and Finance Committee held on December 10th, 2019.

CARRIED.

2. Monthly Accounts Payable – September to November 2019

MOVED BY: COUNCILLOR SAHLSTROM
SECONDED: COUNCILLOR BLACKWELL

That Council approve the City of Langford disbursements from September to November 2019, as outlined in the Accounts Payable Report dated December 10, 2019.

CARRIED.

9. BYLAWS

a) BYLAW NO. 1662

**"Langford Zoning Bylaw, Amendment No. 466, (Omnibus No. 44 –Various Amendments), Bylaw No. 1662, 2020".
(FIRST READING)**

MOVED BY: COUNCILLOR BLACKWELL
SECONDED: COUNCILLOR WADE

That Council give Bylaw No. 1662 first reading.

CARRIED.

b) BYLAW NO. 1722

**"Langford Zoning Bylaw, Amendment No. 496, (813 and 817 Orono Ave),
Bylaw No. 1722, 2020".
(ADOPTION)**

MOVED BY: COUNCILLOR WADE
SECONDED: COUNCILLOR BLACKWELL

That Council adopt Bylaw No. 1722.

CARRIED.

c) BYLAW NO. 1770

**"Langford Zoning Bylaw, Amendment No. 529, (2848 and 2852 Millstream Rd), Bylaw No. 1770, 2020".
(RESOLUTION and FIRST READING)**



**Staff Report
to
Planning, Zoning and Affordable Housing Committee**

Date: December 9, 2019
Department: Planning
Subject: Bylaw No. 1662; Various Omnibus Amendments to Zoning Bylaw No. 300

PURPOSE

The purpose of this report is to introduce Bylaw No. 1662 which proposes various amendments to Zoning Bylaw No. 300 to fulfill previous Council resolutions and address issues that have been brought to staff's attention.

BACKGROUND

Zoning Bylaw No. 300 was adopted by Council in February of 1999. Since that time, a variety of Omnibus amendments and rezoning applications have introduced incremental changes to the Bylaw; however, a complete review and revision of the entire Bylaw has not been undertaken since 1997. This Bylaw is intended as a first phase to a complete update of the Bylaw. The complete update will address conformity to the Official Community Plan, amendments to enhance the clarity, readability and general ease of use of the Zoning Bylaw and, potentially, consolidation of similar Zones for simplicity and consistency.

This Bylaw, Omnibus 44, focuses on updating the terminology and definitions used throughout the Bylaw, the consistency of measurements and conversions, and the formatting of the document.

GENERAL AMENDMENTS THROUGHOUT THE BYLAW

Bylaw Terminology

The current Zoning Bylaw, Bylaw No. 300, contains a wide variety of land uses that are often listed as lengthy and sometimes inconsistent descriptions in the Zones. In order to provide more consistency between Zones and more succinct, easily understood regulations, each of the land uses included in the Bylaw were reviewed, compared and assigned a consistent name or term. Care was taken to ensure that the uses permitted in each Zone were not altered by the proposed changes in terminology.

As an example, several of the land use descriptions in the current Bylaw are listed below, along with the proposed new terminology:

Current Description in Zoning Bylaw	Proposed New Terminology
<i>Personal Service</i> including, but without limiting the generality of the foregoing, barber shop, beauty parlour, launderette, optical or watch repair shop, photographic studio and shoe repair	<i>Personal Service Establishment</i>
<i>Business Service Establishments</i> including but without limiting the generality of the foregoing: post office, desktop publishing, printing and photocopying	<i>Business Support Service</i>
<i>Retail Sale, Rental and Repair of Tools and Small Equipment</i> such as chainsaws, hand and edge tools, lawn mowers, motorbikes, roto-tillers and outboard motors	<i>Equipment Sales, Service, Repair and Rental, Minor</i>
<i>Public Transportation Depots</i> including, but not limited to the generality of the foregoing: bus stations, bus transfer sites, aerial tram stations, mass transit stations	<i>Transportation Terminal</i>
<i>Light Manufacturing and Assembly</i> in enclosed buildings including food processing but excluding the primary processing of meat, poultry and fish	<i>Light Industrial Use</i>

Bylaw Definitions

Many of the land uses in the current Zoning Bylaw are also not defined in Section 1.01 of the Bylaw. While some uses can be easily understood by their common, dictionary definitions, others can cause confusion or difficulty in interpretation and a resulting inconsistency in application. As an example, the following terms are used in different Zones throughout the Bylaw, and the differences (or similarities) between them are not clearly defined or necessarily apparent: “*multi-level care facility*”; “*nursing home*”; “*private hospital*”; “*assisted living facility*”; and “*community care facility*”.

In order to provide consistency between Zones and facilitate easier interpretation and application, similar terms such as the health-care related ones noted above, were reviewed, consolidated and defined. Definitions were created based on generally understood meanings; definitions in related municipal, provincial or federal legislation; commonly used definitions in other best practice examples and local Langford precedence and context. The nuances, or details, of the land use descriptions (as discussed above) were incorporated into the proposed definitions to ensure that the new terminology and definitions did not alter the land uses permitted in each zone.

Aside from a few Zone-specific uses (such as “Ronald McDonald House or similar use providing accommodation for the relatives of seriously ill children”), all of the land uses and most of the technical terms in the Zoning Bylaw have been defined in Section 1.01. As well, these defined terms have been capitalized throughout the text of the Bylaw to denote that they should be interpreted as specifically defined in the Bylaw.

Metric and Imperial Conversions

The Zoning Bylaw provides a wide variety of lot sizes, gross floor areas and setbacks as metric measurements. Imperial measurements are also provided in parentheses after the metric measurement for ease of use and understanding. However, in many cases there were inconsistencies throughout the

Bylaw in the number of decimal places, conversion to imperial measurements and rounding of numbers. The measurements and conversions in the Bylaw have been reviewed, updated to include one decimal place in all measurements, and rounded up or down consistently.

Formatting, Cross-Referencing and Typos

As previously noted, the Zoning Bylaw has been updated through numerous Omnibus Bylaws and rezoning applications by a variety of authors and applications since 1997. As a result of these additions to, and deletions from the Bylaw, some inconsistencies in formatting, typos and cross-references have occurred. This phase of the Bylaw update also focussed on applying consistent formatting, indentations, and numbering throughout the Bylaw, correcting cross-referencing between sections, and editing minor typos.

As well, as this update represents a new Bylaw with changes to all sections, references to previous amendments throughout the text of the document have been removed. A list of all previous amendments has been retained at the beginning of the Bylaw for convenience.

SPECIFIC AMENDMENTS**Section 3.01 – Uses Permitted in Any Zone**

The list of uses permitted in any Zone has been updated to include “Temporary Construction and Real Estate Marketing Office, subject to Section 3.06”, as these uses were listed as a permitted use in all of the individual Zones in the current Bylaw.

Section 3.02 – Prohibited Uses

The list of uses prohibited in the City of Langford was updated to include: “Escort or Dating Service”, “Body Rub Parlour”, “Boiling of Blood, Bone, Soap, and Tripe”, “Refining of Coal Oil”, “Extracting Oil from Fish”, “Storing Hides”, “Tallow Melting”, “Slaughtering Animals” and “Manufacturing of gas, alkali, sulphuric acid, chemical manure, nitric acid, suphate and muriate of ammonia, chlorine or bleaching powder”.

Section 3.05 – Accessory Buildings and Structures

Provisions were added in Subsection 3.05.01 to clarify that:

- (3) “Where an Accessory Building is attached to a principal building by a foundation, floor, wall and roof, it shall be considered part of the principal building and must comply in all respects with the requirements of this Bylaw applicable to the principal building”.

This clause was added to prevent accessory buildings, potentially constructed only 1.0 metres (3.3 feet) from a property line, from being connected to the principal building by a ‘breezeway’, thus increasing the massing and footprint of the principal building without providing appropriate setbacks from neighbouring properties or adhering to regulations for lot coverage or gross floor area applicable to the Principal Building.

Section 3.18 – Projections into Required Setbacks

A clause was added to Table 1: Permitted Projections into Required Setbacks to allow a reduced setback for Principal Buildings adjacent to walkways as follows:

Feature	Lot Size	Setback Required by Part 6 of this Bylaw	Type of Lot Line	Permitted Projection
Principal building, except those features noted separately below	All lots	From exterior side lot line	Exterior side lot line abutting a highway less than 4.5 m (14.8) wide	principal building may be located a minimum of 2.0 m (6.6 ft) from the exterior side lot line

This clause is intended to allow a reduced setback for principal buildings adjacent to pedestrian walkways, which are still classified as highways, but which do not require the same setbacks and buffering as roadways designed for vehicular use.

Section 3.19 – Calculation of Lot Width and Depth

Diagrams were added to this section to clarify how Lot Widths and Depths are to be calculated, including how Lot Depth is calculated for Panhandle Lots.

Section 4.01 – Off-Street Parking

A clause was added to Table 1: Off-Street Parking Requirements to require that Caretaker Dwelling Units be required to provide one parking space for the occupant of the unit, in addition to the parking spaces required for the principal use of the building.

Community Gardens

Community Gardens were added as a permitted use in all Residential Zones, Commercial Zones, Institutional Zones and Comprehensive Development Zones where residential and commercial uses are permitted, as per Official Community Plan Policy 11.1.5, which states:

“Make community gardens a permitted use in all commercial and residential zones and in public places (parks, right of ways, utility corridors, etc.)”

Unused Zones

The Agricultural (AG2), Civic Institutional (P5) and Institutional Residential (PR1) Zones were deleted from the Zoning Bylaw during this phase of the update as these Zones are not currently applied to any lands within the City of Langford. Future phases of the update may consider consolidating similar Zones where appropriate and in consultation with landowners whose properties would be affected by the change.

Section 6.92 – Comprehensive Development 3 – Westhills (CD3) Zone

Transportation terminal was added as a permitted use in the CD3 Zone to recognize the future light transit hub on Langford Parkway.

The Keeping of Animals for Domestic Purposes

Section 3.12 of the Bylaw's General Regulations permits the keeping of animals for domestic purposes as an accessory use to a One-Family Dwelling on lots with areas greater than or equal to 4,000.0 m² (1.0 ac), in all Zones. Section 3.12 also provides separate regulations and standards for larger animals (such as horses, cattle, sheep and goats) and smaller animals (such as poultry and rabbits), pertaining to the

maximum number of animals, methods of enclosure, permitted accessory uses and minimum setbacks for structures, buildings and manure piles associated with the keeping of animals.

The keeping of animals for domestic purposes was listed separately as a permitted use in the R1, R2, R2A, and PR1 Zones, with different minimum setbacks than those listed in Section 3.12. To create consistency, the keeping of animals for domestic purposes is no longer listed as a permitted use under individual zones, rather, it shall be permitted in any zone in accordance with section 3.12.

Medical Clinics and Accessory Related Commercial Uses

The permitted uses in many zones has been updated to include “*Medical clinics and related accessory commercial uses*” wherever “*Offices*” existed as a permitted use. Staff was directed that these uses should be defined differently so as not to be synonymous, however the uses are similar enough to occupy the same zonings in every case.

OPTIONS

Option 1

That the Planning, Zoning and Affordable Housing Committee recommend that Council:

1. Give first reading to Bylaw No. 1662;

OR Option 2

2. Direct staff to amend Bylaw No. 1662 and that Council give first reading to Bylaw No.1662 as amended.

Submitted by:	Wolfgang Schoenefuhs, Planning Technician
Concurrence:	Matthew Baldwin, MCIP, RPP Director of Planning
Concurrence:	Paul Lambert, Acting Manager of Community Safety and Municipal Enforcement
Concurrence:	Michelle Mahovich, P.Eng, P.Geo, Director of Engineering
Concurrence:	Leah Stohmann, MCIP, RPP, Deputy Director of Planning
Concurrence:	Micheal Dillabaugh, CPA, CA, Director of Finance
Concurrence:	Braden Hutchins, Director of Corporate Services
Concurrence:	Darren Kiedyk, Chief Administrative Officer

:WCS

Appendix A

PROPOSED BYLAW NO. 300, 2020.

CITY OF LANGFORD
MINUTES OF THE MEETING OF COUNCIL
Monday, January 20, 2020 @ 5:30 p.m.
Council Chambers, 3rd Floor, 877 Goldstream Avenue

PRESENT

Mayor S. Young; Councillors: D. Blackwell, M. Sahlstrom, L. Seaton, N. Stewart, L. Szpak and R. Wade.

ATTENDING

Chief Administrative Officer, D. Kiedyk; Director of Finance, M. Dillabaugh; Director of Planning, M. Baldwin; Director of Engineering, M. Mahovlich; Director of Corporate Services, B. Hutchins; and Manager of Legislative Services, A. Proton.

1. CALL TO ORDER

Mayor Young called the meeting to order at 5:31 pm.

2. APPROVAL OF THE AGENDA

MOVED BY: COUNCILLOR STEWART

SECONDED: COUNCILLOR WADE

That Council approve the agenda as presented.

CARRIED.

3. ADOPTION OF COUNCIL MINUTES

a) Minutes of the Special Meeting of Council – December 20, 2019

b) Minutes of the Regular Meeting of Council – January 6, 2020

MOVED BY: COUNCILLOR BLACKWELL

SECONDED: COUNCILLOR SEATON

That Council approve the minutes of the special meeting of Council held on December 20, 2019; and the regular meeting of Council held on January 6, 2020.

CARRIED.

4. **PUBLIC PARTICIPATION**

None.

5. **COMMITTEE RESOLUTIONS**

a) **Planning, Zoning and Affordable Housing Committee – January 13, 2020**

1. **Minutes of the Planning, Zoning and Affordable Housing Committee – January 13, 2020**

MOVED BY: COUNCILLOR BLACKWELL

SECONDED: COUNCILLOR WADE

That Council receive the minutes of the Planning, Zoning and Affordable Housing Committee held on January 13, 2020.

CARRIED.

2. **Application to Rezone 2681 Claude Road from R2 (One- and Two-Family Residential) to MU2 (Mixed-Use Residential Commercial Zone) to Allow a Future Development of 35 Multi-Family Residential Units in a 6-Storey Building**

MOVED BY: COUNCILLOR BLACKWELL

SECONDED: COUNCILLOR WADE

1. That Council rescind 1st, 2nd, and 3rd reading of Bylaw 1678; and
2. Direct staff to prepare a bylaw to amend the zoning designation of the property located at 2681 Claude Road from R2 (One- and Two-Family Residential) to MU2 (MU2 (Mixed-Use Residential Commercial)), subject to the following terms and conditions:
 - a) That the owner agrees to provide, **as a bonus for increased density**, the following contributions per dwelling unit, prior to issuance of a Building Permit:
 - i. \$2,562 towards the General Amenity Reserve Fund;
 - ii. \$610 towards the Affordable Housing Reserve Fund.subject to reductions depending on the use and height in accordance with the Affordable Housing and Amenity Contribution Policy.
 - b) That the applicant provides, **prior to Public Hearing**, the following:
 - i. An onsite landscape plan to the satisfaction of the Director of Planning;
 - ii. A technical memo from a qualified engineer that verifies storm water can be adequately managed onsite, to the satisfaction of the Director of Engineering.
 - c) That the applicant provides, **prior to Bylaw Adoption**, a Section 219 covenant, registered in priority of all other charges on title, that agrees to the following:

- i. That a stormwater management and maintenance plan be created, to the satisfaction of the Director of Engineering, and registered on title for the benefit of future owners;
- ii. That full frontage improvements be completed as per the Subdivision and Development Servicing Bylaw No. 1000 standards, to the satisfaction of the Director of Engineering, prior to the issuance of a Building Permit;
- iii. That balcony screening will be opaque and that any portions that are perpendicular to the rear building face are constructed to a 5 foot height;
- iv. That a construction parking and traffic management plan be provided prior to issuance of a building permit, to the satisfaction of the Director of Engineering; and
- v. That a separate covenant be registered prior to issuance of a building permit for the proposed residential building that ensures parking is assigned and tied to each unit created in accordance with the minimum required parking stalls as per the zoning bylaw.

CARRIED.

6. REPORTS

a) Public Hearing Policy
- Staff Report (Administration)

MOVED BY: COUNCILLOR BLACKWELL
SECONDED: COUNCILLOR WADE

That Council approve Council Policy POL-0155-ADMIN, the Public Hearing Policy.

CARRIED.

Councillor N. Stewart left the meeting at 5:33 pm.

b) West Shore Parks and Recreation Society 2020 Budget
- Staff Report (Finance)

MOVED BY: COUNCILLOR SAHLSTROM
SECONDED: COUNCILLOR BLACKWELL

That Council approve the 2020 West Shore Parks and Recreation Society budget.

CARRIED.

c) 2619 Sooke Rd Temporary Use Permit Renewal
- Staff Report (Planning)

MOVED BY: COUNCILLOR BLACKWELL
SECONDED: COUNCILLOR SZPAK

That Council issue a Temporary Use Permit for a group daycare for 28 children located at 2619 Sooke Road until March 7, 2021; and permit the business to operate without the proprietors living on site.

CARRIED.

Councillor N. Stewart returned to the meeting at 5:34 pm.

7. CORRESPONDENCE

**a) Pete Willing
RE: Music in the Park**

MOVED BY: COUNCILLOR SZPAK
SECONDED: COUNCILLOR WADE

That Council support the 2020 Music in the Park summer program and fund the \$10 000 cost.

CARRIED.

**b) Jamie Levchuk, Managing Director, Rugby Canada
RE: Support for the 2020 HSBC Canada Women's Sevens**

MOVED BY: COUNCILLOR WADE
SECONDED: COUNCILLOR SAHLSTROM

That Council support the 2020 Rugby Canada Women's Sevens in Langford by providing stadium rent and preparation, bleacher rentals, IT and broadcast support, hiring of BCTC certified electricians and additional security, marketing support, in-kind rentals including tents, and general maintenance.

CARRIED.

8. BYLAWS

**a) BYLAW NO. 1862
"Langford Official Community Plan Bylaw, Amendment No. 33, (Text
Amendment – Regional Context Statement), Bylaw No. 1862, 2020"
(RESOLUTION and FIRST READING)**

MOVED BY: COUNCILLOR BLACKWELL
SECONDED: COUNCILLOR WADE

That Council give first reading to Bylaw No. 1862, and refer Bylaw No. 1862 to the CRD Regional Planning Services for review, comment and/or approval by the CRD Board.

CARRIED.

b) BYLAW NO. 1872

**“Langford Zoning Bylaw, Amendment No. 577, (595 Hansen Ave), Bylaw No. 1872, 2020”
(FIRST READING)**

MOVED BY: COUNCILLOR BLACKWELL
SECONDED: COUNCILLOR WADE

That Council give Bylaw 1872 first reading.

CARRIED.

Councillor N. Stewart left the meeting at 5:36 pm, after declaring a conflict of interest as she owns a property in the vicinity of the application at 2929 & 2995 Sooke Rd and 3201 & 3211 Loledo Pl.

c) BYLAW NO. 1873

**“Langford Official Community Plan Bylaw, Amendment No. 34, (2929 & 2995 Sooke Rd and 3201 & 3211 Loledo Pl), Bylaw No. 1873, 2020”
(RESOLUTION and FIRST READING)**

MOVED BY: COUNCILLOR BLACKWELL
SECONDED: COUNCILLOR WADE

That Council give First Reading to Bylaw No. 1873; and

Direct the City Planner to process the Development Permit that has been applied for on these lands, and to issue the Development Permit if this OCP Amendment is successful, in accordance with the applicable Development Permit Guidelines; and

Require the applicant to register a section 219 restrictive covenant on the titles of the subject properties prior to Bylaw Adoption that states onsite works, defined as clearing and blasting of all the lands, may only occur on weekdays from 8:30 am to 4:30 pm, may not occur beyond 2 years from the commencement of these works, and that blasting and rock crushing may not occur beyond 1 year from the commencement of blasting and rock crushing.

CARRIED.

Councillor N. Stewart returned to the meeting at 5:37 pm.

9. IN CAMERA RESOLUTION

MOVED BY: COUNCILLOR BLACKWELL
SECONDED: COUNCILLOR SZPAK

THAT Council close the meeting to the public pursuant to section 90 (1) d, e, f, and k of the *Community Charter* to consider:

- The security of the property of the municipality;
- The acquisition, disposition or expropriation of land or improvements;
- Law enforcement; and
- Negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages.

10. ADJOURNMENT

Mayor Young adjourned the meeting at 7:13 pm.

