

## **Section 6.60 – Business Park 1 (BP1 – Millstream Road West) Zone**

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*(Replaced by Bylaw No. 1662)*

*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 m<sup>2</sup> (15,015.7 ft<sup>2</sup>);
- (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 m<sup>2</sup> (2,152.8 ft<sup>2</sup>) of **gross floor area**;
- (32) **Restaurant, drive-through**, limited to a maximum of 200 m<sup>2</sup> (2,152.8 ft<sup>2</sup>) 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 m<sup>2</sup> (5,005.2 ft<sup>2</sup>) of **gross floor area**;
  - (i) **Retail store**, with a minimum **gross floor area** of 697 m<sup>2</sup> (7,502.5 ft<sup>2</sup>);
  - (j) **Retail store**, selling furniture and home furnishings with a minimum **gross floor area** of 465 m<sup>2</sup> (5,005.2 ft<sup>2</sup>).
- (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 m<sup>2</sup> (21,527.8 ft<sup>2</sup>) may be created by subdivision.
- (2) No **lot** having a **lot width** less than 25 m (82 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 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 226267I), 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 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 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 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 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 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 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

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*(Replaced by Bylaw No. 1662)*

*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 m (39.4 ft).

### 6.61.04 Minimum Lot Area Requirement

The minimum **lot area** of any **lot** created by subdivision is 2 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 ac).

#### 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 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 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 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

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*(Replaced by Bylaw No. 1662)*

*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 m<sup>2</sup> (19,999.3 ft<sup>2</sup>);
- (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 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 m (9.8 ft) or 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 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

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*(Replaced by Bylaw No. 1662)*

*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 m<sup>2</sup> (21,527.8 ft<sup>2</sup>) may be created by subdivision.
- (2) No **lot** having a **lot width** less than 25 m (82 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 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 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 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 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 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 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**

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*(Replaced by Bylaw No. 1662)*

*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) *(Deleted by Bylaw No. 1888);*
- (28) *(Deleted by Bylaw No. 1890);*
- (29) **Group daycare**, subject to Subsection 3.26.02;
- (30) **Green energy and heat production;**
- (31) **Household equipment and appliance service and repair facility;**
- (32) **Industrial use, general;**
- (33) **Industrial use, light;**
- (34) **Licensed premises;**
- (35) **Mini-storage facility;**
- (36) **Medical Clinics** and accessory related commercial uses;
- (37) **Office;**
- (38) One **caretaker dwelling unit**, in conjunction with other **principal uses** permitted in this **Zone**;
- (39) **Recycling depot;**
- (40) **Recycling facility**, subject to Section 3.14;
- (41) Rental of goods and equipment, excluding **automobiles, large automobiles** and **recreational vehicles**;
- (42) **Research and development facility;**
- (43) **Restaurant;**
- (44) **Restaurant, drive-through;**
- (45) **Retail store**, limited to a maximum of 25% of the **gross floor area** of the **building** in which it is located;
- (46) **Retail store**, on lands shown as “Business Park 2A – Sooke Road West” on the BP2A Zone Map on Schedule SW;
- (47) **School**, on lands shown as “Business Park 2A – Sooke Road West” on the BP2A Zone Map on Schedule SW;
- (48) **Uses accessory** to a **principal use** permitted in this **Zone**;
- (49) **Uses** permitted by Section 3.01 of this Bylaw;
- (50) **Veterinary practice**, in enclosed **buildings**; and
- (51) **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 m<sup>2</sup> (0.3 ac) may be created by subdivision.
- (2) No **lot** having a **lot width** less than 7 m (23 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 m<sup>2</sup> (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 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 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 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

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*(Replaced by Bylaw No. 1662)*

*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 m<sup>2</sup> (299,990.2 ft<sup>2</sup>) within the Zone as a whole, and with smaller retail stores (less than 697 m<sup>2</sup> (7,502.5 ft<sup>2</sup>) 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 BP1A Zone 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 BP1A Zone 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 m<sup>2</sup> (0.5 ac) may be created by subdivision.
- (2) No **lot** having a **lot width** less than 25 m (82 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 Avenue), 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 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 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 m<sup>2</sup> (299,990.2 ft<sup>2</sup>).
- (2) The total combined **gross floor area** of **retail stores** with individual **gross floor areas** less than 464.5 m<sup>2</sup> (5,000 ft<sup>2</sup>) is limited to a maximum of 7,432 m<sup>2</sup> (79,997.4 ft<sup>2</sup>) for the entire BP1A Zone as a whole.
- (3) **Restaurants** shall not exceed a total combined **gross floor area** of 2,787 m<sup>2</sup> (29,999 ft<sup>2</sup>) in the BP1A Zone as a whole.
- (4) **Offices** shall not exceed a total combined **gross floor area** of 2,230 m<sup>2</sup> (24,003.5 ft<sup>2</sup>) 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 Lots A and B, Section 109, Esquimalt District, Plan EPP86128 (658 and 664 Redington Avenue) shall not exceed 20,250 m<sup>2</sup> (218,000 ft<sup>2</sup>). (*Bylaw No. 2068*)
- (7) **Personal service establishments** shall not exceed a **gross floor area** of 186 m<sup>2</sup> (2,002.1 ft<sup>2</sup>) within a single unit.
- (8) **Personal service establishments** shall not exceed a total combined **gross floor area** of 743 m<sup>2</sup> (7,997.6 ft<sup>2</sup>) 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 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 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 m<sup>2</sup> (5,920.2 ft<sup>2</sup>) in **lot area** may be located:
- (a) Within 1.2 m (3.9 ft) of any **interior side lot line**; or
  - (b) Within 3 m (9.8 ft) of any **exterior side lot line**; or
  - (c) Within 6 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 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 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 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 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**