PRESIDING COUNCIL MEMBER:

CERTIFIED CORRECT
Corporate Officer

**Minutes of the West Shore Parks and Recreation Society
Board of Directors Meeting
Thursday, December 12th, 2019 in the WSPR Boardroom**

PRESENT: Directors Joe Martignago (Chair), Kim Anema, Lorraine Hilton, Darren Kiedyk, Robert Earl

ABSENT: N/A

STAFF PRESENT:

Sandy Clarke, Acting Administrator
Geoff Welham, Acting Manager of Recreation
Wade Davies, Manager of Operations
Grant Brown, Manager of Finance
Chantelle Bremner, Recorder

PUBLIC PRESENT:

Angus Stewart, Pickleball Association
Jules Van Rosebrook, Pickleball Association

CALL TO ORDER

1. The Chair called the meeting to order at 2:59pm.

APPROVAL OF AGENDA

2. ***MOVED/SECONDED BY DIRECTORS EARL AND HILTON THAT THE AGENDA BE APPROVED AS PRESENTED.
CARRIED***

APPROVAL OF MINUTES

3. ***MOVED/SECONDED BY DIRECTORS KIEDYK AND HILTON THAT THE MINUTES OF THE REGULAR
MEETING HELD NOVEMBER 14TH, 2019 BE ADOPTED.
NO ERRORS, NO OMMISIONS
CARRIED***

PUBLIC PARTICIPATION

4. Jules Van Rosebrook commented that he had heard of some changes being made to the flooring in the indoor sports complex and is concerned there won't be enough courts for pickleball. Two weeks ago, a West Shore Pickleball Association was formed and there are already 73 people signed up.

Acting Manager of Recreation, Geoff Welham showed Jules Van Rosebrook and Angus Stewart the intended floor plans of the indoor sports complex and mentioned that a turf surface would fill 2/3 of the space and a multisport surface would fill the remaining 1/3 of the space. Installation will begin on January 2nd, 2020 with completion scheduled for January 20th, 2020.

Angus Stewart commented that he would have liked the opportunity for the public to be more involved in the design stage. He mentioned that the West Shore community suits the drop-in programming style and is concerned the new design will not meet the needs of the newly-formed West Shore Pickleball Association.

Acting Manager of Recreation, Geoff Welham mentioned that West Shore Parks & Recreation is offering more drop-in opportunities year round in gym spaces within the school system as well as the new courts in the indoor sports complex.

Angus Stewart commented that space is lacking in the West Shore for indoor sports that are played on surfaces other than turf. As a PE teacher in Saanich and a school rep for sports, Angus has experience designing indoor playing spaces. In addition to the need for indoor courts, the West Shore Pickleball Association is considering outdoor locations as well.

Chair, Joe Martignago asked Acting Administrator, Sandy Clarke and staff to follow up with both Angus Stewart and Jules Van Rosebrook.

CHAIR'S REMARKS

5. *Acting Administrator, Sandy Clarke commented on the following:*

West Shore Parks & Recreation staff are performing periodic traffic stops at the parking lot entrance off Ocean Blvd in order to modify people's driving habits and to not use the entrance as a cut through to the Island Highway. November saw some success but the issue had been growing again and during a traffic stop yesterday, a WSPR staff member was seriously injured by a community member and her car. West Shore Parks & Recreation staff are working with the RCMP for future monitoring of the Ocean Blvd parking lot entrance/exit.

STANDING COMMITTEES

6. **a) Strategic Plan Update**

Acting Administrator, Sandy Clarke highlighted the following:

There are four strategic priorities in the Strategic Plan including Strong Relationships, Sustainable Operations/Resources, Excellence in Service Delivery, and Innovation and Leadership. We are currently updating the document with the past year's achievements which will be available at the Board of Directors meeting in January 2020. The Annual Report highlights the accomplishments in each strategic priority area.

b) Finance

Acting Administrator, Sandy Clarke highlighted the following:

West Shore Parks & Recreation budget packages were dropped off to municipal offices three weeks ago. Budget presentations have been booked with three of the five councils.

OLD BUSINESS

7. **a) RFP Update**

Consultant, Jonathan Huggett highlighted the following:

Two proponents went through the RFP process. One submission was complete and the second submission was a withdrawal with intent to recommend an alternate process.

Moved/Seconded by Directors Earl and Kiedyk that the RFP Evaluation Committee's report be received and the board supports the decision to not go forward with either proponent. Carried

The Board of Directors are to advise respective councils of the RFP outcome.

Acting Administrator, Sandy Clarke to notify the Union that there was no successful proponent, and the RFP is now closed.

NEW BUSINESS

8. N/A

FOR INFORMATION

9. a) Administrator's Report

Acting Administrator, Sandy Clarke highlighted the following:

Administration/Human Resources

The Health and Safety Committee recently attended a training session on workplace inspections. The positive outcome of the training includes recommendations on who should be involved in doing the inspections in the various areas; creating policies which determine the risks within each area and creating corresponding inspection schedules.

Staff are currently planning the annual staff day training event. The theme for this year will be "The Future looks Bright". This annual training day focuses on an overview of the year's accomplishments as it relates to the strategic plan; a keynote speaker and various team building exercises. This year the event will be held in January 2020 due to conflicting year end events.

Operations

November was Ammonia awareness month at WSPR and staff received several opportunities to attend a training session or participate in a facility ammonia drill. Colwood Fire was in attendance during the drill and were very impressed with our system and our proactive approach to ensuring all staff in the facility are prepared in the event of an ammonia leak. The training activated **The One Plan** which breaks the response into 4 key rolls. A video was produced by maintenance staff that lays the plan out for all staff to review.

The 6 week closure of the pool area running from November 11-December 26th is well underway. We are installing a SoftWalk foot friendly flooring from Myrtha Pools. This new feature is gentle on feet and joints and a great enhancement for rehab, water fit, and other programs. The main pool liner is being replaced and regular repairs to the pool deck are being completed. New paint and signage will also be added. There has been a delay in the delivery of the new air handling unit for the pool. It is now expected to arrive in the first week of January. As waiting for the delivery would have delayed the reopening of the pool by approximately 2-3 weeks it was decided to store the unit onsite and

plan for an install in June 2020 when the weather will permit the work to be done without a further closure. Staff are providing weekly updates of the shutdown progress on Facebook and Instagram to keep our patrons up to date. All WSPR pass holders are welcome to use their pass at all regional recreation centres including the Langford YM-YWCA during our 6 week closure.

Programs

As we enter the Holiday season we have a number of specials highlighted in our facility. Winter Wonderland skates are being held in the JDF Arena. The arena is transformed for the Christmas season and skates are booked for groups from December 14-18. We are nearing capacity for these special skates. For the month of December, WSPR will be selling a "5 for you" promotional pass. The 5 drop-in pass is sold for \$15 and is a perfect stocking stuffer. WSPR staff will continue their tradition of giving back to the community. We are participating in the 12 days of giving and are collecting items to be donated to the Goldstream Food Bank Christmas hamper and stocking project. Staff also adopt 2 families and provide a complete Christmas basket for them including gifts and food options. Our holiday hours will include an early closure of 3pm on Christmas Eve and New Year's Eve and the facility is closed on Christmas and Boxing Day.

The fitness and aquatic department are gearing up for a busy new year. New equipment has been ordered for the weight room, including recumbent bikes and treadmills. Staff attended the Ripple Effects conference in Vancouver and reported it as a very worthwhile learning opportunity. The trend of recruiting and retaining front line staff was a focus and in response to that a new lifeguarding pathway to employment has been featured in our current Activity Guide.

The indoor sports complex dry floor grand opening has been delayed by one week in order to allow for the installation of the new surfaces in the first 2 weeks of January 2020. The grand opening is now slated for January 20, 2020 and invitations will be sent out to our member municipalities. In addition to the rental requests that are coming in, WSPR programs including family open gym; youth open gym, a toddler social, and birthday party programming will be offered.

We continue to pursue grant funding for a variety of our programs. Once again staff were successful in their request for community support in their application to Peninsula Co-op. WSPR received \$10,000 to support our year-round child minding service. We are submitting a grant for gender equity in recreational sport through UBCM's Community Grants Initiative 2019. The **Girls Got Game** program will address the issues facing girls such as inactivity, drop out and lack of confidence in sport and physical activity. According to the Women's Sports Foundation, "factors such as social stigma, lack of access, safety and transportation issues, costs and lack of positive role models, can all contribute to the reasons why girls drop out of sports in their adolescent years." By offering a no cost program lead by strong female coaches and athletes, we will provide role models to encourage participation and inspire a passion for sport and activity. Staff also continue to work with the provincial government on the Childcare BC new spaces fund. We have revised our application once again and are awaiting final word on our application.

The Skatepark Coalition and WSPR staff are now attending meetings with each municipal council or commission to pursue proportionate financial support for 60% of the skatepark construction cost. The additional 40% will come from community initiatives led by WPSR and the Westshore Skatepark Coalition. To date 2 municipal presentations have occurred in Langford and Colwood. The skatepark project has also received a community swell of support through letters from MLA John Horgan, MLA Mitzi Dean, Island Health, SD62, Debbie Aadland - Community Member, Kim Dillon - WorkLink and

Community member, Rodrick Taylor - Indigenous Child & Youth Mental Health. Through the community-engaged learning department, 3 Uvic students from the Digital Media Production for Writers class are currently putting together a promotional video for the skatepark project that will be used in sourcing funding and project promotion.

The new Winter Activity Guide is available online and registration began on December 5th. We look forward to offering a wide variety of programs and services to enhance the health and wellness of our community members in the New Year.

The Board of Directors thanked staff for their work during the past year.

b) Meeting Schedule 2020

Acting Administrator, Sandy Clarke highlighted the following:

The schedules for the Finance Committee and Board of Directors' meetings were discussed briefly and will remain as noted.

FOR INFORMATION ONLY

IN CAMERA

10. **MOVED/SECONDED BY DIRECTORS ANEMA AND HILTON THAT THE MEETING MOVE IN CAMERA.**
THAT there is a need to have a meeting closed to the public and persons other than the West Shore Parks & Recreation Board of Directors, and staff and those identified under section 3.(2) of the Board policy shall be excluded on the basis of section 2.(1)(c) labour relations, 2.(1)(i) legal advice and 2.(1)(l) progress reports.

CARRIED

Chair, Joe Martignago asked members of the public to leave for the duration of the in camera session.

ADJOURNMENT

11. **MOVED/SECONDED BY DIRECTORS EARL AND KIEDYK THAT THE MEETING BE ADJOURNED AT 5:00PM.**
CARRIED

CITY OF LANGFORD

MINUTES OF THE PARKS, RECREATION, CULTURE AND BEAUTIFICATION COMMITTEE

Thursday, January 23rd, 2020 @ 5:00 pm

Council Chambers, 3rd Floor, 877 Goldstream Avenue

PRESENT

Councillors: L. Seaton (Chair) and R. Wade (Vice-Chair), Members: N. Arden, R. Prettie, K. Reece, M. Stearns, A. Sturgeon, and Victoria Contracting and Municipal Maintenance Corporation Representative, G. Harrison.

ATTENDING

Manager of Parks and Recreation, C. Manton; Parks Technician, S. Newcombe; and Deputy Director of Planning, L. Stohmann.

ABSENT

Member: J. Whitehouse

1. CALL TO ORDER

The Chair called the meeting to order at 5:02 p.m.

2. APPROVAL OF THE AGENDA

MOVED BY: A. STURGEON

SECONDED: K. REECE

That the Parks, Recreation, Culture and Beautification Committee approve the Agenda as presented.

CARRIED.

3. ADOPTION OF THE MINUTES

**a) Parks, Recreation, Culture & Beautification Committee Meeting –
November 28, 2019**

MOVED BY: COUNCILLOR SEATON

SECONDED: COUNCILLOR WADE

That the Parks, Recreation, Culture and Beautification Committee approve the minutes of the meeting held on November 28, 2019.

CARRIED.

4. REPORTS

- a) Parks Capital Budget – 2020-2024 Five Year Financial Plan**
- **Staff Report (Parks)**

MOVED BY: A. STURGEON

SECONDED: M. STEARNS

That the Parks, Recreation, Culture and Beautification Committee recommend to Council:
That Council approve in principle the 2020-2024 Parks Capital projects listed and refer them to the Director of Finance for inclusion in the City's 2020-2024 Five Year Financial Plan.

CARRIED.

- b) Parks Operation Budget – 2020-2024 Five Year Financial Plan**
- **Staff Report (Parks)**

MOVED BY: K. REECE

SECONDED: A. STURGEON

That the Parks, Recreation, Culture and Beautification Committee recommend to Council:
That Council approve in principle the 2020-2024 Parks Operating Budget and refer it to the Director of Finance for inclusion in the budget, with the addition of \$10,000.00 in one time funding for the purchase of a trailer to transport the Weed Harvester under Natural Areas Management – (sub category) Control of Invasive Species.

CARRIED.

5. CORRESPONDENCE

- a) District of Metchosin Letter to John Horgan, MLA**
RE: Funding Support for Western Communities' Skatepark at Westshore Parks and Recreation

MOVED BY: COUNCILLOR WADE

SECONDED: COUNCILLOR SEATON

That the Parks, Recreation, Culture and Beautification Committee receive the letter from the District of Metchosin on Funding support for a Western Communities' Skatepark at Westshore Parks and Recreation.

CARRIED.

6. ADJOURNMENT

The Chair adjourned the meeting at 5:40 p.m.

CHAIR

CERTIFIED CORRECT
(Corporate Officer)

CITY OF LANGFORD

MINUTES OF THE PLANNING, ZONING AND AFFORDABLE HOUSING COMMITTEE

Monday, January 27th, 2020 @ 5:30 pm

Council Chambers, 3rd Floor, 877 Goldstream Avenue

PRESENT

Councillors: L. Szpak (A/Chair), R. Wade (Vice-Chair); Members: C. Brown, A. Creuzot, D. Horner, and K. Sheldrake.

ATTENDING

M. Baldwin, Director of Planning and Subdivision; M. Mahovlich, Director of Engineering.

ABSENT

Councillor D. Blackwell; and Members: S. Harvey and M. Hall.

1. CALL TO ORDER

The Chair called the meeting to order at 5:30 p.m.

2. APPROVAL OF THE AGENDA

MOVED BY: A. CREUZOT

SECONDED: D. HORNER

That the Planning, Zoning and Affordable Housing Committee approve the agenda as presented.

CARRIED.

3. ADOPTION OF THE MINUTES

a) Planning, Zoning & Affordable Housing Committee Meeting – January 13, 2020

MOVED BY: D. HORNER

SECONDED: A. CREUZOT

That the Planning, Zoning and Affordable Housing Committee approve the minutes of the meeting held on January 13th, 2020.

CARRIED.

4. REPORTS

- a) **Bylaw No. 1883 - Application to Rezone 2627 Sooke Road from One- and Two-Family Residential (R2) to Community Town Centre Pedestrian 9 (C9) to Allow a 90-unit Apartment Building with one Commercial Unit along Sooke Road**
- **Staff Report (Planning)**

MOVED BY: K. SHELDRAKE

SECONDED: A. CREUZOT

That the Planning, Zoning and Affordable Housing Committee recommend to Council:
That Council:

Give 1st reading to Bylaw No. 1883 to amend the zoning designation of the property located at 2627 Sooke Road from R2 (One- and Two-Family Residential) to C9 (Community Town Centre Pedestrian 9) subject to the following terms and conditions:

- a) That the applicant provides, **as a bonus for increased density**, the following contributions per residential unit, prior to issuance of a building permit:

- i. \$610 towards the Affordable Housing Fund; and
- ii. \$2,074 toward the General Amenity Fund.

subject to reductions depending on the use and height in accordance with the Affordable Housing and Amenity Contribution Policy.

- b) That the applicant provides, **prior to Public Hearing**, the following:

- i. A technical memo from an engineer that verifies storm water can be adequately managed on-site for the proposed developments, to the satisfaction of the Director of Engineering.

- c) That the applicant provides, **prior to Bylaw Adoption**, a section 219 covenant, registered in priority of all other charges on title, that agrees to the following:

- i. That all frontage improvements along Sooke Road are provided as per the Sooke Road Corridor Concept Plan, to the satisfaction of the Director of Engineering and the Ministry of Transportation and Infrastructure, and that any road dedication required to contain these frontage improvements within the road right of way is provided prior to the issuance of a Building Permit;
- ii. That a storm water management plan be provided prior to issuance of a building permit and implemented, as per Bylaw 1000, all to the satisfaction of the Director of Engineering;
- iii. That a construction parking and traffic management plan be provided prior to the issuance of a building permit, to the satisfaction of the Director of Engineering;

- iv. That an SRW for emergency use is registered on title prior to the issuance of a Building Permit;
 - v. That a separate covenant be registered prior to issuance of a building permit for the proposed residential building that ensures parking is assigned and tied to each unit created in accordance with the minimum required parking stalls as per the zoning bylaw.
- d) Authorize the Director of Planning to issue the following variance in the Form and Character Development Permit for 2627 Sooke Road:
- i. That Table 1 of Section 4.01.01 be varied to reduce the minimum parking requirement from the required 2.75 spaces per dwelling unit with two bedrooms or less and 3.75 spaces per dwelling unit with more than two bedrooms to 1.25 spaces per dwelling unit with two bedrooms or less and 2.75 spaces per dwelling unit with more than two bedrooms.

CARRIED.

- b) Application to Rezone 2716 and 2720 Strathmore from the R2, One- and Two-Family Residential Zone to the RM7A, Medium-Density Apartment A, Zone to Allow for the development of a six (6) storey residential building made up of approximately 32 dwelling units**
- **Staff Report (Planning)**

MOVED BY: D. HORNER
SECONDED: C. BROWN

That the Planning, Zoning and Affordable Housing Committee recommend to Council:
That Council:

Direct Staff to prepare a bylaw to rezone the properties at 2716 and 2720 Strathmore Road from the R2, One and Two Family Residential, Zone to the RM7A, Medium – Density Apartment A, Zone and to add the subject properties to Schedule A1, of Zoning Bylaw No.300. subject to the following terms and conditions:

- a. That the applicant provides, as a bonus for increased density, the following contributions, per unit, prior to the issuance of a building permit to develop the property:
 - i. \$750 per unit towards the General Amenity Reserve Fund;
 - ii. \$2850 per unit towards the Affordable Housing Fund;
 - iii. And subject to a 50% reduction to the total amount of contribution fees for units on the 5th and 6th storey, in accordance with the Affordable Housing and Amenity Contribution Policy.
- b. That the applicant provides, **prior to Public Hearing**, the following:

- i. A technical memo from an engineer that verifies storm water can be adequately managed on-site for the proposed developments, to the satisfaction of the Director of Engineering;
 - ii. A frontage drawing to the satisfaction of the Director of Engineering to confirm whether road dedication is required to complete all required frontage improvements, including boulevard landscaping, sidewalks, road edge parking and street lighting (if applicable).
- c. That the applicant registers, **prior to Bylaw Adoption**, if necessary, the road frontage to accommodate required frontage improvements to the satisfaction of the Director of Engineering;
- d. That the applicant provides, **prior to Bylaw Adoption**, a Section 219 covenant, registered in priority of all other charges on title, that agrees to the following:
 - i. That the developer agrees to install, or bond for, all required frontage improvements to Bylaw No. 1000 standards, including the installation of road edge parking, sidewalks, boulevard landscaping and possibly streetlights, to the satisfaction of the Director of Engineering, prior to issuance of a building permit;
 - ii. That the developer will connect and be responsible for any upgrades and/or installation of services and utilities required to support the proposed development;
 - iii. That all storm water management plan(s) be provided prior to issuance of a building permit and implemented, as per Bylaw 1000, all to the satisfaction of the Director of Engineering;
 - iv. That a construction parking and traffic management plan, prepared to the satisfaction of the Director of Engineering, be provided prior to the issuance of a building permit;
 - v. That the required parking stalls for this development are allocated for each residential unit and visitors, as required by Zoning Bylaw No. 300, and that parking is not offered separately from individual residential and visitor units for compensation;
 - vi. That the developer submits the Fire Underwriters Survey (FUS) calculations prior to the issuance of a development permit to develop the property, and acknowledges that these calculations may determine different setbacks than what is prescribed in the zone or from what has been granted through variances;
 - vii. That the developer agrees to install any infrastructure, including fire hydrants, required to fight an urban fire, as prescribed in Bylaw No. 1000.

That Council authorize the Director of Planning to authorize the following variances within a Development Permit that addresses the form and character of the development:

- a. A variance to reduce the required building setback to a rear property line from 7.5m to 3m;
- b. A variance to reduce the required building setback from a front lot line from 7.5m to 0.48m subject to the following:

- i. That the applicant registers a Section 219 Covenant on the property acknowledging that they will not require an encroachment agreement onto City property as a result of receiving a variance from the required building setback to the front property line.

CARRIED.

Member K. Sheldrake left the meeting at 6:50pm due to a potential conflict of interest with the project at 2924 Amy Rd, since a company he is affiliated with may be part of the eventual construction of the project. He did not return. The committee no longer had quorum after his departure, so the remainder of the meeting was held for information only and no recommendations were made.

- c) **Application for Development Variance Permit to allow an increase to the maximum allowable height at 2924 Amy Rd**
 - **Staff Report (Planning)**

The Planning, Zoning and Affordable Housing Committee members in attendance reviewed the report on the application for Development Variance Permit at 2924 Amy Rd.

- d) **Draft Five Year Financial Plan for 2020/2024**
 - **Staff Report (Planning)**

The Planning, Zoning and Affordable Housing Committee members in attendance reviewed the report on the draft five-year planning Financial Plan for 2020-2024.

5. ADJOURNMENT

The Chair adjourned the meeting at 7:20 p.m.

CHAIR

CERTIFIED CORRECT
(Corporate Officer)



Staff Report to Planning, Zoning and Affordable Housing Committee

Date: January 27, 2020
Department: Planning
Application No.: Z19-0023
Subject: Bylaw No. 1883 - Application to Rezone 2627 Sooke Road from One- and Two-Family Residential (R2) to Community Town Centre Pedestrian 9 (C9) to Allow a 90-unit Apartment Building with one Commercial Unit along Sooke Road

PURPOSE

Danny Jadresko has applied on behalf of Woodsmere Holdings Corp. to rezone 2627 Sooke Road from One- and Two-Family Residential (R2) to Community Town Centre Pedestrian 9 (C9) to allow for the construction of an apartment building with approximately 90-units and a single ground level commercial unit that faces Sooke Road.

BACKGROUND

PREVIOUS APPLICATIONS

The City has not received any previous planning applications on the subject property.

Table 1: Site Data

<i>Applicant</i>	Danny Jadresko	
<i>Owner</i>	Woodsmere Holdings Corp.	
<i>Civic Address</i>	2726 Sooke Road	
<i>Legal Description</i>	Lot 1, Section 83, Esquimalt District, Plan 21459	
<i>Size of Property</i>	3,107m ² (0.77 acres)	
<i>DP Areas</i>	Sooke Road Commercial Revitalization Development Permit Area	
<i>Zoning Designation</i>	Existing: One- and Two-Family Residential (R2)	Proposed: Community Town Centre Pedestrian 9 (C9)
<i>OCP Designation</i>	Existing: Neighbourhood Centre	Proposed: Neighbourhood Centre

SITE AND SURROUNDING AREA

The existing site is primarily treed with the exception of an existing house and detached garage that are located on the north side of the property near Sooke Road. The properties immediately surrounding the site contain single-family homes. However, this general area of Sooke Road has experienced redevelopment to multi-family residential and mixed-use buildings, similar to this proposal.

Table 2: Surrounding Land Uses

	Zoning	Use
<i>North</i>	R2 (One- and Two-Family Residential)	Single-Family Residential
<i>East</i>	R2 (One- and Two-Family Residential)	Single-Family Residential
<i>South</i>	R2 (One- and Two-Family Residential)	Single-Family Residential
<i>West</i>	R2 (One- and Two-Family Residential)	Single-Family Residential

Figure 1 - Subject Property

COUNCIL POLICY

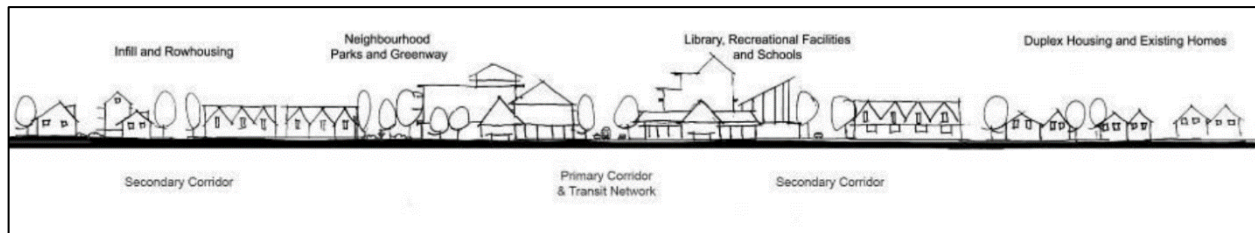
OFFICIAL COMMUNITY PLAN

The Official Community Plan (OCP) Bylaw No. 1200 designates the subject property as 'Neighbourhood Centre', which is defined by the following text:

Neighbourhood Centre

- Predominantly residential precinct that supports a range of medium and high density housing, including affordable and rental housing
- Schools, community facilities and other institutional uses also define neighbourhood centres when supported by housing and services in close proximity
- A range of parks and open spaces are integrated throughout centres
- Transit stops are located at centres where appropriate
- Small scale local-serving retail node defines the predominant commercial uses.

Figure 2: A Concept for Neighbourhood Centre



DEVELOPMENT PERMIT AREAS

The subject property is partially located within the Sooke Road Commercial Revitalization Development Permit Area. This designation is considered similar to the City Centre designation for which the OCP states, *'the form and character of development in these areas is of particular importance to the City's image. The City has particular objectives to encourage revitalization of older commercial premises to ensure that new development incorporates pedestrian-oriented site planning, articulated and attractive building design, site amenities, and high-quality public and private realm landscaping'*.

COMMENTS

DEVELOPMENT PROPOSAL

The proposal is to rezone the subject property to C9 (Community Town Centre Pedestrian 9), which would allow for the construction of an apartment building with approximately 90 units, as illustrated in Appendix A. To remain consistent with the OCP as noted above, a commercial unit is proposed at the ground level facing Sooke Road. Four parking stalls would be allocated for this unit, which would double as visitor parking for the apartment building as permitted by the zoning bylaw.

Access to the site would be primarily from Southglen Dr, however the applicant has also proposed right in-right out movements from Sooke Rd to access the commercial parking spaces. Council may wish to require the applicant to provide an SRW over the drive aisle for emergency use, as the Southglen/Ernhill neighbourhood currently only has one way in and out to Jacklin Rd.

Table 3: Proposal Data

	Permitted by R2 (Current Zone)	Permitted by C9 (Proposed Zone)
<i>Permitted Uses</i>	• One or Two-Family Dwelling • Group Day Care • Home Occupation	• Apartments • Hotels • Offices • Retail Stores
<i>Density</i>	n/a	6.0 FAR
<i>Height</i>	9m (30 ft)	n/a
<i>Site Coverage</i>	35% max	90% max
<i>Front Yard Setback</i>	6.0 m (20 ft)	2.0 (6.5 ft)
<i>Interior Side Yard Setback</i>	1.5m (5.0 ft)	2.0 (6.5 ft)
<i>Exterior Side Yard Setback</i>	4.5m (15 ft)	2.0 (6.5 ft)
<i>Rear Yard Setback</i>	6.0m (20 ft)	2.0 (6.5 ft)
<i>Parking</i>	2 per unit 1 per suite	1.25 per 0-2 bedrooms * 2.25 per 3 + bedrooms *

* Variance Required

VARIANCE

Given that this area is intended to be similar to Goldstream Avenue standards for frontage improvements, building designs, as well as medium to high density mixed-use development objectives, the applicant has requested to vary the onsite parking requirement to be similar to that of the City Centre. This parking ratio would be consistent with the parking standard applied to the recent rezoning of the lands across the road (the Glen Lake Inn and surrounding lands), which were also rezoned to C9. At that time, Council considered the City Centre parking ratio to be appropriate as that site is intended to contain a mix of both multi-family and commercial uses and, in accordance with the OCP, this portion of Sooke Road is intended to be a pedestrian-oriented corridor similar to Goldstream Avenue. As the applicant of the subject application has included a pedestrian oriented commercial unit along Sooke Road to facilitate that pedestrian interaction, and redevelopment of this site will further the revitalization objectives for this Sooke Road corridor, Council may view this variance as appropriate.

There are bus stops along this stretch of Sooke Road and the Galloping Goose is nearby, both of which facilitate pedestrian interaction. However, in spite of this and the fact that this area is intended to be similar in look as the Goldstream Avenue standard that includes pedestrian oriented uses, it is not anticipated that there will be a wide variety of retail shops immediately located in this area. The Belmont Market has secured many retail stores that would compete with this area of Sooke Road. This area has tended to see more professional oriented office spaces rather than retail, restaurants, or grocery stores.

Table 4: Variance Request

	Required	Proposed
Onsite Parking	2.75 per 0-2 bedroom units 3.75 per 3+ bedroom units	1.25 per 0-2 bedroom units 2.25 per 3+ bedroom units

If Council has no objection to the requested variance, they may wish to authorize the Director of Planning to issue the above noted variance within the Development Permit for Form and Character that is required for this site. Conversely, if they do not support this variance, they may wish to direct the applicant to redesign the project to comply with current parking requirements.

FRONTAGE IMPROVEMENTS

Sooke Road at this location is owned and maintained by the Ministry of Highways and Infrastructure. However, they have agreed to allow for the Goldstream Avenue standards, which have already been implemented on other developments within the Sooke Road Commercial Revitalization Development Permit Area. These road improvements would include the following:

- A 2.2m wide red brick paver sidewalk
- A landscaped boulevard that includes trees and irrigation
- Alternating overhead and pedestrian street lights, burgundy in colour

There would also be road dedication of approximately 2.5m - 3.0m. The exact amount of dedication still needs to be determined and dedicated prior to issuance of a building permit.

Southglen Drive

The applicant will be required to provide full frontage improvements in accordance with Bylaw 1000, prior to issuance of a building permit. However, much of the frontage at this location will be occupied with driveways to and from the site, so there would be minimal room left for improvements.

SEWERS

A sewer main exists within Sooke Road fronting this site, but not within Southglen Drive. The developer will be required to connect the new development to the main in Sooke Road, through approved civil engineering drawings, but would not need to extend sewer up Southglen Drive. Any sewer works within dedicated road right-of-ways will be constructed by West Shore Environmental Services at the applicant's expense.

DRAINAGE AND STORMWATER MANAGEMENT

As a condition of building permit, Bylaw No 1000 allows storm water to be managed through detention or infiltration, depending on what a qualified professional determines for the site. As a condition of rezoning, Council may wish to require the applicant to provide a technical memo prior to public hearing from a qualified professional regarding storm water management, to the satisfaction of the Director of Engineering.

FINANCIAL IMPLICATIONS

Rezoning the subject property to permit higher density of development will increase the assessed value of lands and eventually will increase municipal revenue due to the number of units created. As the

developer is responsible to complete all frontage improvements, the direct capital costs to the City associated with this development will be negligible. A summary of Amenity Contributions and Development Cost Charges that the developer will be expected to pay, is outlined in Tables 4 and 5 below.

Table 4 – Amenity Contributions per Council Policy

Amenity Item	Contribution Rates	Total (approx.)
<i>Affordable Housing Reserve Fund</i>	\$610 per unit (residential) on the 1 st - 4 th Floors	\$42,700
	\$305 per unit (residential) on the 5 th - 6 th Floors	\$5,490
<i>General Amenity Reserve Fund</i>	\$2,074 per unit (residential) on the 1 st – 4 th Floors	\$145,180
	\$1,037 per unit (residential) on the 5 th - 6 th Floors	\$18,666

*** The applicant will be charged for new units created at the time of building permit issuance, and is entitled to a 50% or 75% reduction depending on the use and height, for units above the 4th storey**

Table 5 – Development Cost Charges

Development Cost Charge	Per Unit Contribution	Total (approx.)
<i>Roads</i>	\$3,188 per unit (residential)	\$286,920
	\$55.78 per m ² (commercial)	\$7,074
<i>Storm Drainage</i>	\$606 per unit (residential)	\$54,540
	\$5.20 per m ² (commercial)	\$660
<i>Park Improvement</i>	\$1,890 per unit (residential)	\$170,100
<i>Park Acquisition</i>	\$1,100 per unit (residential)	\$99,000
<i>ISIF Fees</i>	\$331.65 per unit (residential)	\$29,848.50
	\$140 per 1,000ft ² (commercial)	\$191.10
Subtotal (DCCs to Langford)		\$648,333.60
<i>CRD Water</i>	\$1,644 per unit (residential)	\$147,960
	\$10.74 per m ² (commercial)	\$1,362
<i>School Site Acquisition</i>	\$419 per unit (residential)	\$37,710
TOTAL DCCs		\$835,365.60

OPTIONS

Option 1

That the Planning, Zoning and Affordable Housing Committee recommend that Council:

1. Give 1st reading to Bylaw No. 1883 to amend the zoning designation of the property located at 2627 Sooke Road from R2 (One- and Two-Family Residential) to C9 (Community Town Centre Pedestrian 9) subject to the following terms and conditions:

- a) That the applicant provides, **as a bonus for increased density**, the following contributions per residential unit, prior to issuance of a building permit:

- i. \$610 towards the Affordable Housing Fund; and
- ii. \$2,074 toward the General Amenity Fund.

subject to reductions depending on the use and height in accordance with the Affordable Housing and Amenity Contribution Policy.

- b) That the applicant provides, **prior to Public Hearing**, the following:

- i. A technical memo from an engineer that verifies storm water can be adequately managed on-site for the proposed developments, to the satisfaction of the Director of Engineering.

- c) That the applicant provides, **prior to Bylaw Adoption**, a section 219 covenant, registered in priority of all other charges on title, that agrees to the following:

- i. That all frontage improvements along Sooke Road are provided as per the Sooke Road Corridor Concept Plan, to the satisfaction of the Director of Engineering and the Ministry of Transportation and Infrastructure, and that any road dedication required to contain these frontage improvements within the road right of way is provided prior to the issuance of a Building Permit;
- ii. That a storm water management plan be provided prior to issuance of a building permit and implemented, as per Bylaw 1000, all to the satisfaction of the Director of Engineering;
- iii. That a construction parking and traffic management plan be provide prior to the issuance of a building permit, to the satisfaction of the Director of Engineering;
- iv. That an SRW for emergency use is registered on title prior to the issuance of a Building Permit;
- v. That a separate covenant be registered prior to issuance of a building permit for the proposed residential building that ensures parking is assigned and tied to each unit created in accordance with the minimum required parking stalls as per the zoning bylaw.

d) Authorize the Director of Planning to issue the following variance in the Form and Character Development Permit for 2627 Sooke Road:

- i. That Table 1 of Section 4.01.01 be varied to reduce the minimum parking requirement from the required 2.75 spaces per dwelling unit with two bedrooms or less and 3.75 spaces per dwelling unit with more than two bedrooms to 1.25 spaces per dwelling unit with two bedrooms or less and 2.75 spaces per dwelling unit with more than two bedrooms.

OR Option 2

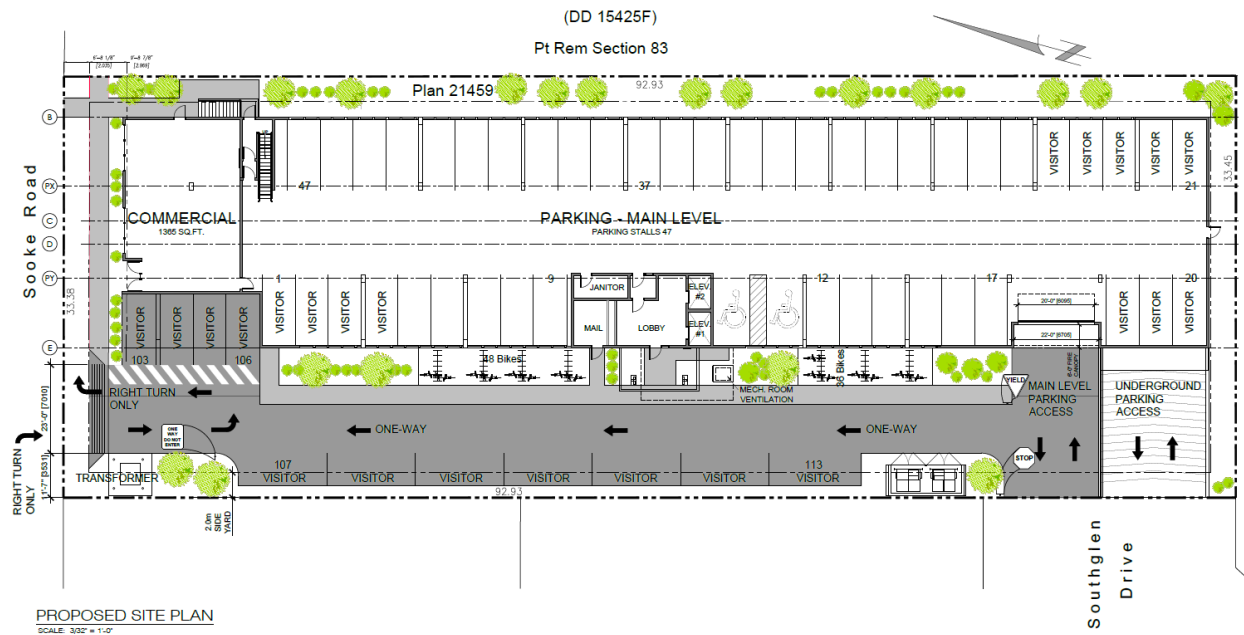
1. Take no action at this time with respect to Bylaw No. 1883.

Submitted by:	Robert Dykstra, MCIP, RPP Land Development Planner
Concurrence:	Matthew Baldwin, MCIP, RPP, Director of Planning
Concurrence:	Adriana Proton, Manager of Legislative Services
Concurrence:	Lorne Fletcher, Manager of Community Safety and Municipal Enforcement
Concurrence:	Cory Manton, Manager of Parks and Recreation
Concurrence:	Michelle Mahovlich, P.Eng, P.Geo, Director of Engineering
Concurrence:	Leah Stohmann, MCIP, RPP, Deputy Director of Planning
Concurrence:	Michael Dillabaugh, CPA, CA, Director of Finance
Concurrence:	Braden Hutchins, Director of Corporate Services
Concurrence:	Darren Kiedyk, Chief Administrative Officer

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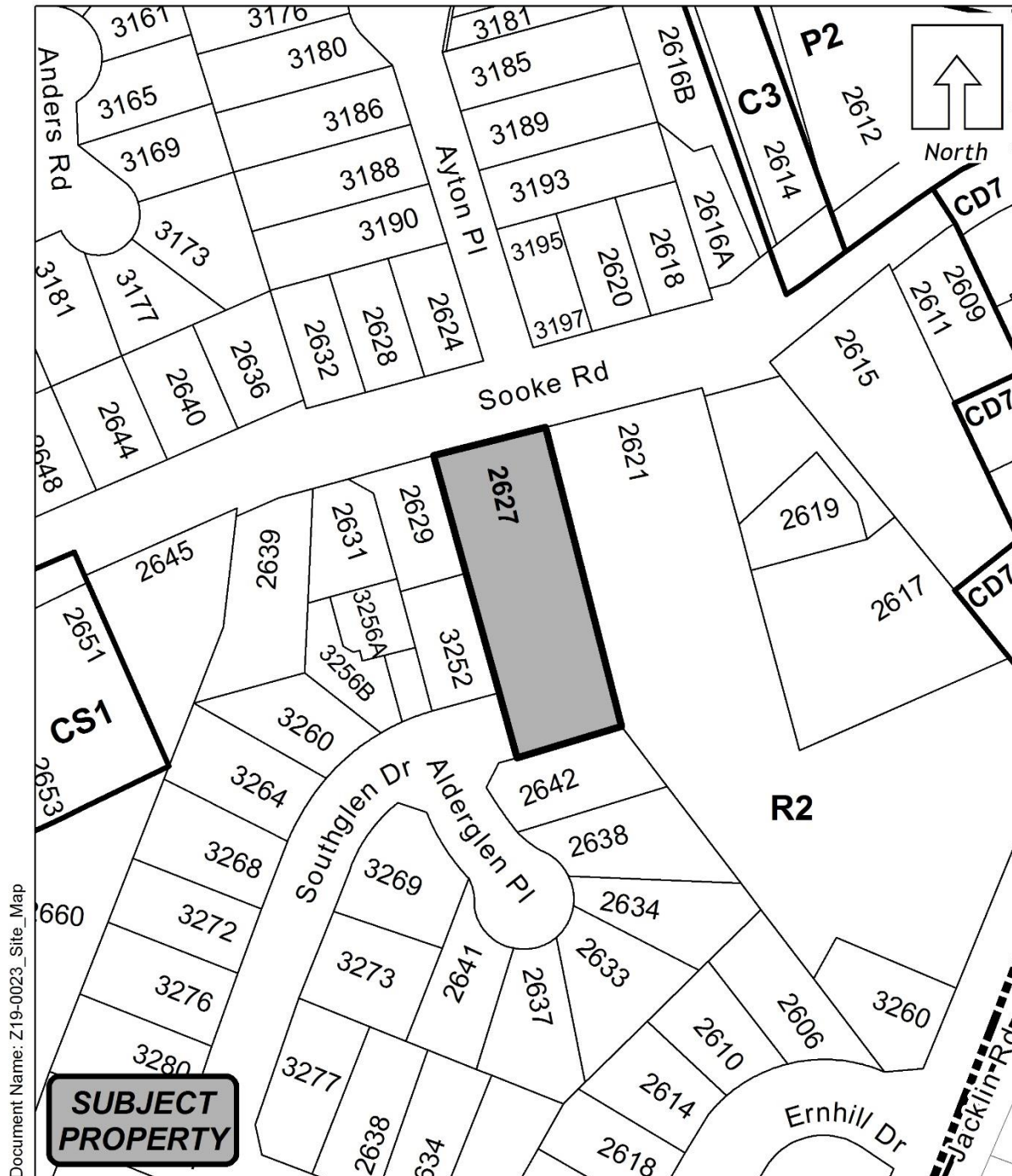
Appendix A