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*(Replaced by Bylaw No. 1662)*

*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) **Automobile rental and sale facility, major;** *(Bylaw No. 1953)*
- (4) **Automobile rental and sale facility, minor;** *(Bylaw No. 1953)*
- (5) **Automobile repair and service facility, major;** *(Bylaw No. 1953)*
- (6) **Automobile repair and service facility, minor;** *(Bylaw No. 1953)*
- (7) **Bakery;**
- (8) **Building and lumber supply store;**
- (9) **Business support service;**
- (10) **Carpentry shop;**
- (11) **Catering;** *(Bylaw No. 1953)*
- (12) **Contractor service;**
- (13) **Electronics sale, service and manufacturing;**
- (14) **Equipment sales, service, repair and rental facility, minor;**
- (15) **Film production studio;**
- (16) **Fitness centre;** *(Bylaw No. 1953)*
- (17) **Funeral parlour;**
- (18) **Household equipment and appliance service and repair facility;**
- (19) **Industrial use, general;** *(Bylaw No. 1953)*
- (20) **Industrial use, light;**
- (21) **Licensed premises;**
- (22) **Machine shop;**
- (23) **Mini-storage facility;**
- (24) **Medical Clinics** and accessory related commercial uses;
- (25) **Office;**
- (26) One **caretaker dwelling unit**, in conjunction with and **accessory** to a **principal use** permitted in this **Zone**;
- (27) **Recycling depot;**

- (28) **Recycling facility**, subject to Section 3.14;
- (29) **Rental of goods and equipment**, excluding **automobiles, large automobiles and recreational vehicles**;
- (30) **Research and development facility**;
- (31) **Restaurant**, not exceeding 200 m<sup>2</sup> (2,152.8 ft<sup>2</sup>) of **gross floor area per lot**;
- (32) **Retail store**, as an **accessory use** not exceeding 20% of the **gross floor area** occupied by a business;
- (33) **Transportation terminal**;
- (34) **Unenclosed storage**, subject to Section 3.13;
- (35) **Uses accessory to a principal use** permitted in this **Zone**;
- (36) **Uses** permitted by Section 3.01 of this Bylaw; and
- (37) **Warehouse**.

#### 6.65.02 Subdivision Lot Requirements

- (1) No **lot** having a **lot area** less than 1,500 m<sup>2</sup> (16,145.9 ft<sup>2</sup>) may be created by subdivision.
- (2) No **lot** having a **lot width** less than 25 m (82 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 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 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 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 m (3.3 ft) or more, a continuous **landscape and screening area** not less than 1 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**

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*(Replaced by Bylaw No. 1662)*

*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 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 commercials 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 m<sup>2</sup> (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 m<sup>2</sup> (3,229.2 ft<sup>2</sup>) and not more than 599 m<sup>2</sup> (6,447.6 ft<sup>2</sup>) 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 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**.

##### **6.66.05.1 Setbacks**

No **building** or **structure** may be located within 3 m (9.8 ft) of Millstream Road.

##### **6.66.05.2 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 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

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*(Replaced by Bylaw No. 1662)*

*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 Road) and Lot F, Section 99, Esquimalt District, Plan EPP20282 (2763 Leigh Road);
- (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 commercial uses;
- (12) **Office**;
- (13) **Research and development facility**;
- (14) **Restaurant**, limited to a maximum of 200 m<sup>2</sup> (2,152.8 ft<sup>2</sup>) 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 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 m<sup>2</sup> (8,072.9 ft<sup>2</sup>);
- (3) No **principal building** or **structure** for a **one-family dwelling use** may be located:
  - (a) Within 6 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 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**

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*(Replaced by Bylaw No. 1662)*

*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 m<sup>2</sup> (16,145.9 ft<sup>2</sup>) may be created by subdivision.
- (2) No **lot** having a **lot width** less than 25 m (82 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 m (39.4ft).