SITE PLAN AND RENDERING



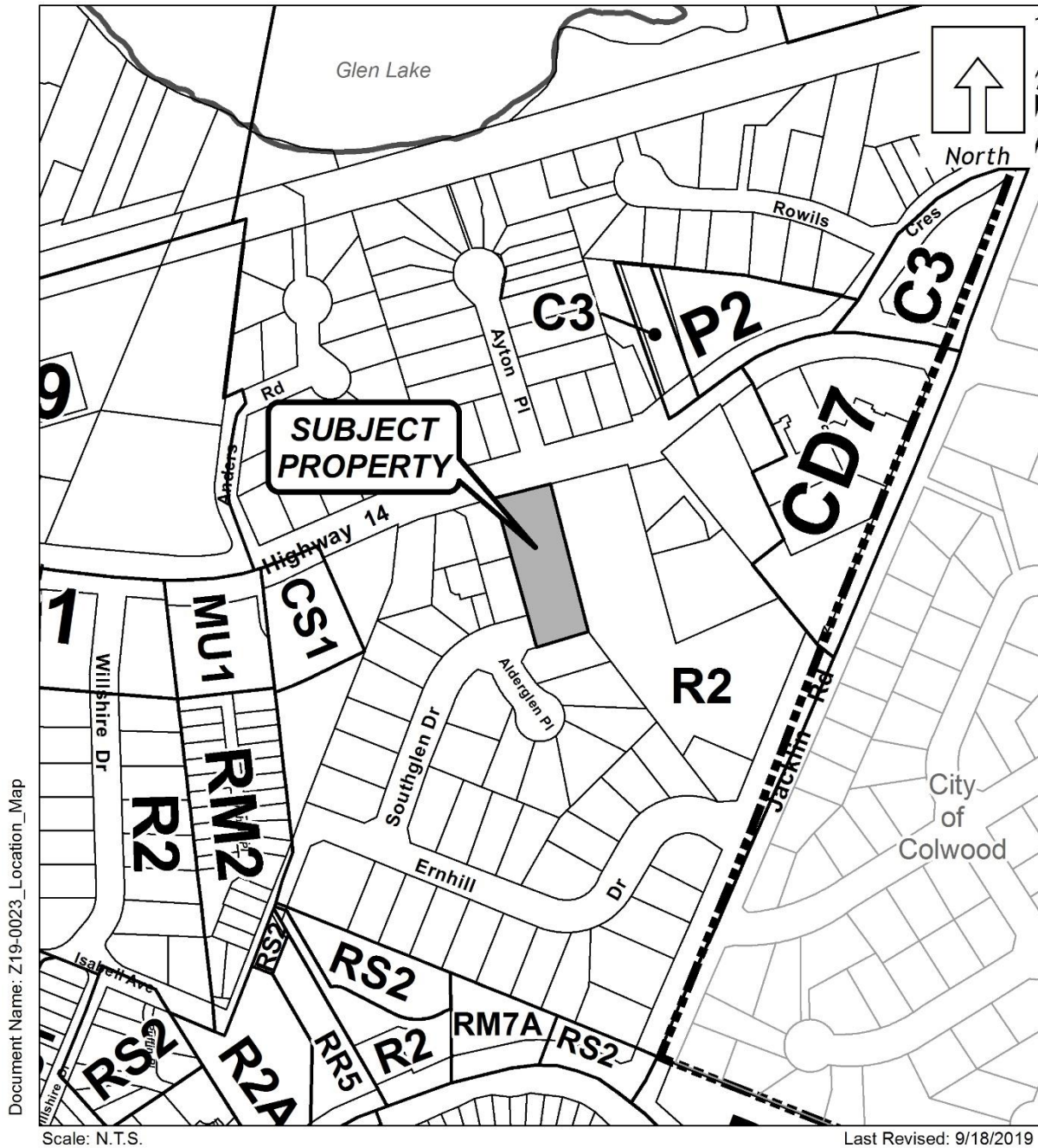
Appendix B
SUBJECT PROPERTY MAP

REZONING BYLAW AMENDMENT
(Z19-0023)
2627 Sooke Rd



Appendix C
LOCATION MAP

REZONING BYLAW AMENDMENT
(Z19-0023)
2627 Sooke Rd





City of Langford

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Staff Report to Planning, Zoning and Affordable Housing Committee

Date: January 27, 2020

Department: Planning

Application No.: Z19-0026

Subject: Application to Rezone 2716 and 2720 Strathmore from the R2, One- and Two-Family Residential Zone to the RM7A, Medium-Density Apartment A, Zone to Allow for the development of a six (6) storey residential building made up of approximately 32 dwelling units.

PURPOSE

Nicholas Frappell, with Keycorp Planning Incorporated has applied on behalf of Rick Genovese and Robert Klein of 1199599 BC Ltd. to rezone 2716 and 2720 Strathmore Road from the R2, One and Two Family Residential, Zone to the RM7A, Medium-Density Apartment A, Zone in order to allow the development of a six (6) storey residential building comprised of approximately 32 units within the City of Langford's designated City Centre policy area.

BACKGROUND

PREVIOUS APPLICATIONS

There have been no records of previous development applications for the subject properties

Table 1: Site Data

<i>Applicant</i>	Nicholas Frappell, Keycorp Planning Incorporated
<i>Owner</i>	Rick Genovese and Robert Klein, 1199599 BC Ltd.
<i>Civic Address</i>	2716 and 2720 Strathmore Road
<i>Legal Description</i>	LOT 5, SECTION 5, ESQUIMALT DISTRICT, PLAN 16167 (2716 Strathmore Road) & LOT 6, SECTION 5, ESQUIMALT DISTRICT, PLAN 16167 (2720 Strathmore Road)
<i>Size of Property</i>	1381 m ²
<i>DP Areas</i>	City Centre DP Area, Multi-Family Residential DP Area
<i>Zoning Designation</i>	R2, One and Two Family Residential, Zone
<i>OCP Designation</i>	City Centre

SITE AND SURROUNDING AREA

Both properties are located at the north end of Strathmore Road, a connector road providing direct access to the downtown via Goldstream Avenue, as well as close access to the highway via Brock Avenue and Peatt Road to Veterans Memorial Parkway.

Combined, the subject properties have a frontage of approximately 36 m, a depth of 38 m and are approximately 1400 m², or 15,000 ft², in area. The homes on the properties are typical of the area, that being single storey split level family homes with ample yard space setback approximately 6 m from the road. The rear yards of both properties are nominally landscaped with ornamental trees and sod.

Due to its proximity to the City Centre and the connection to Trans-Canada Highway, Strathmore Road has seen moderate redevelopment to accommodate higher density residential and commercial buildings. A mixed-use building, comprised of one floor of ground floor commercial uses and 5 storeys of residential above, was constructed on the corner of Strathmore Road and Goldstream Avenue in 2005. At the opposite corner of Strathmore Road and Goldstream Avenue, a four-storey residential building was constructed in 2017. The remainder of Strathmore Road hasn't experienced redevelopment on the same scale as those properties on the corner of Goldstream Avenue and Strathmore Road and have remained single and split-level family dwellings.

Being in the designated City Centre of Langford's OCP, the immediate area will continue to see redevelopment into higher density developments, both commercial and residential. The area as a whole has seen mid to high density redevelopment with several townhouse complexes as well as higher density, 4 and 6 storey multi-residential developments.

Table 2: Surrounding Land Uses

	Address	Zoning	Use
West	2719, 2723 and 2721 Jacklin Road	RM2, Attached Housing, Zone	Townhouses
East	2717, 2721, 2725 Strathmore Road	R2, One and Two Family Residential, Zone	One Family Dwelling
South	2724 Strathmore Road	R2	One Family Dwelling
North	2712 Strathmore Road	R2	One Family Dwelling

Figure 1: Orthophoto (2017) Showing Surrounding Properties and Zones

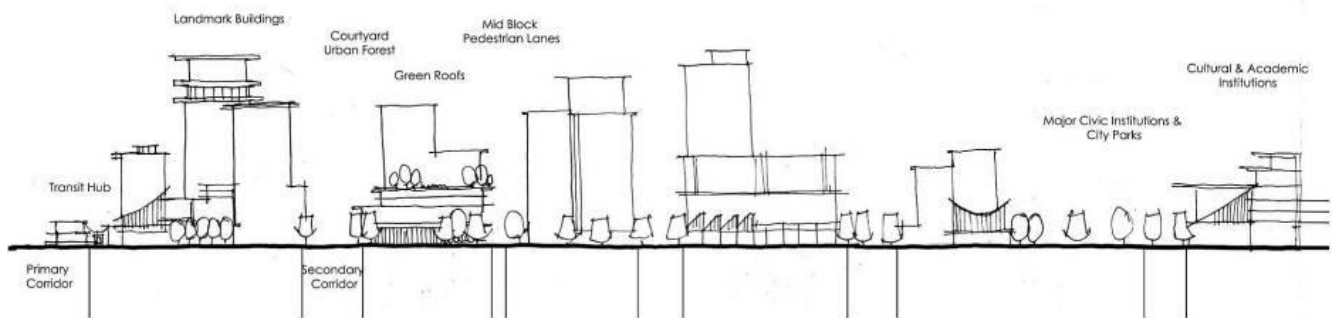
COMMENTS

OFFICIAL COMMUNITY PLAN

The subject property is within the City Centre designation of Langford's OCP, Map 2 of Bylaw No. 1200. The proposed multi-family residential building would result in an increase in density that is appropriate given its proximity to the City Centre, an area where growth should be concentrated to take advantage of nearby established services and access to major transportation corridors.

City Centre

- A major regional growth centre that supports a wide range of high-density housing, including affordable and rental housing
- A major employment area for institutional, office, commercial, light industrial uses
- Major civic uses and public buildings are key landmarks
- A major place of community gathering and celebration
- A wide range of public squares, parks and open spaces are integrated throughout
- The City's major entertainment and/or cultural precinct
- Inter-city and/or inter-regional transit hub connect residents



ZONING, BYLAW NO.300

The developer has requested to amend their current zone of R2, One- and Two-Family Dwelling, to the MU1A, Mixed Use Residential Commercial, Zone to accommodate a multi-family residential development. Despite the developer's intention to zone the property to MU1A, Staff would like Council to consider that the Mixed-Use zones, MU1, MU1A and MU2, be applied exclusively to developments proposing a mix of residential and commercial uses. Historically the MU1A Zone has been requested by developers due to its generous setbacks, FAR and allowable lot coverage modifiers that can accommodate high density proposals regardless of whether they contain a mix of commercial and residential uses indicative of the zone's name and purpose statement. Therefore, staff feels that future developments, including the subject proposal, should be zoned to the RM7A, Medium Density Apartment A, Zone, where the use being proposed is strictly residential.

Council should be aware that Staff are preparing a new zone that will be applied to properties exclusively within the downtown core so the application of the RM7A zone and the Mixed-Use Zones will only be used for proposals outside of the City Centre. Despite its City Centre location, the subject proposal should proceed with a zoning amendment to the RM7A zone in order to give Staff time to properly prepare the new City Centre Zone regulations.

DESIGN GUIDELINES, APPENDIX J: GENERAL DESIGN GUIDELINES FOR LANGFORD CITY CENTRE

5.1 Apartment Buildings

Intent: To have apartment buildings contribute to the housing density and visual appearance of the City Centre.

Guidelines:

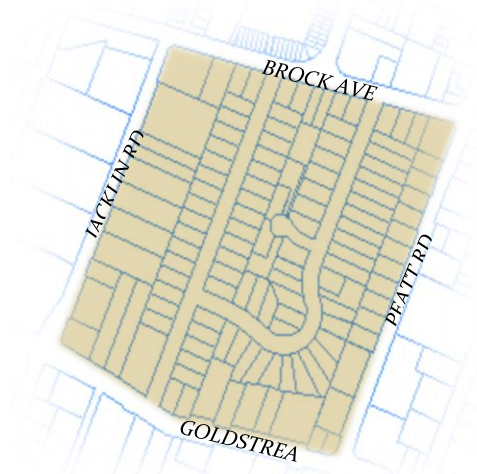
- a) Large apartment buildings shall have a ground level that engages the pedestrian environment, animates the street and provides individuality from adjacent buildings;
- b) Large façades are expected to be broken up by using a variety of materials and architectural features;
- c) Balconies and patios should be a feature of every unit;
 - i. Balcony and patio screening shall be an opaque glass; and
 - ii. Area must be a functional area, not solely an architectural feature.
- d) Visual characteristics of adjacent buildings should be incorporated into new development; and
- e) Adjacent developments should promote sense of community through incorporating adjoining green or open space.

N2 Strathmore

The Strathmore neighbourhood is located towards the middle of the City Centre. The borders consist of main connector roads going north/south and east/west.

This neighbourhood is a very suitable location for medium and high-density residential development due to the variety of existing building types. Development along Peatt Road and Goldstream Avenue, including the southern end of Jacklin Rd. shall contain commercial and heavily pedestrian oriented ground floors.

A development emphasis should be on creating an animated street level for the public.



DEVELOPMENT PERMIT AREAS

The subject property is not within any areas identified as having significant environmentally sensitive or high-risk hazard attributes, and therefore will not require any professional review of these aspects to accompany a subsequent development permit.

The proposal will require a development permit to review the form and character of the proposed building for spatial layout and aesthetics that conform to the Design Guidelines for Langford's Downtown (Appendix J of the Zoning Bylaw No. 300, see above). The development permit will also review the building as a multi-family residential development, a use that requires a review for form and character as well.

PEDESTRIAN, CYCLING AND MOTORIST NETWORK

As mentioned, the location of the subject properties benefits from access to the highway and to existing services and establishments, thus concentrating the density in this location is appropriate and encouraged.

Strathmore Road is connected to Veteran's Memorial Parkway, a major roadway, via Goldstream Avenue at its south end and Brock Avenue at its north end. Veteran's Memorial Parkway connects north Langford to South Langford and Sooke Road. Veterans Memorial Parkway also provides a connection to Trans Canada Highway One.

With its proximity to these major streets, Strathmore Road is within walking distance to the services and businesses along Goldstream Avenue. Bus routes along Goldstream Avenue provide service to riders to Victoria as well as to other West Shore Communities, including the District of Sooke.

Bike lanes have been installed along the east side of Strathmore, including within the subject properties' frontage. This provides cyclists with a connection along Brock Avenue as well as Goldstream Avenue to other connected roads where cycling infrastructure exists to provide connections within Langford and beyond. The developer will be required to install sidewalks along the shared frontage with Strathmore Road as part of their required frontage improvements. Sidewalks will be built in accordance with Bylaw No.1000 standards for this area within the Langford City Centre.

INFRASTRUCTURE

Frontage improvements shall be the responsibility of the developer and installed in accordance with Bylaw No. 1000. Frontage improvements will include road edge parking, 3 m drive lanes, sidewalks, boulevard landscaping, and possibly street lighting. If required to contain these improvements, road dedication will be required along the Strathmore Road frontage. To determine if this is necessary, the developer will be required to submit a frontage drawing to the satisfaction of the Director of Engineering prior to Public Hearing.

Sewer and water mains exist on Strathmore Road fronting this site. Any improvements or modifications needed to the sewer mains within the municipal road right-of-way will be constructed by West Shore Environmental Services at the developer's expense. The developer will be required to provide a Fire Underwriters Survey (FUS) Report to verify that sufficient water pressure is available to serve the development. Any upgrades to the water system noted in the FUS report would need to be completed at the developers' expense prior to the issuance of a building permit. The developer will be responsible for all connections and upgrades to services and sanitary systems needed to accommodate the proposed development, a provision that Council may wish to include within a Section 219 Covenant registered with the property.

As there is no on-site infrastructure to direct stormwater away from the property, the developer will be responsible to provide a stormwater management plan on how drainage to and from the site will be managed and stormwater captured and contained. A technical stormwater management memo, approved by the Director of Engineering, will be required prior to the scheduling of a Public Hearing for the Bylaw associated with the rezoning of the property. A formal stormwater management plan, also approved by the Director of Engineering, will be required prior to the issuance of a building permit to develop the site. This provision should be included within a Section 219 covenant registered on the property.

The subject property is in an area deemed to be of a low fire risk in accordance with Map 19: Interface Fire Hazard Areas, of Langford's OCP, Bylaw No. 1200. In order to ensure the control of an urban fire in this location, the fire department has requested that the developer install a fire hydrant, if required in accordance with Bylaw No.1000.

DEVELOPMENT PROPOSAL

Figure 2: Site Plan, Showing Parking Layout, for Proposed Multi-Family Residential Building



The design of the building design will significantly comply with the Design Guidelines for the City Centre, and specifically, for an apartment use within the Strathmore (N2) designated policy area. The emphasis of these guidelines is to articulate the at-grade level of the building to enhance the pedestrian experience of the downtown. This has been done through the use of ample fenestration for the lobby face, that will break up the building façade and invite interaction between pedestrians and the interior of the building. As well, the building is proposed to include surface parking, so screening will be used to mask the view of the parking lot and will articulate the building façade along the street side of the building.

The building's façade will incorporate elements to enhance the visual appeal of the neighbourhood. Elements such as large windows that bridge two facades at the corner of the building, exaggerated roof overhangs and glass balconies that will complement the amount of glass used throughout the design on the building.

Figure 3: Architectural rendering of the proposed six (6) storey apartment building



A variance to reduce the required building setback distance from the front property from 7.5 m to 0.48 m is being requested in order to accommodate building articulation including roof overhang and lobby. Furthermore, a variance to reduce the required building setback distance to the rear property line from 7.5 m to 3 m is being requested to accommodate living space on the second floor of the building. The developer does not need variances to either side setbacks, however the parking lot extends to both lot lines, only leaving about 0.50 m of space left for landscaping along the building's side perimeter. This does not comply with the Landscaping regulations of the RM7A Zone or with the General Regulations (Section 3.21) in the Zoning Bylaw, that require a 1 m landscaping strip along each side setback.

Reduced setbacks will allow the developer to achieve the density that the Langford OCP encourages in the City Centre, however, other aspects of the development such as landscaping and meaningful articulation may be sacrificed by doing so. If Council is supportive of reducing the required building setbacks they may wish to authorize the Director of Planning to grant these variances through the subsequent form and character development permit for an apartment building developed in the City Centre.

Council should note that acquiring additional properties, as part of a land assembly, may allow for increased density that does not sacrifice design or landscaping. The provision for greater setbacks provided by acquiring more land to develop will also avoid potential encroachments onto City property because of the reduced setbacks. Council may wish to note that staff is working on developing City Centre zoning regulations that will include minimum property sizes for properties wishing to redevelop. Larger minimum lot sizes will ensure higher density proposals still uphold key elements of the downtown design guidelines such as façade articulation and landscaping.

The applicant has requested an increase to the allowable lot coverage within the the RM7A zone from 50% to 65%, as well as an increased Floor Area Ratio (FAR) from the maximum 1.25 to 3. Typically, this would require a text amendment to the zone, however, Schedule AI of Zoning Bylaw No. 300 allows properties within the RM7A zone to realize a FAR maximum of 3. If Council is supportive of allowing the increased density, a text amendment to the Schedule AI map will be required to include the subject properties. Similarly, Schedule AE allows properties within its subject shaded area to have their lot coverage increased to 85%, the properties are already within the shaded area shown in Schedule and therefore, will not require any amendments to accommodate this requested additional density. The developer will have to comply with Zoning regulations for increasing the allowable density on a property that includes contributions to Council's Affordable Housing Reserve Fund and General Amenity Reserve Fund in accordance with Council's Policies.

Council should note that, as previously mentioned, the developer's initial request was to have the property rezoned to MU1A, a zone that has a much higher FAR maximum at 4.0 and a lot coverage allowance of 90%. Setbacks for the MU1A zone are also more generous, but still require 2 m building setback to the front property line and 7.5 m required setback to the rear property line. Interior side property lines in the MU1A zone do not require building setbacks but may be governed by building code regulations.

Table 3: Proposal Data

	Allowed in R2, One and Two Family Residential (Current Zoning)	Allowed in RM7A, Medium Density Apartment (Proposed Zoning)	Proposed Development
<i>Density (FAR and/or min. lot size)</i>	Minimum Lot Size; 550 m ²	FAR: 1.0 to a maximum of 1.25	FAR: 2.65*
<i>Height</i>	9 m	6 storeys	6 storeys
<i>Site Coverage</i>	35%, on lots less than 550 m ² ; 50% on lots 550 m ² or greater	35%, 50% when density bonusing provisions are met	Lot Coverage: 64%*
<i>Front Yard Setback</i>	6 m (20 ft)	7.5 m (25 ft)	0.48 m*
<i>Interior Side Yard Setback</i>	1.5 m (5 ft)	3 m (10 ft)	4.95 m (south side p/l) 4.95 m (north side p/l)
<i>Exterior Side Yard Setback</i>	NA		
<i>Rear Yard Setback</i>	6 m (20 ft)	7.5 m (25 ft)	3.1 m*
<i>Parking Requirement</i>	2 stalls per dwelling, an additional stall for a secondary suite (if applicable)	1.25 stalls per dwelling,	1.25 stalls per dwelling (32 units = 40 stalls)

*Variance or text amendment to the Zone required

FINANCIAL CONTRIBUTIONS

Rezoning the subject properties to permit higher density of development will increase the assessed value of lands and eventually will increase municipal revenue due to the number of units created. As the developer is responsible to complete all frontage improvements, servicing connections and upgrades necessary to service the site, the direct capital costs to the City associated with this development will be negligible. A summary of Amenity Contributions and Development Cost Charges that the developer will be expected to pay, is outlined in Tables 4 and 5 below

COUNCIL'S AFFORDABLE HOUSING, AND GENERAL AMENITY CONTRIBUTION POLICY

Table 4 – Amenity Contributions per Council Policy

Amenity Item	Per unit contribution	Total @ 32 units	Possible Reduction (per unit)
<i>Affordable Housing Policy</i>	\$750*	\$24,000	<i>(50% reduction for any units on the 5th and 6th storey)</i>
<i>General Amenity Reserve Fund</i>	\$2850*	\$91,200	<i>(50% reduction for any units on the 5th and 6th storey)</i>
TOTAL Amenity Contributions¹	\$3600*	\$115,200	

*** The applicant will be charged for new units created at the time of building permit issuance, and is entitled to a 50% or 75% reduction depending on the use and height for units above the 4th storey.**

DEVELOPMENT COST CHARGES

Table 5 – Development Cost Charges

Development Cost Charge	Per unit	Total @32 units
<i>Roads</i>	\$3,188	\$102,016
<i>Park Improvement</i>	\$1,890	\$60,480
<i>Park Acquisition</i>	\$1,100	\$35,200
<i>Incremental Storage Improvement Fees</i>	\$331.65	\$10,612.80
<i>Integrated Survey Area</i>	NA	NA
Subtotal (DCCs paid to City of Langford)	\$6,509.65	\$208,308.8
<i>CRD Water</i>	\$1,493.63	\$47,796.16
<i>School Site Acquisition</i>	\$488	\$15,616
TOTAL (estimate) DCCs	\$8,491.28	\$271,720

OPTIONS

Option 1

That the Planning, Zoning and Affordable Housing Committee recommend that Council:

1. Direct Staff to prepare a bylaw to rezone the properties at 2716 and 2720 Strathmore Road from the R2, One and Two Family Residential, Zone to the RM7A, Medium – Density Apartment A, Zone and to add the subject properties to Schedule A1, of Zoning Bylaw No.300. subject to the following terms and conditions:
 - a. That the applicant provides, as a bonus for increased density, the following contributions, per unit, prior to the issuance of a building permit to develop the property:
 - i. \$750 per unit towards the General Amenity Reserve Fund;
 - ii. \$2850 per unit towards the Affordable Housing Fund;
 - iii. And subject to a 50% reduction to the total amount of contribution fees for units on the 5th and 6th storey, in accordance with the Affordable Housing and Amenity Contribution Policy.
 - b. That the applicant provides, **prior to Public Hearing**, the following:
 - i. A technical memo from an engineer that verifies storm water can be adequately managed on-site for the proposed developments, to the satisfaction of the Director of Engineering;
 - ii. A Traffic Impact Assessment (TIA) briefing prepared by a professional engineer, and approved by the Director of Engineering;
 - iii. A frontage drawing to the satisfaction of the Director of Engineering to confirm whether road dedication is required to complete all required frontage improvements, including boulevard landscaping, sidewalks, road edge parking and street lighting (if applicable);
 - c. That the applicant registers, **prior to Bylaw Adoption**, if necessary, the road frontage to accommodate required frontage improvements to the satisfaction of the Director of Engineering;
 - d. That the applicant provides, **prior to Bylaw Adoption**, a Section 219 covenant, registered in priority of all other charges on title, that agrees to the following:
 - i. That the developer agrees to install, or bond for, all required frontage improvements to Bylaw No. 1000 standards, including the installation of road edge parking, sidewalks, boulevard landscaping and possibly streetlights, to the satisfaction of the Director of Engineering, prior to issuance of a building permit;

-
- ii. That the developer will connect and be responsible for any upgrades and/or installation of services and utilities required to support the proposed development;
 - iii. That all storm water management plan(s) be provided prior to issuance of a building permit and implemented, as per Bylaw 1000, all to the satisfaction of the Director of Engineering;
 - iv. That a construction parking and traffic management plan, prepared to the satisfaction of the Director of Engineering, be provided prior to the issuance of a building permit;
 - v. That the required parking stalls for this development are allocated for each residential unit and visitors, as required by Zoning Bylaw No. 300, and that parking is not offered separately from individual residential and visitor units for compensation;
 - vi. That the developer submits the Fire Underwriters Survey (FUS) calculations prior to the issuance of a development permit to develop the property, and acknowledges that these calculations may determine different setbacks than what is prescribed in the zone or from what has been granted through variances;
 - vii. That the developer agrees to install any infrastructure, including fire hydrants, required to fight an urban fire, as prescribed in Bylaw No. 1000.
2. That Council authorize the Director of Planning to authorize the following variances within a Development Permit that addresses the form and character of the development:
- a. A variance to reduce the required building setback to a rear property line from 7.5m to 3m;
 - b. A variance to reduce the required building setback from a front lot line from 7.5m to 0.48m subject to the following:
 - i. That the applicant registers a Section 219 Covenant on the property acknowledging that they will not require an encroachment agreement onto City property as a result of receiving a variance from the required building setback to the front property line;

OR

Option 2

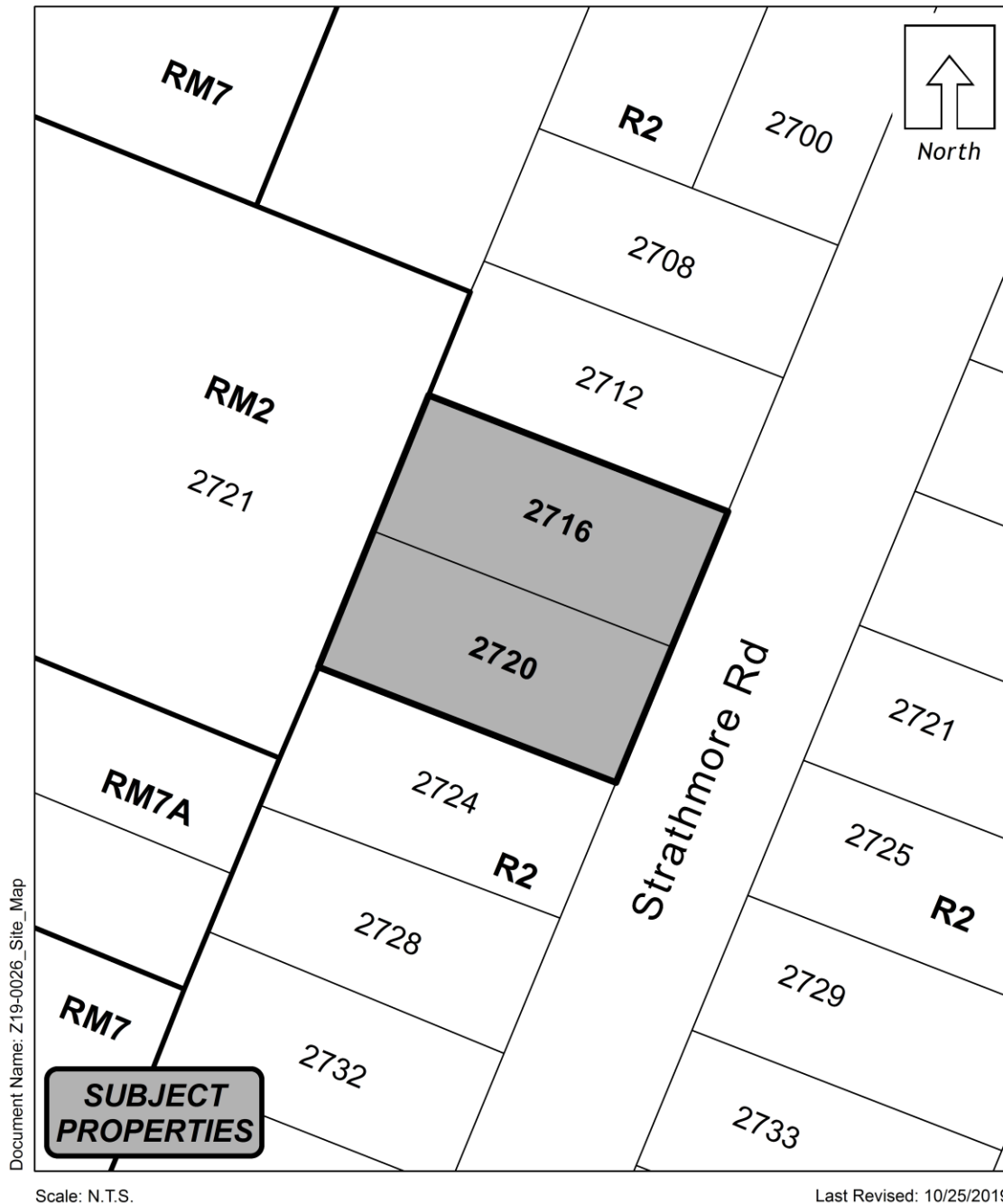
1. Take no action at this time with respect to rezoning the property at 2716 and 2720 Strathmore Road;

Submitted by:	Lauren Morhart, MCIP, RPP, Planner 2
Concurrence:	Matthew Baldwin, MCIP, RPP, Director of Planning
Concurrence:	Adriana Proton, Manager of Legislative Services
Concurrence:	Cory Manton, Manager of Parks and Recreation
Concurrence:	Michelle Mahovlich, P.Eng, P.Geo, Director of Engineering
Concurrence:	Leah Stohmann, MCIP, RPP, Deputy Director of Planning
Concurrence:	Michael Dillabaugh, CPA, CA, Director of Finance
Concurrence:	Braden Hutchins, Director of Corporate Services
Concurrence:	Darren Kiedyk, Chief Administrative Officer

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Appendix A
Site Map

**REZONING BYLAW AMENDMENT
(Z19-0026)
2716 & 2720 Strathmore Rd**

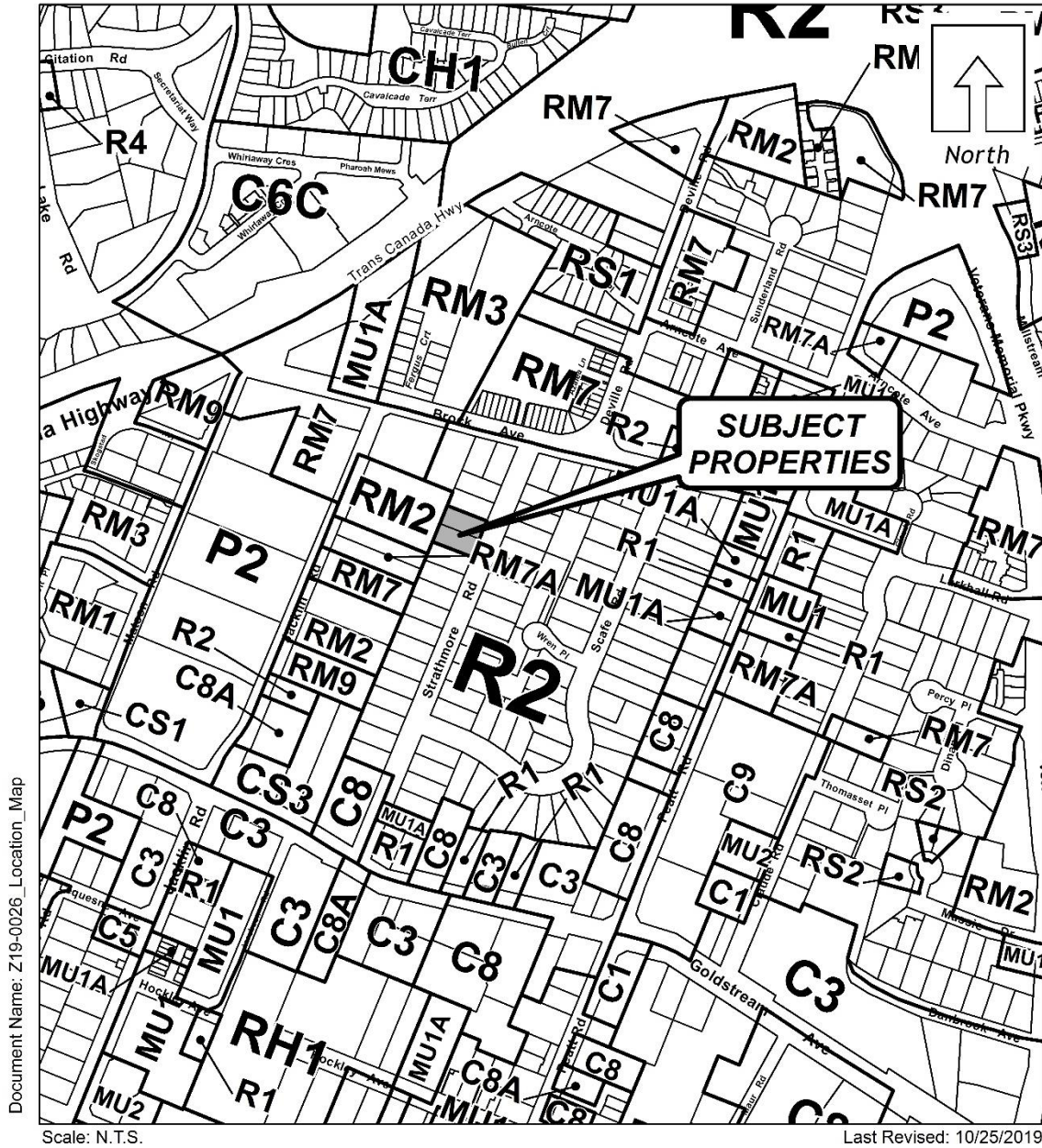


Appendix B
Location Map

REZONING BYLAW AMENDMENT

(Z19-0026)

2716 & 2720 Strathmore Rd





Staff Report to Planning, Zoning and Affordable Housing Committee

Date: January 27, 2020

Department: Planning

Application No.: DVP19-0010

Subject: Application for Development Variance Permit to allow an increase to the maximum allowable height at 2924 Amy Rd.

PURPOSE

Richard Mayer of Bastion Management Ltd has applied for a development variance permit to allow for an additional (3rd) storey for the proposed building at 2924 Amy Rd. A development variance permit is required as the height limit in the BP3 (Business Park 3) Zone is two (2) storeys.

BACKGROUND

No previous applications

Table 1: Site Data

<i>Applicant</i>	Richard Mayer
<i>Owner</i>	Bastion Management Ltd.
<i>Civic Address</i>	2924 Amy Rd.
<i>Legal Description</i>	Lot B, Section 1, Goldstream District, Plan EPP73802 PID 030301271
<i>Size of Property</i>	5210.22 m ² (56080 ft ²)
<i>DP Areas</i>	Industrial Form and Character
<i>Zoning Designation</i>	BP3 (Business Park 3)
<i>OCP Designation</i>	Mixed Use Employment Centre and Neighbourhood

SITE AND SURROUNDING AREA

The subject property is located within Mixed Use Employment and Neighbourhood OCP areas; however, the proposed building will be located in the Mixed Use Employment Area as per the site plan. The subject property is amongst various commercial properties (School district bus depot, goods distributor and repair/service building), a mobile home park and an amenity lot.

Table 2: Surrounding Land Uses

	Zoning	Use
<i>North</i>	RH1 (Mobile Home Park)	Large mobile home park, over 50 homes.
<i>East</i>	BP3 (Business Park 3)	Mack Truck repair and part sales.
	AM (Amenity)	Amenity lot
<i>South</i>	CD1-A1 (Business Park)	Distribution centre for SYSCO Victoria Inc.
<i>West</i>	BP3 (Business Park 3)	School district 62 bus depot

COMMENTS

DEVELOPMENT PROPOSAL

The applicant is asking for a variance to the height limit of the BP3 zone in order to allow for a third storey on their proposed building. The proposed building is comprised of both garage and office space; with the variance accommodating a third storey of office space on the eastern portion of the building. The height maximum in the zoning pertains to the number of storeys permitted (2 storeys) not a measurement in metres or feet.

In comparison, the proposed building (as per drawings submitted) including the third storey is 3 ½ feet shorter than the adjacent industrial building comprised of single storey garage space. The proposed building shall have a similar impact on the neighbouring properties as existing industrial buildings. The applicant has provided a site plan and elevation renderings of the proposed building (Appendix A and B). The elevation renderings demonstrate that the additional storey contributes to varied rooflines and façade features; which are encouraged by the design guidelines for industrial areas.

Council should note that the height variance would only apply to this structure and not to future structures built on this property.

Should Council choose to proceed with issuing this variance, the applicant will be required to apply for a form and character development permit which will be reviewed and issued by the Director of Planning.

Table 3: Proposal Data

	Permitted by BP3 (Current Zoning)	Proposed by DVP Application
<i>Height</i>	2 Storeys	3 storeys
<i>Site Coverage</i>	60%	14% (732.151m ²)
<i>Front Yard Setback</i>	7.5m	18.42m
<i>Interior Side Yard Setback</i>	0m	0.05m West 1.54m East
<i>Exterior Side Yard Setback</i>	6m	N/A
<i>Rear Yard Setback</i>	10m	54.362m
<i>Parking Requirement</i>	12 (1/100m ² GFA)	12+

OPTIONS**Option 1**

That the Planning, Zoning and Affordable Housing Committee recommend that Council:

1. Direct staff to proceed with consideration of the following variances for 2924 Amy Rd. :
 - a) That Section 6.65.04 of Zoning Bylaw No. 300 be varied from 2 storeys to 3 storeys for the proposed building;

Subject to the following terms and conditions:

- i) That the site is developed in accordance with the plan attached to this report as Appendix A;

OR Option 2

2. Reject this application for development variance permit.

Submitted by:	Wolfgang Schoenefuhs, Planning Technician
Concurrence:	Matthew Baldwin, MCIP, RPP, Director of Planning
Concurrence:	Adriana Proton, Manager of Legislative Services
Concurrence:	Chris Aubrey, Fire Chief / email approved
Concurrence:	Lorne Fletcher, Manager of Community Safety and Municipal Enforcement
Concurrence:	Michelle Mahovlich, P.Eng, P.Geo, Director of Engineering
Concurrence:	Leah Stohmann, MCIP, RPP, Deputy Director of Planning
Concurrence:	Michael Dillabaugh, CPA, CA, Director of Finance
Concurrence:	Braden Hutchins, Director of Corporate Services
Concurrence:	Darren Kiedyk, Chief Administrative Officer

:WCS

[illegible]

ARCHITECTURAL

- 1 IMPERMEABLE LIGHT GRAY
- 2 IMPERMEABLE DARK GRAY
- 3 IMPERMEABLE BROWN
- 4 COMPOSITE PANEL (SILVER)
- 5 COMPOSITE PANEL (RED)
- 6 COMPOSITE PANEL (BLACK)
- 7 STAINLESS STEEL METAL ROOF (DARK GRAY)

① NORTH ELEVATION
1:100

② SOUTH ELEVATION
1:100

③ EAST ELEVATION
1:100

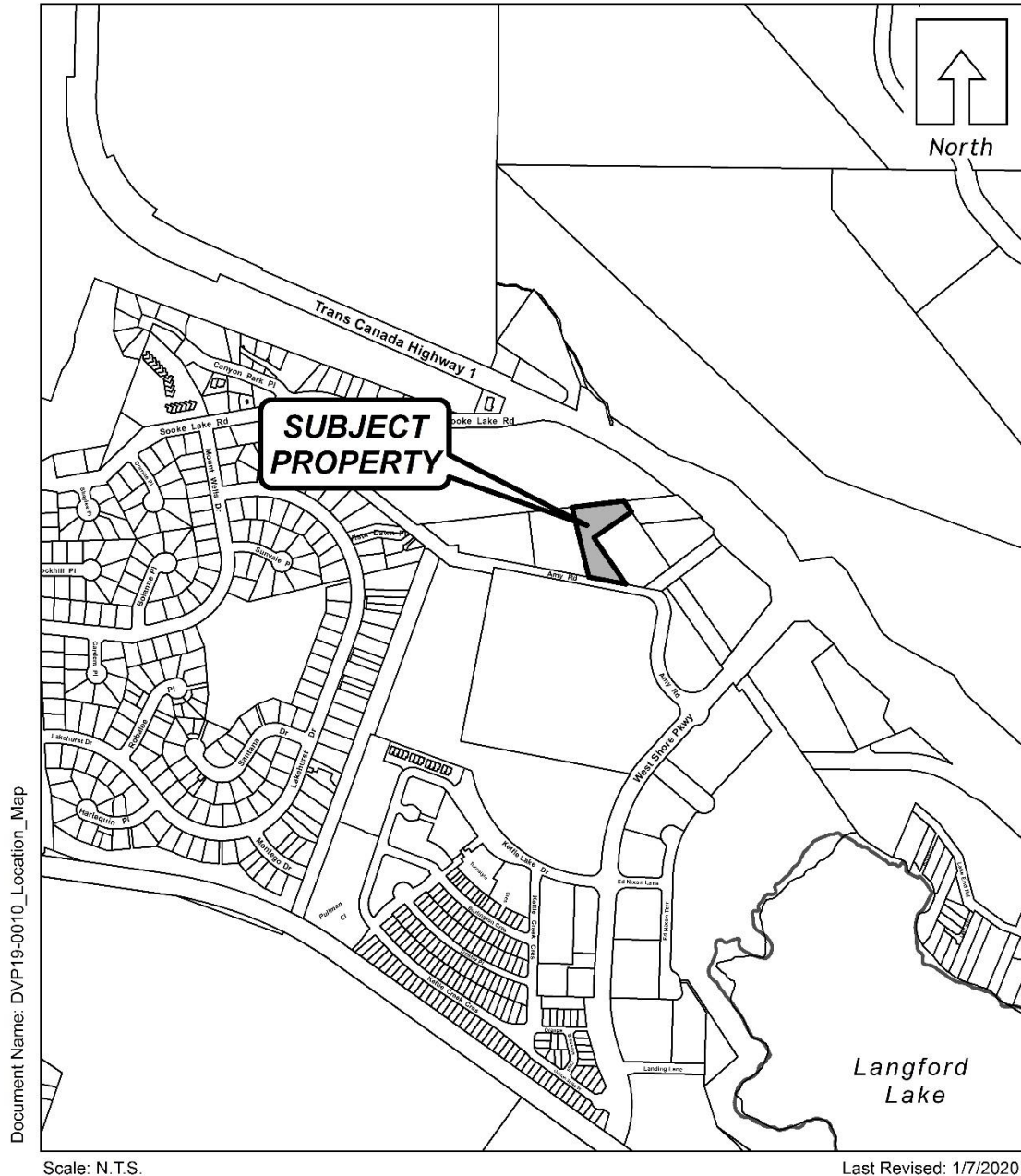
④ WEST ELEVATION
1:100

ELEVATIONS
2019-12-10

A2.0

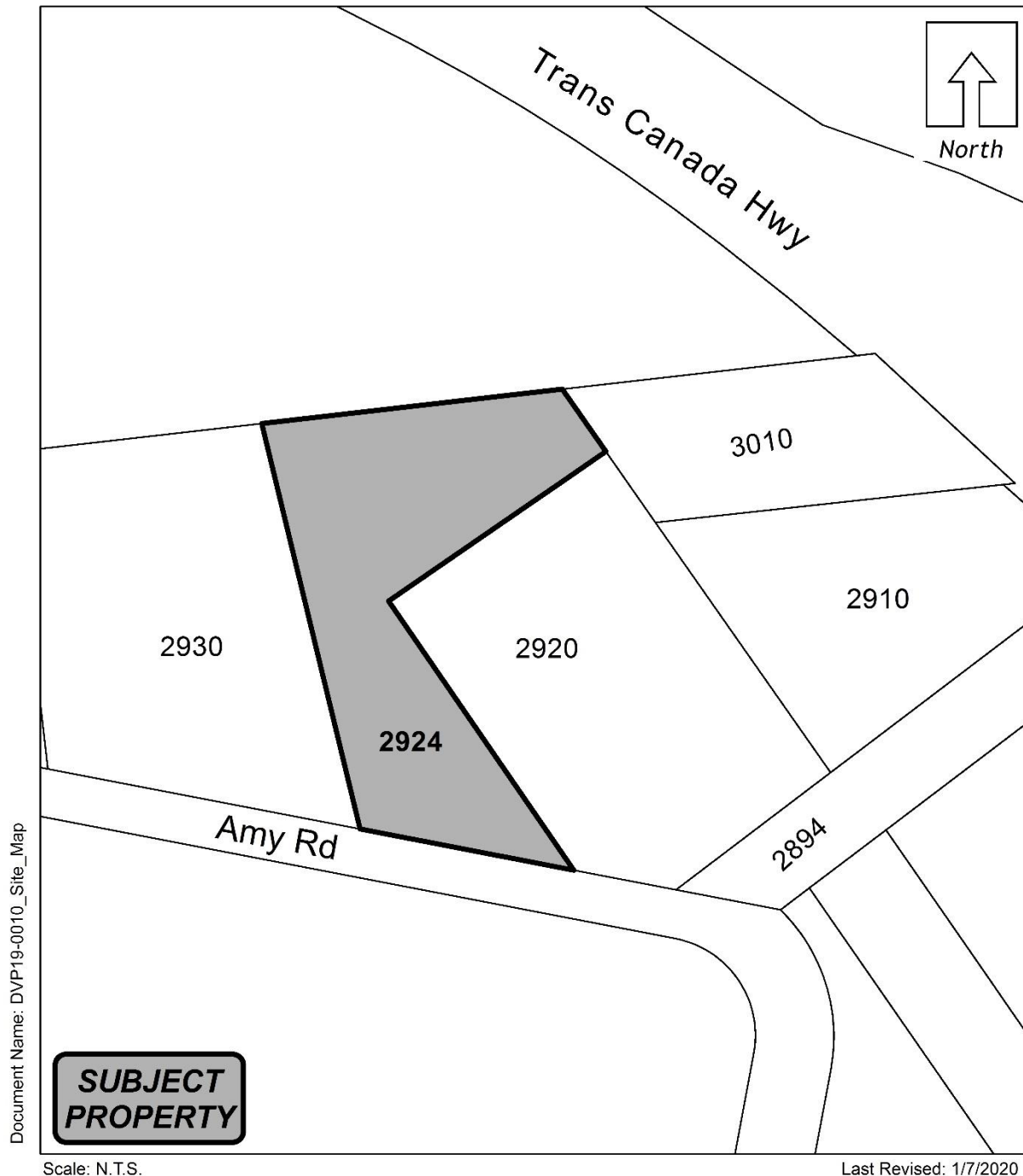
Appendix C

**DEVELOPMENT VARIANCE PERMIT
(DVP19-0010)
2924 Amy Rd**



Appendix D

**DEVELOPMENT VARIANCE PERMIT
(DVP19-0010)
2924 Amy Rd**



CITY OF LANGFORD
MINUTES OF THE PROTECTIVE SERVICES COMMITTEE

Tuesday, January 28th, 2020 @ 5:00 pm

Council Chambers, 3rd Floor, 877 Goldstream Avenue

PRESENT

Councillors: L. Szpak (Chair), L. Seaton (Vice-Chair), Members T. Cox, D. Darche, H. Frederiksen, and M. Wignall.

ATTENDING

Director of Corporate Services, B. Hutchins; Director of Finance, M. Dillabaugh; Fire Chief, C. Aubrey; Manager of Bylaw Enforcement, L. Fletcher; Manager of Building, J. Worobec; and West Shore RCMP OIC, T. Preston.

ABSENT

Members: T. Stevens and D. Wilson.

1. CALL TO ORDER

The Chair called the meeting to order at 5:00 p.m.

2. APPROVAL OF THE AGENDA

MOVED BY: T. COX
SECONDED: H. FREDERIKSEN

That the Protective Services Committee approve the agenda with the addition of items 4c) Building Department Five Year Financial Plan for 2020 – 2024, 4d) Fire Department Five Year Financial Plan for 2020 – 2024, 4e) Police Services 2020-2024 Five-Year Financial Plan, and 4f) Pacific Centre Family Services Association Community Outreach Program (COPE) Report – April 1, 2019 to September 30, 2019.

CARRIED.

3. ADOPTION OF THE MINUTES

a) Minutes of the Protective Services Committee Meeting – November 26, 2019

MOVED BY: H. FREDERIKSEN
SECONDED: D. DANCHE

That the Minutes of the Protective Services Committee meeting held on November 26, 2019 be adopted as presented.

CARRIED.

4. REPORTS

- a) Community Safety and Municipal Bylaw Enforcement Department Five Year Financial Plan 2020 to 2024**
- **Staff Report (Finance)**

MOVED BY: M. WIGNALL
SECONDED: T. COX

That the Protective Services Committee recommend to Council:
That Council:

Approve in principle the 2020-2024 Community Safety and Municipal Bylaw Enforcement Department Five Year Financial Plan and refer it to the Director of Finance for inclusion in the City's 2020-2024 Five Year Financial Plan.

CARRIED.

- b) Departmental Update**
- **Staff Report (Administration)**

MOVED BY: COUNCILLOR SEATON
SECONDED: H. FREDERIKSEN

That the Protective Services Committee receive the joint departmental update from the Building, Bylaw and Fire departments.

CARRIED.

- c) Building Department Five Year Financial Plan for 2020 – 2024**
- **Staff Report (Building)**

MOVED BY: H. FREDERIKSEN
SECONDED: M. WIGNALL

That the Protective Services Committee recommend to Council:
That Council:

Approve in principle the Building Department Five Year Financial Plan for 2020 - 2024 as presented in the staff report dated and refer it to the Director of Finance for inclusion in the consolidated 2020-2024 Five Year Financial Plan.

CARRIED.

d) Fire Department Five Year Financial Plan for 2020 – 2024
- Staff Report (Fire)

MOVED BY: H. FREDERIKSEN
SECONDED: T. COX

That the Protective Services Committee recommend to Council:
That Council:

Approve in principle the Fire Services Five Year Financial Plan for 2020 – 2024 as presented in the Staff Report dated January 28, 2020 and refer it to the Director of Finance for inclusion in the budget.

CARRIED.

e) Police Services 2020-2024 Five-Year Financial Plan
- Staff Report (West Shore RCMP)

MOVED BY: T. COX
SECONDED: M. WIGNALL

That Protective Services Committee recommends to Council:
That Council:

Approve in principle the Police Services Five Year Financial Plan for 2020-2024 as presented in the staff report dated January 28, 2020 and refer it to the Director of Finance for inclusion in the consolidated 2020-2024 Five Year Financial Plan.

CARRIED.

f) Community Outreach Program (COPE) Report – April 1, 2019 to September 30, 2019
- Pacific Centre Family Services Association

MOVED BY: H. FREDERIKSEN
SECONDED: T. COX

That the Protective Services Committee receive the Community Outreach Program (COPE) Report – April 1, 2019 to September 30, 2019 from the Pacific Centre Family Services Association.

CARRIED.

5. ADJOURNMENT

The Chair adjourned the meeting at 6:00 p.m.

CHAIR

CERTIFIED CORRECT
(Corporate Officer)

CITY OF LANGFORD

MINUTES OF THE TRANSPORTATION AND PUBLIC WORKS COMMITTEE

Tuesday, January 28th, 2020 @ 6:00 pm

Council Chambers, 3rd Floor, 877 Goldstream Avenue

PRESENT

Councillors R. Wade (Chair), N. Stewart (Vice Chair); Members: N. Johal, and B. Sifert.

ATTENDING

Deputy Director of Engineering and Public Works, G. Henshall.

ABSENT

Members: L. Bjola and C. Lervold

1. CALL TO ORDER

The Chair called the meeting to order at 6:10 pm.

2. APPROVAL OF THE AGENDA

MOVED BY: COUNCILLOR STEWART

SECONDED: B. SIFERT

That the Transportation and Public Works Committee approve the Agenda as presented.

CARRIED.

3. ADOPTION OF THE MINUTES

a) Transportation and Public Works Committee Meeting – April 9th, 2019

MOVED BY: COUNCILLOR STEWART

SECONDED: B. SIFERT

That the Transportation and Public Works Committee approve the minutes of the meeting held on April 9th, 2019.

CARRIED.

4. REPORTS

- a) Installation of 4-Way Stop Alouette and Langford Lake Road**
- **Staff Report (Engineering)**

MOVED BY: N. JOHAL
SECONDED: COUNCILLOR STEWART

That the Transportation and Public Works Committee recommend to Council:
That Council:

Direct staff to install two additional “stop” signs and stop bars on Langford Lake Road at the intersection of Alouette Drive/Freshwater Crescent at a cost of approximately \$4,000 and fund this from the Small Road Improvement budget.

CARRIED.

- b) Engineering Budget Report 2020-2024**
- **Staff Report (Engineering)**

MOVED BY: COUNCILLOR STEWART
SECONDED: B. SIFERT

That the Transportation and Public Works Committee recommend to Council:
That Council:

1. Approve the Engineering Department Capital and Maintenance & Operations budgets, and that the five-year financial plans as attached be set at the figures shown for 2020 in the attached Appendix A and refer them to the Director of Finance; and
2. Award the detailed design and tendering of the Peatt at Brock Road roundabout to McElhanney, and fund the works from the Road DCC program; and
3. Award the detailed design and tendering of the Florence Lake Road improvement project to On Point Project Managers, and fund the works from the Road DCC program.

CARRIED.

5. ADJOURNMENT

The Chair adjourned the meeting at 6:40 pm.

PRESIDING COUNCIL MEMBER

CERTIFIED CORRECT
Corporate Officer



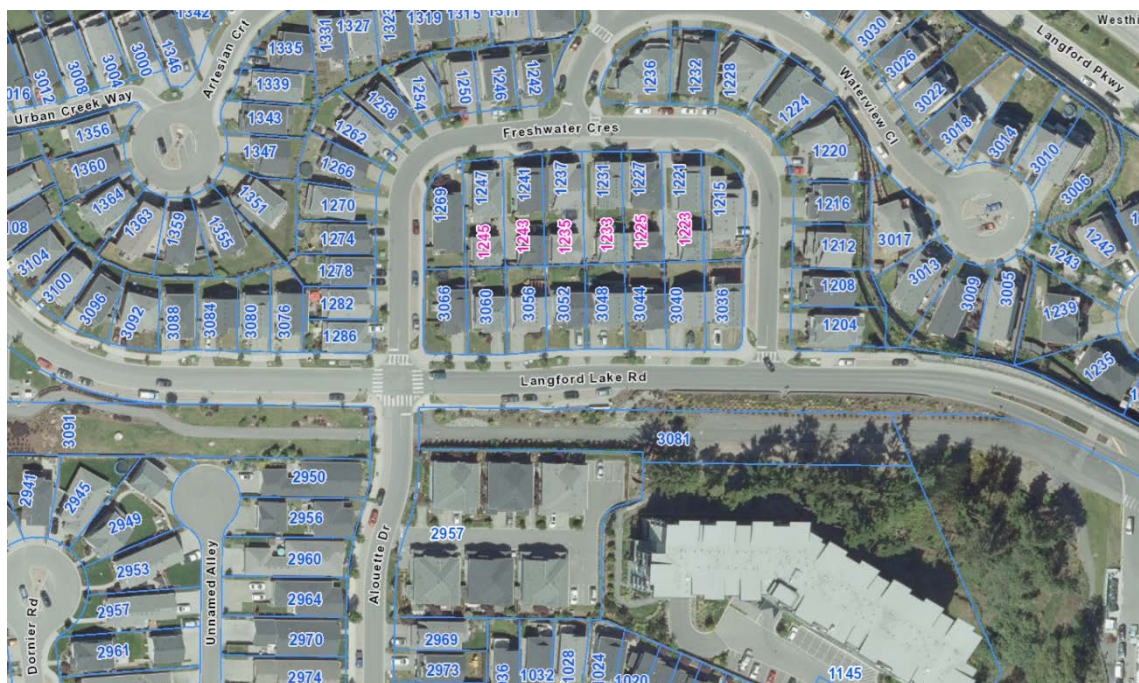
Staff Report
to
Transportation and Public Works Committee

Date: January 28, 2020
Department: Engineering
Subject: Installation of 4-Way Stop Alouette and Langford Lake Road

Background

The intersection of Alouette Drive/Freshwater Crescent and Langford Lake Road is currently a 2-Way stop controlled location.

The purpose of this report is to seek approval to reconfigure this intersection as a 4-Way stop.



Commentary

Alouette Drive connects Glen Lake Road indirectly to Langford Parkway and the West Shore Parkway. Residents have voiced concerns in the past with the perception of speeding in this area. In addition, with the opening of the Leigh Road connector in 2019 there has been a perceived increase in traffic in the area.

Staff are suggesting that a 4-Way stop be created at this intersection to provide additional traffic control in the area.

Legal Implication

None noted.

Financial Implications

The cost to install two new “Stop” signs and paint two new stop bars on Langford Lake Road is estimated at less than \$4,000.

Options

That the Transportation and Public Works Committee recommend that Council:

1. Direct staff to install two additional “stop” signs and stop bars on Langford Lake Road at the intersection of Alouette Drive/Freshwater Crescent at a cost of approximately \$4,000 and fund this from the Small Road Improvement budget;

OR

2. Do nothing at this time with respect to the configuration of the intersection of Langford Lake Road with Alouette Drive and Freshwater Crescent

Respectfully submitted,

Submitted by:	Michelle Mahovlich, P.Eng, P.Geo, Director of Engineering
Concurrence:	George Henshall, ASCT, Deputy Director of Engineering & Public Works
Concurrence:	Matthew Baldwin, MCIP, RPP Director of Planning
Concurrence:	Adriana Proton, Manager of Legislative Services
Concurrence:	Lorne Fletcher, Manager of Community Safety and Municipal Enforcement
Concurrence:	Michael Dillabaugh, CPA, CA, Director of Finance
Concurrence:	Braden Hutchins, Director of Corporate Services
Concurrence:	Darren Kiedyk, Chief Administrative Officer

:mm

**CITY OF LANGFORD
TEMPORARY USE PERMIT**

TUP16-0006 – 2619 Sooke Rd - RENEWAL

That Temporary Use Permit No. TUP16-0006-Renewal be issued by the Council for the City of Langford to Marianne Whitaker on behalf of Normand Waiter to extend a group daycare for 28 children located at 2619 Sooke Road until March 7th, 2021 and to permit the business to operate without the proprietors living on site subject to the following terms and conditions:

1. Conditions

The following requirements are imposed under Section 493 of the *Local Government Act*:

- a) That TUP16-0006 expires 7th March 2021 thirteen months (1 year and 1 month) after the issuance date, with no option for renewal.



Notice of Intention to Consider Issuance of a Temporary Use Permit

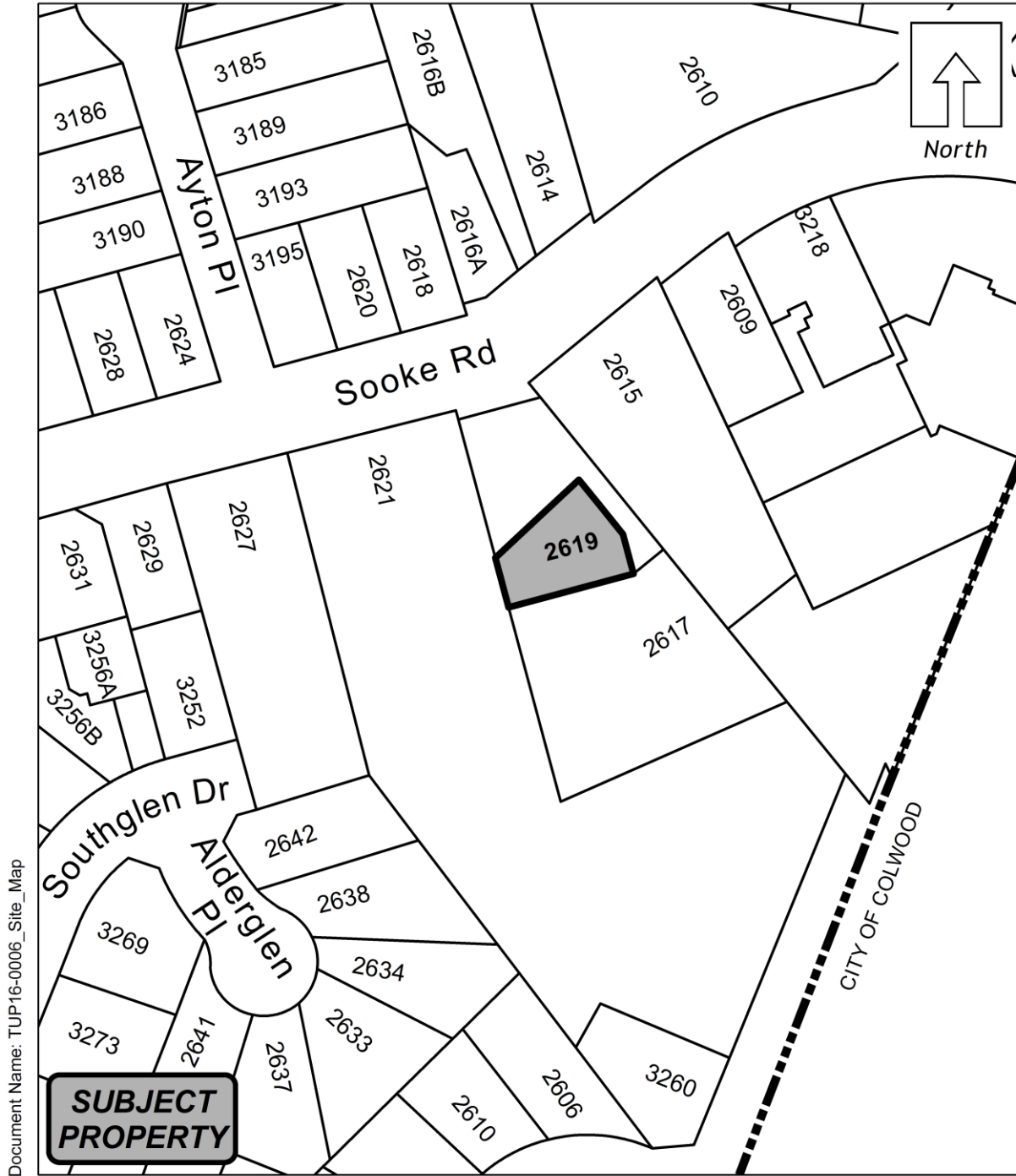
NOTICE is hereby given that the City of Langford will consider issuance of a TEMPORARY USE PERMIT-Renewal in the CITY OF LANGFORD COUNCIL CHAMBERS, Third Floor, 877 Goldstream Avenue, Langford, BC, on Monday, 3 February 2020, at 5:30 pm.

File	Temporary Use Permit No. TUP16-0006-Renewal
Purpose	The purpose of the proposed Temporary Use Permit Renewal is to allow a group day care for 28 children at 2619 Sooke Rd and to permit the business to operate without the proprietors living on site.
Applicant	Marianne Whitaker
Location	The lands that are the subject of TEMPORARY USE PERMIT NO. TUP16-0006-Renewal is 2619 Sooke Rd.

COPIES of the complete proposed TEMPORARY USE PERMIT Renewal and other related material may be viewed during normal working hours, 8:30 am to 4:30 pm, Monday to Friday (holidays excluded), from Monday, 20 January 2020 to Monday, 3 February 2020, inclusive, at the Langford City Hall, Second Floor, 877 Goldstream Avenue, Langford, BC, V9B 2X8. Please contact Julia Buckingham in the Planning Department with any questions on this Temporary Use Permit.

Braden Hutchins
Director of Corporate Services

**TEMPORARY USE PERMIT
(TUP16-0006)
2619 Sooke Rd**



Scale: N.T.S.

Last Revised: 1/7/2020



City of Langford
www.cityoflangford.ca

Notice of Intention to Consider Issuance of a Temporary Use Permit

NOTICE is hereby given that the City of Langford will consider issuance of a TEMPORARY USE PERMIT Renewal in the CITY OF LANGFORD COUNCIL CHAMBERS, Third Floor, 877 Goldstream Avenue, Langford, BC, on Monday, 3 February 2020, at 5:30 pm.

File: Temporary Use Permit No. TUP16-0006-Renewal

Purpose: The purpose of the proposed Temporary Use Permit Renewal is to renew a group day care for 28 children at 2619 Sooke Rd and to permit the business to operate without the proprietors living on site.

Applicant: Marianne Whitaker

Location: The land that is the subject of TEMPORARY USE PERMIT NO. TUP16-0006 Renewal is 2619 Sooke Rd.

COPIES of the complete proposed TEMPORARY USE PERMIT Renewal and other related material may be viewed during normal working hours, 8:30 am to 4:30 pm, Monday to Friday (holidays excluded), from Monday, 20 January 2020 to Monday, 3 February 2020 , inclusive, at the Langford City Hall, Second Floor, 877 Goldstream Avenue, Langford, BC, V9B 2X8. Please contact Julia Buckingham in the Planning Department with any questions on this Temporary Use Permit.

Braden Hutchins
Director of Corporate Services





TOWN OF VIEW ROYAL
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN pursuant to the Local Government Act that a Public Hearing will be held at the Town of View Royal at 45 View Royal Ave, Victoria BC at 7pm on Tuesday, February 4, 2020 for the purpose of hearing representations concerning the following.

Official Community Plan No. 811, 2011, Amendment Bylaw No. 1024, 2019 proposes to replace the Official Community Plan's Regional Context Statement with a new statement that references the current Capital Regional District Regional Growth Strategy and indicates how the Town proposes to address the Strategy's targets.

TAKE NOTICE that more detailed information concerning the subject bylaw and any other reports and documents that may be considered by Council can be obtained at the Town of View Royal Municipal Office, Development Services Department, 45 View Royal Avenue, Victoria, B.C. (Telephone: 250-479-6800) between the hours of 8:30 am and 4:30 pm Monday to Friday, January 22, 2020 to February 4, 2020.

All persons who believe that their interest in property is affected by the proposed Bylaw shall be afforded an opportunity to be heard in person, by a representative or by written submission on all matters contained therein at the above-noted time and place. If you are unable to attend the Public Hearing, written comments may be mailed, facsimiled, emailed or hand delivered to the Town of View Royal by no later than 3:00 pm on February 4, 2020.

Mail: Development Services Department Town of View Royal, 45 View Royal Ave, Victoria, BC V9B 1A6 Facsimile: 250-727-9551 Email: info@viewroyal.ca

Please note that Council may not receive further submissions concerning the subject Bylaw after the Public Hearing has concluded.

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Sunday, March 1
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City of Langford
www.cityoflangford.ca

NOTICE OF PUBLIC HEARING

The City of Langford has received an application to amend Zoning Bylaw No. 300 by means of proposed Bylaw No. 1662. All persons who believe that their interest in property is affected by the proposed Bylaw will be afforded an opportunity to be heard or to present written submissions respecting matters contained in the Bylaw at a Public Hearing to be held in the **CITY OF LANGFORD COUNCIL CHAMBERS, Third Floor, 877 Goldstream Avenue, Langford, BC, on Monday, 3 February 2020, at 5:30 pm.** Please be advised that no representations may be received by Council after the close of the Public Hearing and any submissions made to Council, whether orally or in writing, will form part of a public record.

Proposal: The purpose of Bylaw No. 1662 is to amend Schedule A of the City of Langford Zoning Bylaw No. 300. The amendments focus on updating terminology and definitions, consistency of measurements and conversions, and general document formatting in order to improve clarity and usability.

Applicant: City of Langford

Location: The land that is the subject of Bylaw No. 1662 is all the lands within the City of Langford boundaries.

COPIES of the complete proposed Bylaw and other material that the Council may consider in relation to the Bylaw may be viewed from 8:30 am to 4:30 pm, Monday to Friday (holidays excluded), from Monday, 20 January 2020 to Monday, 3 February 2020, inclusive, at Langford City Hall, 2nd Floor, 877 Goldstream Avenue, Langford, BC, V9B 2X8. Please contact Wolfgang Schoenefuhs in the Planning Department at 250-478-7882 with any questions on this Bylaw.

Braden Hutchins
Director of Corporate Services

Page 464 of 486

From: [Julie Coneybeer](#)
To: [Agendas](#)
Subject: FW: Possible CGL Redeployment of Resources
Date: Friday, January 31, 2020 9:04:21 AM
Attachments: [8.1 Letter 2 Mayors 2020-01-28_signed_1.pdf](#)
[20-01-28 SG PPSA Ltr_1.pdf](#)

Julie Coneybeer

Executive Assistant

Mayor, Council and CAO

City of Langford, 250-478-7882 (ext 4204)

From: CARLY CARTER <Carly.Carter@rcmp-grc.gc.ca>
Sent: January 29, 2020 1:41 PM
To: Darren Kiedyk <dkiedyk@cityoflangford.ca>; Mayor Young <mayor@langford.ca>
Cc: Julie Coneybeer <jconeybeer@cityoflangford.ca>
Subject: Possible CGL Redeployment of Resources

Good afternoon,

Please find attached two letters describing the potential deployment of police resources in relation to the Enforcement Order which is associated to the Coastal Gaslink Pipeline in northern BC. This is not a notice that a police deployment is imminent, but rather notice that resources may be involved if a deployment does occur.

If you have any questions or concerns, please do not hesitate to contact Insp. Preston.

Thank-you,
Carly

Carly Carter

Executive Assistant to the OIC

West Shore RCMP

tel: 250-474-8794

fax: 250-391-3309

email: Carly.Carter@rcmp-grc.gc.ca

This message, together with any attachments, is intended only for the use of the individual or entity to which it is addressed. It may contain information that is confidential and prohibited from disclosure. If you are not the intended recipient, you are hereby notified that any dissemination or copying of this message or any attachment is strictly prohibited. If you have received this message in error, please notify the original sender immediately by telephone or by return email and delete this message along with any attachments, from your computer.



Royal
Canadian
Mounted
Police

Gendarmerie
royale
du
Canada

RCMP "E" Division Headquarters
14200 Green Timbers Way
Surrey, B.C. V3T 6P3

January 28th, 2020

Municipal Mayors and CAOs

Re: Coastal Gaslink pipeline Injunction Order Enforcement

Dear Mayors and Chief Administrative Officers,

On October 2nd 2018, LNG Canada announced plans for Coastal GasLink (CGL) to construct a natural gas liquefaction facility at Kitimat, British Columbia (BC) which requires approximately 620km of pipeline construction from Dawson Creek to Kitimat. On December 31st 2019, the BC Supreme Court in Prince George provided a court injunction decision with an associated order which prohibits interference with work being done on the pipeline. The police are required by the B.C. Supreme Court to enforce the order but have limited discretion regarding timing; specifically that is required to accommodate formal and timely efforts to resolve the situation; and key project deadlines as articulated by CGL, the plaintiff in this court action.

While the LNG project is supported by the elected First Nation governments along the pipeline route, there remains opposition from some hereditary leaders. The geographic focus for opposition are three encampments located along the Morice West Forest Service Road west of Houston BC. On January 4th 2020, the Unist'ot'en with support from Wet'suwet'en Hereditary Chiefs evicted CGL staff from the area. The camps maintain blockades on the Morice West Forest Service Road barring access to CGL in violation of the court order.

The RCMP has made significant efforts along with government and industry to facilitate a resolution but has been unsuccessful thus far. While this process continues, an operational and communication strategy to enforce this order has been developed. Local jurisdictional police do not have sufficient resources to deal with the situation at hand within their geographical boundaries. On January 27th, 2020, Minister Farnworth wrote the BC RCMP advising that he was satisfied that this constitutes a provincial emergency under the Provincial Police Service Agreement (PPSA).

As an urgent and critical situation of a temporary nature requiring additional resources, pursuant to Article 9.1 of the PPSA, Minister Farnworth authorized the internal redeployment of resources within the Provincial Police Service to the extent necessary to maintain law and order, and to ensure the safety of persons, property, and communities in the area. Redeployment is inclusive of BC Municipal resources, pursuant

to article 9.1 under the Municipal Police Service Agreement (MPSA). The purpose of this letter is to formalize our communications on this matter and any impact it may have on the municipal policing unit.

Pursuant to Article 8.1(a) under the Municipal Police Unit Agreement (MPUA), part of your Municipal Police Service may be redeployed to provide additional police resources as is reasonably necessary to maintain law and order, keep the peace and protect the safety of persons, property or communities. The actual timing and number of resources will be left to the discretion of the designated commander. In accordance with Article 8.1(b), the Province is responsible for paying the costs of any redeployment including salary, transportation and maintenance, at the applicable cost-sharing ratio set out in sub-article 11.1 MPUA.

Any deployment from your detachment will be in consultation with the District and Detachment Commander. While it is important to address emergencies such as this, it is also essential that your community continues to receive adequate policing. The District and Detachment Commander will ensure this balance is maintained and will continue to update and consult with you on any resourcing requests relating to this operation.

Respectfully,

A handwritten signature in black ink, appearing to be 'ESK', written over a horizontal line.

Eric Stubbs, Assist Commissioner
'E'-Division Criminal Operations



January 27, 2020

Deputy Commissioner Jennifer Strachan
RCMP "E" Division
Mailstop #308
14200 Green Timbers Way
Surrey BC V3T 6P3

Dear Deputy Commissioner Strachan:

Thank you for your letter dated January 14, 2020, regarding the potential police response required to enforce the December 31, 2019 BC Supreme Court injunction prohibiting interference with work being done on the Coastal GasLink pipeline. As you state, opposition to the pipeline construction near Houston, BC has intensified and evolved and the local jurisdictional police do not have sufficient resources to deal with this situation. I am satisfied that this constitutes a provincial emergency under the *Provincial Police Service Agreement* (PPSA).

As an urgent and critical situation of a temporary nature requiring additional resources, pursuant to Article 9.1 of the PPSA, I am authorizing the internal redeployment of resources within the Provincial Police Service to the extent necessary to maintain law and order, and to ensure the safety of persons, property, and communities in the area. This authorized temporary redeployment is inclusive of BC Municipal Police Service resources, pursuant to article 9.1 of the *Municipal Police Service Agreement* (MPSA); however, I request that all provincial resources should be exhausted prior to making use of municipal RCMP resources. Should municipal resources be required, please ensure you discharge your obligations under Article 9 of the MPSA to consult with the affected local governments, including advance communications; and, that any impacted municipalities continue to receive adequate policing.

The operational deployment of resources and operational decisions are solely within the internal management and control of the RCMP; however, I ask that you please continue to inform the ministry of the planned actions and any further developments through established channels between executive Policing and Security Branch and RCMP staff. Further requests may be authorized upon consultation with Assistant Deputy Minister Brenda Butterworth-Carr.

.../2

Deputy Commissioner Jennifer Strachan
Page 2

I appreciate the urgency of these situations and look forward to receiving a report on the actual redeployment that was required, the composition of the members redeployed, including any equipment that was required. I understand the costs related to emergencies are tracked and monitored separately and I look forward to receiving a detailed accounting of these costs.

Sincerely,



Mike Farnworth
Minister of Public Safety
and Solicitor General



TOWN OF VIEW ROYAL

45 View Royal Avenue, Victoria, BC, Canada V9B 1A6

Ph. 250-479-6800 • Fx. 250-727-9551 • E. info@viewroyal.ca • www.viewroyal.ca

January 29, 2020

Capital Regional District Board
625 Fisgard Street
PO Box 1000
Victoria, BC V8W 2S6

Dear Chair Plant and Directors:

RE: Capital Regional District (CRD) Regional Parks Land Acquisition Fund

At View Royal's Council meeting on January 28, a discussion ensued regarding the Regional Parks Land Acquisition Fund and the proposed potential changes. The following motion was endorsed unanimously by our Council:

MOVED BY: Councillor Rogers
SECONDED: Councillor Lemon

WHEREAS the number one priority of CRD Parks is to protect the region's biodiversity;

WHEREAS the CRD Regional Parks Land Acquisition Fund has been a resounding success and protected over 4,200 hectares of land since its inception in the year 2000;

WHEREAS extensive public consultation was held in the past year regarding the continuance of the Fund in its present form;

THEREFORE, be it resolved that the Mayor and Council write to the CRD Board requesting that the vision, values and the principles of the Regional Parks Land Acquisition Fund be maintained;

AND FURTHER that no changes be considered without extensive consultation with the public and all partners.

CARRIED

View Royal is very concerned that changes are being considered to such a successful and important regional program. We ask that full consultation take place if any changes are to be considered or if any acquisitions are contemplated that do not meet the existing criteria.

Sincerely,

David Screech
Mayor

cc. All Capital Regional District Municipal Councils



Recycled Paper



City of Langford

www.cityoflangford.ca

Staff Report to Council

Date: February 3, 2020
Department: Administration
Subject: Appointment to Library Board

Background and Commentary

Langford has two seats on the Greater Victoria Library Board, for one Council member and one citizen member. Langford's citizen member has resigned, so there is a vacancy for Council to appoint a citizen member for a two-year term.

Financial Implications

None.

Legal Implications

None.

Options

1. THAT Council appoint Dianna Seaton to the Greater Victoria Library Board as the City of Langford's citizen representative, for a 2-year term, ending December 2021.

OR

2. THAT Council decline to appoint a Greater Victoria Library Board citizen member.

Respectfully submitted,

Submitted by:	Adriana Proton, Manager of Legislative Services
Concurrence:	Braden Hutchins, Director of Corporate Services
Concurrence:	Darren Kiedyk, Chief Administrative Officer



City of Langford

www.cityoflangford.ca

Staff Report to Council

Date: February 3, 2020
Department: Administration
Subject: Proposed Changes to YMCA-YWCA Services Agreement

Background

At the March 5, 2018 Council meeting, then Vancouver Island YMCA-YWCA CEO Jennie Edgecombe made a presentation to Council requesting changes to the Services Agreement. Council passed the following resolution, and requested that the detailed changes be brought to Council at a future meeting:

THAT Council approves that discounts for Langford residents using the YMCA facility be applied to the base membership only, and that all other services for Langford residents, including but not limited to drop in rates, no longer receive a discount.

The attached correspondence from Derek Gent, current Vancouver Island YMCA-WYCA CEO, includes details of the suggested changes.

Commentary

Staff have reviewed the changes, which are as follows:

- Reduction in drop-in fee discount from 20% to 10% for Langford residents
- Remove the ability to purchase swim lessons in session blocks
- Remove free swim times during holidays for Langford residents
- Remove the resident discount for subsidized memberships
- The addition of item 3.4 to the agreement, which would allow for the agreement to be reviewed every five years.

Staff have been advised that the 2017 statistics in the attached letter are similar to current statistics.

Financial Implications

None to the City. See attached correspondence for how the changes to the discount structure could be implemented, thereby affecting residents.

Legal Implications

If Council approves these changes, staff will proceed with amending the YMCA-YWCA Services Agreement.

Options

1. THAT Council approve the proposed changes to Schedule B of the Vancouver Island YMCA-YWCA Services Agreement with the City of Langford;

THAT Council approve the addition of the proposed clause 3.4, which allows the agreement to be reviewed every five years;

AND THAT Council authorize the Mayor and Chief Administrative Officer to execute the amended agreement.

OR

2. THAT Council not approve amendments to the Vancouver Island YMCA-YWCA Services Agreement at this time.

Respectfully submitted,

Submitted by:	Adriana Proton, Manager of Legislative Services
Concurrence:	Braden Hutchins, Director of Corporate Services
Concurrence:	Darren Kiedyk, Chief Administrative Officer

Attachments: Correspondence from Vancouver Island YMCA-YWCA CEO Derek Gent



**YMCA-YWCA
Vancouver Island**

Association Services
202-1314 Lakepoint Way
Victoria, BC | V9B 0S2
250-386-7511
www.vancouverislandy.com

December 31, 2019

City of Langford
2nd Floor 877 Goldstream Avenue
Langford, BC V9B 2X8

sent by e-mail to dkiedyk@langford.ca:
bhutchins@langford.ca

Attn: Darren Kiedyk, Chief Administrative Officer
Braden Hutchins, Director of Corporate Services

RE: Implementing proposed changes to our Services Agreement

Darren and Braden,

Further to our meeting of December 10, 2019, and following up on from an in-camera presentation made to Langford Council back in 2018, I have included a copy of the specific changes proposed for our Services Agreement, which was originally executed February 7, 2013. It is our understanding that the substance of these changes was approved at the earlier in-camera meeting, and we are simply forwarding the details as requested to amend the legal documents administratively.

We greatly appreciate your assistance and strongly value our unique collaboration in support of this important community asset in our Westhills Y and Langford Aquatic Centre.

As articulated in our presentation at that time, based on 2017 statistics, we were proud to report the following:

- 70% of the membership are Langford residents, 54% Langford families
- 445,000 visits in 2017
- 1429 children in swim lessons 995 are Langford residents
- 28% of the Langford population have joined the Y, the national average is 10%
- 262 Langford families and individuals in need are receiving financial assistance. As a charity the Y does not turn anyone away due to an inability to pay raises and raises funds or self funds those in need. Value of assistance \$104,604

We would be pleased to present updated information on our activities and usage in an upcoming Council meeting in 2020, at your invitation.

The annotated changes, articulated on an attached page, are entirely captured as “Schedule B” of the Agreement.

In addition to these changes we would also propose a specific amendment to the body of the document, perhaps in PART 3 – TERM OF THE AGREEMENT, reflecting a mutual interest in revisiting this entire Agreement every 5 years.

Specifically defining a schedule to contemplate amendments will allow us to ensure the continued relevance and capture important changes in the context of our operation or the community we serve.

I might propose adding *3.4 The parties, by mutual agreement, may revisit elements of this agreement based on a schedule of not more than every 5 years, starting from the date of opening, May 1, 2016.*

In terms of the other approved changes, thus far we have not yet implemented the elimination of a Langford resident discount on our “Basic” memberships, given other price increases that we have applied. We may chose to implement this change at a future time, subject to working with City staff on appropriate communications, and/or further discussions regarding alternatives. This decision may also affect our implementation of section a. (iii) whereby the discount may be completely eliminated upon reaching 80% of paid membership at the Aquatic Facility being Langford residents.

We understand the importance of the discount model to residents and Council as a defining factor in municipal support for local infrastructure.

Our thanks for accommodating these changes in the Agreement that allow us to more efficiently manage our operations, given various cost increases that we have experienced and the tremendous success in attracting so many Langford residents (especially families with children) to our facilities.

Please let me know if anything further is required, and again, we would welcome any opportunity to meet with Council.

Kind Regards,

A handwritten signature in black ink, appearing to read 'D. Gent' with a stylized flourish at the end.

Derek Gent
Chief Executive Officer
dgent@vancouverislandy.ca

/Encl



Changes to SCHEDULE “B”

With the **Purchase Commitment** given by the City and for so long as the services are purchased, the Y will ensure opportunities for all residents of the City to participate in the use of the **Aquatic Facility** through membership and drop in passes as follows:

a. **Continuous Monthly Pre-Authorized Payment Plan**

- i. a 10% reduction for City residents, upon prove of residency, in the following categories: Adult, Family, Child, Teen, & Young Adult; **applied to Classic Membership Category only**

***Note:** The Classic Membership provides residents with the best all inclusive membership and includes swim lessons. Basic is a lower cost, less service membership and Premium a higher cost membership which includes additional services such as personal training. Basic and Premium Membership would not receive the 10% reduction.*

- ~~ii. City residents who wish to access both the Y's Downtown and Langford facilities will pay the posted rate for joint **Aquatic Facility** membership (after the City resident discount)~~

Note: Delete in entirety this is included in Classic category

- iii. if City resident membership amounts to 80% of the paid membership at the **Aquatic Facility**, the discount in subsection i. will not apply;

***Note:** No change here, but we will work with City staff to define a process for how this may be applied*

b. **Drop in Fee**

~~20%~~ **10%** reduction for City residents, upon proof of residency, in the following categories: Adult, Family, Child, Teen, and Young Adult.

***Note:** Brings the reduction in line with membership*

~~c. **Course Fee**~~

~~City residents will be able purchase swim lessons in session blocks. This option is available to City residents only, upon proof of residency.~~

Note: Delete in entirety, there has been no uptake as membership is the most cost- effective way to take swim lessons

~~d. **Special Events and Holidays**~~

~~Designated Free Swims Times will be available at no charge to Langford residents during Langford Days and all Statutory Holidays~~

Note: Delete in entirety, based on current Statutory Holiday usage we would not be able to accommodate. The Y is the only facility on the West Shore open every Statutory Holiday throughout the year with consistent hours of 7am – 9pm. Between 1,400-1,800 visits each Holiday, with the pool reaching capacity at times.

The Y acknowledges that no resident of Langford will be unable to use the **Aquatic Facility** due to an inability to pay the full membership fee. The Y will offer subsidized memberships for individuals and families who are willing but unable to pay the full fee (~~after the City resident discount~~)

Note: Delete after the City resident discount, as this leads to double dipping. The Y will continue to offer financial assistance to those in need. Only Classic memberships are assisted for the same reasons noted in a (i)



Staff Report to Council

Date: February 3, 2020

Department: Planning

Application No.: Z17-0046

Subject: Bylaw No. 1760- A Bylaw to amend the zoning of the properties at 804 Latoria Road and 950 Worrall Drive from the RR2 (Rural Residential 2) Zone to the RS4 (Residential Small Lot 4) Zone to allow for a development comprising of residential and institutional uses.

At their Regular Meeting of October 7th, 2019, Council passed the following resolution with First Reading of Bylaw No. 1760, in respect to the properties at 804 Latoria Road and 950 Worrall Drive:

1. That Council give Bylaw No. 1760 First Reading as drafted, which includes the following amendments to the text of the RS4 Zone for the properties located at 804 Latoria Road and 950 Worrall Drive:
 - a) Adding School, Group Day Care, and Townhouses to the list of permitted uses;
 - b) Allowing the creation of lots with a minimum parcel size of 200 m²
 - c) Limiting the total number of lots that are less than 400 m² to 30;
 - d) Limiting the total number of townhomes to 80;
2. Give First Reading to Bylaw No. 1760 as drafted, to amend the current zoning of the properties located at 804 Latoria Road and 950 Worrall Drive from the RR2, Rural Residential 2, Zone to the RS4, Residential Small Lot 4, Zone; subject to the following:
 - a) That the owner agrees to provide, **as a bonus for increased density** the following contributions per lot or unit, prior to subdivision approval or issuance of a building permit, whichever is first:
 - i. \$6000 per one family dwelling towards the General Amenity Reserve Fund;
 - ii. \$3960 per small lot one family dwelling towards the General Amenity Reserve Fund;
 - iii. \$3660 per townhouse unit towards the General Amenity Reserve Fund;
 - iv. \$1000 per one family dwelling towards the Affordable Housing Reserve Fund;

- v. \$660 per small lot one family dwelling towards the Affordable Housing Reserve Fund;
- vi. \$610 per townhouse unit towards the Affordable Housing Reserve Fund;

That, **prior to scheduling a Public Hearing**, the applicant provides the following:

- b) a technical stormwater management assessment to the satisfaction of the Director of Engineering; **COMPLETED**
- c) a traffic impact assessment approved by the of the Director of Engineering; **COMPLETED**

That **prior to Bylaw Adoption** the developer provides the following:

- d) a frontage drawing for Latoria Road that demonstrates whether road dedication will be necessary to accommodate all required frontage improvements, municipal works and third party utility services installed within the municipal road dedication, to the satisfaction of the Director of Engineering; **COMPLETED**
- e) a Section 219 Covenant, registered on title over the subject properties and in priority of all other charges on title, that agrees to the following: **COMPLETED**
 - i. That the developer provides a stormwater management plan and implement the approved plan, to the satisfaction of the Director of Engineering and in accordance with Bylaw No. 1000, prior to subdivision approval or building permit issuance, whichever is first;
 - ii. That the developer will dedicate road along Latoria Road, if necessary, to accommodate the improvements required by Bylaw No.1000 and Latoria Road Master Plan, to the satisfaction of the Director of Engineering, prior to subdivision approval;
 - iii. That the developer will dedicate to the City, a portion of the property necessary to continue a trail from the property at 866 Latoria Road up through the subject property at 950 Worrall Drive, to a standard and extent approved by the Manager of Parks, and that the developer agree to install the necessary trail infrastructure to support the trail to Bylaw No.1000 standards;
 - iv. That, as part of a phased development, temporary emergency access points must be included in plans submitted with each new phase prior to any subdivision. As well, a Fire Underwriters Survey (FUS) must be submitted at time of building permit or subdivision, whichever is first, that proves the water flow necessary to comply with the FUS calculations are available to the subject site;
 - v. That any necessary above or underground infrastructure or servicing upgrades, extensions or other required servicing requirements are to be fulfilled to the standards of Bylaw No. 1000 and the Director of Engineering, and that costs incurred will be the responsibility of the developer;
 - vi. That the developer will construct full frontage improvements in accordance with Bylaw No. 1000, on internal roads to the satisfaction of the Director of Engineering, including but not limited to: sidewalks, pedestrian connections, street lights and boulevard landscaping. As well, in accordance with the Latoria

Road Master Plan, full frontage improvements on Latoria Rd including but not limited to a road side trail, a middle turn lane, a bike lane, streetlights and an access point to Latoria Road, which may connect to the rest of the proposed subdivision and may include a crosswalk;

- vii. That the developer agrees to implement the recommendations garnered from the submitted Traffic Impact Assessment;
- viii. That a section 219 covenant is registered on each property that acknowledges that the proximity to agricultural operations and to the South Vancouver Rangers (rifle club) has the potential create conflict and nuisances for residents;
- ix. That 40% of the site be preserved as greenspace/open space as an amenity to the community, not including the land (approximately 7.7 acres) transferred to the School District No. 62, and that in the event that the School Board does not purchase land for a school, that 40% of the whole site will also be provided to the city as an amenity;
- x. That a Development Concept plan will be submitted and secured within a separate Section 219 covenant registered on title prior to the approval of any subdivision on the property or prior to the alteration of any land, whichever is first, which, in addition to securing the layout of the development, identifies the following:
 - i. The amount and location of trail connections, dedicated open spaces and parks spaces;
 - ii. A cost estimate of the costs associated with constructing trails and installing park and trail infrastructure;
 - iii. Amount and location of SPEA non-disturbance area, in accordance with the RAR prepared by Cordivae or a RAR prepared by a registered professional Biologist;
 - iv. Amount and location of private, covenanted non-disturbance open space;
 - v. Location of the Community Facility;
 - vi. Location of the Recreational Amenity, if applicable
 - vii. Location of the School Site;
- xi. That the developer agrees to register a Section 219 covenant on all properties where a portion of the property has been designated as non-disturbance area and that in the portion designated as non-disturbance area no structures may be located, built or stored and/or landscaping, or alteration of any kind take place within this area except that that the developer may disturb the land within a **private** covenanted non-disturbance area that is a part of an individual property and outside of a SPEA, during time of site grading and preparation, but that these areas must be remediated and replanted to a natural state in accordance with a replanting plan prepared by a registered professional Biologist (RPBIO) prior to subdivision approval;
- xii. That the developer construct a split rail fencing and/or stone wall to delineate the private non-disturbance area from the private usable outdoor space, that a wall or fence may be placed along the non-disturbance boundary and that a Section 219 covenant be registered on each property on which the covenanted

greenspace and associated fencing and/or wall is located detailing the acknowledgement of the area as being a non-disturbance area and that the responsibility for the maintenance of the fence and/or wall is that of the property owner(s);

- xiii. That the developer agrees to dedicate any roads, trails, park areas, facilities and/or amenities, as necessary, to the satisfaction of the Director of Engineering and/or the Manager of Parks, prior to the approval of any subdivision on the property;
- xiv. That any home on lots less than 400 m² contain three bedrooms and at least 10 m² of storage space, exclusive of closet space; and
- xv. That the developer provides a construction parking management plan, to the satisfaction of the Director of Engineering, prior to issuance of a building permit.

- 4. Direct staff to apply a Development Cost Charge credit towards the Park Improvement DCCs, for the installation of trails, associated infrastructure and playground equipment in accordance with Bylaw No.1000, and to the satisfaction of the Manager of Parks. These costs shall be submitted along with a Master Development Permit, required prior to the approval of any subdivision on the property;

COMMENTS

The developer has completed the necessary steps conditional to the adoption of Bylaw No.1760, including submitting an approved frontage drawing as per item 2 d). The applicant has registered a Sec. 219 covenant against the title of the subject property that agrees to i.-xv. of item 2e) in Council's resolution of October 17th, 2019.

Due to the subject property's location approval from the Ministry of Transportation (MOT) was not required.

OPTIONS

That Council:

- 1. Adopt Bylaw No.1760;
- 2. Take no action at this time with respect to Bylaw No. 1760;

Respectfully Submitted,

Submitted by:	Lauren Morhart, MCIP RPP Planner2
Concurrence:	Matthew Baldwin, MCIP, RPP Director of Planning
Concurrence:	Adriana Proton, Manager of Legislative Services
Concurrence:	Cory Manton, Manager of Parks and Recreation
Concurrence:	Michelle Mahovlich, P.Eng, P.Geo, Director of Engineering
Concurrence:	Leah Stohmann, MCIP, RPP, Deputy Director of Planning
Concurrence:	Audrey Kryklywyj, Acting/Director of Finance
Concurrence:	Braden Hutchins, Director of Corporate Services
Concurrence:	Darren Kiedyk, Chief Administrative Officer

:lhm

CITY OF LANGFORD BYLAW NO. 1760

A BYLAW TO AMEND BYLAW NO. 300, "LANGFORD ZONING BYLAW, 1999"

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

A. Langford Zoning Bylaw No. 300, 1999 is amended as follows:

1. By deleting from the **RR2 (Rural Residential 2) Zone** and adding to the **RS4 (Residential Small Lot 4) Zone** the property legally described as LOT 4, SECTION 70, METCHOSIN DISTRICT, PLAN 1957, PID No. 005-035-511 (804 Latoria Rd); and LOT A, SECTION 71, AND SECTION 77, METCHOSIN DISTRICT, PLAN VIP59646, PID No.: 018-911-790 (950 Worral Dr) in the portions as shown shaded on Plan No. 1 attached to and forming part of this Bylaw;

2. By adding the following as Section 6.27A.01(6) and renumbering subsequent subsections accordingly:

"(6) On the lands shown on the map attached as Schedule WL, the following uses, in addition to those listed in this Section, are permitted:

- (a) Schools;
- (b) Group day care in accordance with Section 3.26.02;
- (c) Townhouses;

3. By adding the following text as subsection 6.27A.02(8):

"(8) Despite subsection 6.27A.02(1), on land shown as shaded on the map attached as Schedule WL, the minimum parcel area for subdivision may be 200 m² if the owner of the land proposed to be subdivided:

- (a) pays to the City the amount specified in Column 4 of Table 1 of Schedule AD, prior to the time of subdivision; and*
- (b) does not create more than 30 lots by subdivision that have a parcel area that is less than 400 m²*

4. By adding the following text as subsection 6.27A.03(4):

"(4) Under no circumstances may there be more than 80 townhouse units within the area shown as shaded on the map attached as Schedule WL;

5. By adding the following to Table 1 of Schedule AD:

Zone	Bylaw No.	Legal Description	Amenity Contributions	Eligible for Reduction in Section 2 of Schedule AD (Column 5)
RS4	1760	Lot 4, Section 70, Metchosin District, Plan 1957, PID No. 005-035-511 (804 Latoria Rd); and Lot A, Section 71, and Section 77, Metchosin District, Plan VIP59646; PID No. 018-911-790 (950 Worrall Dr)	a) \$6,000 per lot 550 m2 and greater towards the General Amenity Reserve Fund; b) \$3,960 per lot less than 550 m2 towards the General Amenity Reserve Fund; c) \$3,660 per townhouse unit towards the General Amenity Reserve Fund; d) \$1,000 per lot 550 m2 and greater towards the Affordable Housing Reserve Fund; e) \$660 per lot less than 550 m2 towards the Affordable Housing Reserve Fund; f) \$610 per townhouse unit towards the General Amenity Reserve Fund;	No

6. By adding the map attached as Appendix A of this Bylaw as Schedule WL;

B. This Bylaw may be cited for all purposes as "Langford Zoning Bylaw, Amendment No. 522, (804 Latoria Rd and 950 Worrall Dr), Bylaw No. 1760, 2020".

READ A FIRST TIME this 7th day of October, 2019.

PUBLIC HEARING held this 25th day of November, 2019.

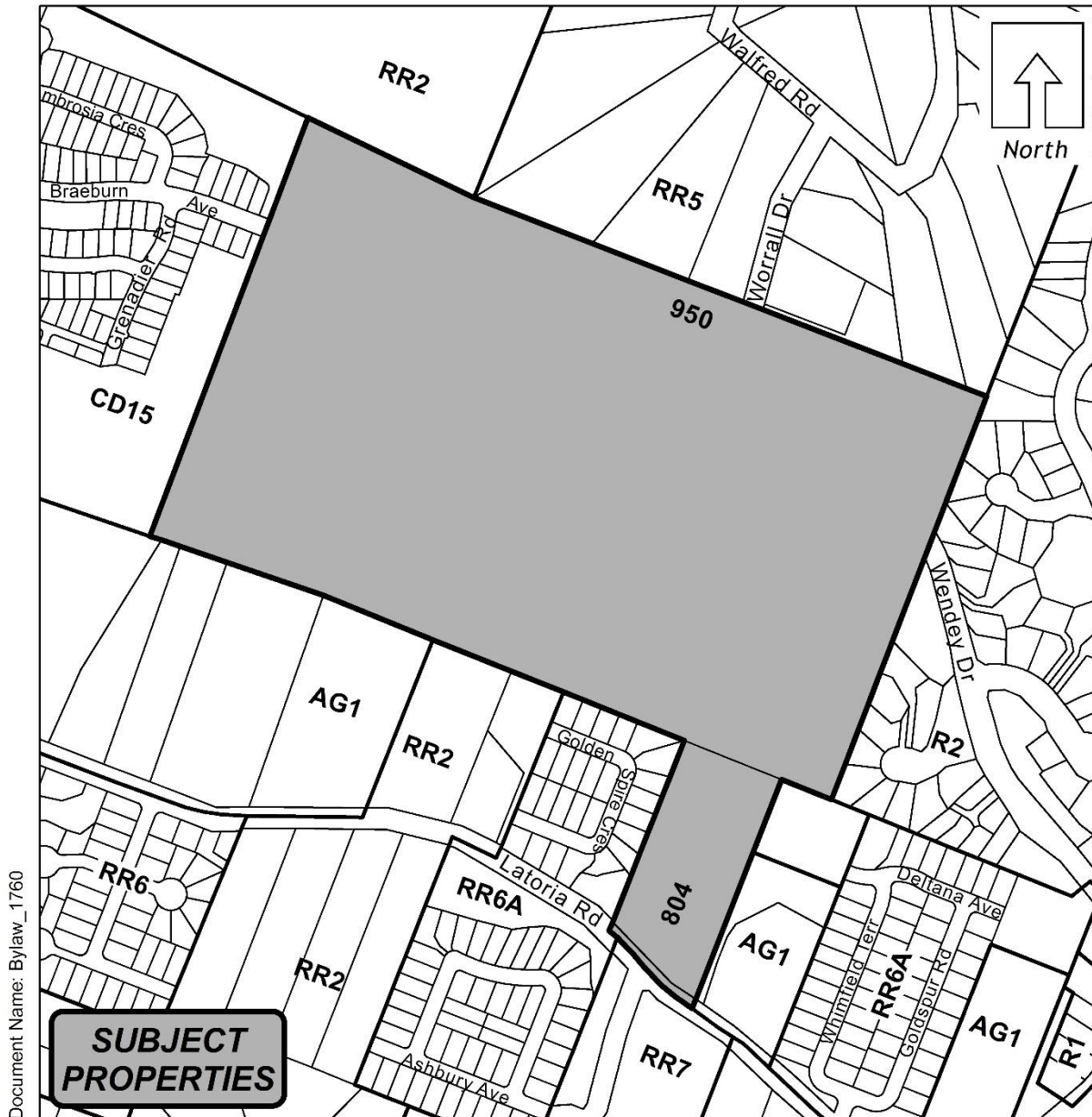
READ A SECOND TIME this 25th day of November, 2019.

READ A THIRD TIME this 25th day of November, 2019.

ADOPTED this of, 2020.

MAYOR

(Certified Correct)
CORPORATE OFFICER



I HEREBY CERTIFY THIS TO BE A TRUE COPY
OF PLAN No. 1 AS DESCRIBED
IN SECTION A1 OF BYLAW No. 1760

MAYOR

ADOPTION: _____

CORPORATE OFFICER

Scale: N.T.S.

Last Revised: 1/16/2018

Appendix A

Schedule "WL" to Bylaw No. 300