#### 6.68.05 Setbacks

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

- (1) Within 3 m (9.8 ft) of any **front lot line**; or
- (2) Within 6 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 m (9.8 ft) of any **exterior side lot line**; or
- (4) Within 6 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 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**

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*(Replaced by Bylaw No. 1662)*

*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 m<sup>2</sup> (695.8 ft<sup>2</sup>) 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 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 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 m (19.7 ft) of the northernmost boundary of the BP6 Zone, if any portion of that **building** or **structure** is located within 40 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 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**

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*(Replaced by Bylaw No. 1662)*

*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 m<sup>2</sup> (2,152.8 ft<sup>2</sup>) 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 m<sup>2</sup> (21,527.8 ft<sup>2</sup>) may be created by subdivision.
- (2) No **lot** having a **lot width** less than 25 m (82 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 m (6.6 ft) of any **lot line**; or
- (2) Within 6 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 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**

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*(Replaced by Bylaw No. 1662)*

*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 m<sup>2</sup> (0.25 ac) may be created by subdivision.
- (2) No **lot** having a **lot width** less than 7 m (23 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 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 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 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 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 6.69C – Business Park 9 – Millstream Road Northeast (BP9) Zone**

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*(Bylaw No. 1951)*

*The intent of the BP9 Zone is to accommodate a wide range of business and light industrial uses in enclosed buildings with a controlled number of ancillary uses.*

### **6.69C.01 Permitted Uses**

The following **uses** and no others are permitted in the BP9 Zone:

- (1) **Accessory uses, buildings and structures**, subject to Section 3.05;
- (2) **Adult day services**;
- (3) **Apartments**, only on those lands shown shaded on Schedule “U”; *(Bylaw No. 2062)*
- (4) **Animal hospital**, in enclosed buildings;
- (5) **Auction** in enclosed buildings;
- (6) **Automobile parts and accessories sale, installation and repair facility**;
- (7) **Automobile rental and facility, major**;
- (8) **Automobile rental and facility, minor**;
- (9) **Automobile repair and service facility, major**;
- (10) **Automobile repair and service facility, minor**, which may include cleaning and detailing, but excludes an automated, semi-automated or self-serve car wash;
- (11) **Bakery**;
- (12) **Building and lumber supply store**, in enclosed buildings;
- (13) **Business park office**;
- (14) **Business support services**;
- (15) **Cardlock gasoline service station**;
- (16) **Catering**;
- (17) **Contractor service** in enclosed buildings;
- (18) Cultivation of *cannabis sativa*, manufacturing of derivatives of *cannabis sativa* and wholesale distribution of *cannabis sativa* and derivatives, excluding retail sales, in enclosed buildings;
- (19) **Dormitory**;
- (20) **Electric or hybrid vehicle charging facility**;
- (21) **Equipment sales, service, repair and rental facility, major**, in enclosed buildings;
- (22) **Equipment sales, service, repair and rental facility, minor**, in enclosed buildings;

- (23) **Film production studio;**
- (24) **Financial institution, including drive-through** subject to Subsection 6.69C.02(1);
- (25) **Funeral parlour;**
- (26) **Group daycare**, subject to Subsection 3.26.02;
- (27) **Green energy and heat productions;**
- (28) **Hotel;**
- (29) **Household equipment and appliance service and repair;**
- (30) **Industrial use, general**, in enclosed buildings;
- (31) **Industrial use, light** in enclosed buildings;
- (32) **Licensed premises;**
- (33) **Mini-storage** in enclosed buildings and specifically excluding the use of metal containers designed and constructed for shipping; unless within an enclosed building;
- (34) **Personal service establishment** subject to Subsection 6.69C.02(1);
- (35) **Pet daycare;**
- (36) **Recording and broadcast studio;**
- (37) **Research and development facility;**
- (38) **Restaurant** subject to Subsection 6.69C.02(1);
- (39) **Retail store**, subject to Subsection 6.69C.02(2);
  
- (40) **Townhouse**, only on those lands shown shaded on Schedule "U"; (*Bylaw No. 2062*)
- (41) **Training and education facility** in enclosed buildings, which includes student accommodation;
- (42) **Uses** permitted by Section 3.01 of this Bylaw;
- (43) **Veterinary practice**, in enclosed buildings.

**6.69C.02 Permitted Uses**

- (1) Despite any part of Section 6.69C the combined total gross floor area of all **Financial Institutions, Personal Service Establishment, Restaurant and Retail** uses in the BP9 (Business Park 9 – Millstream Road Northeast) Zone shall not exceed 7,500 m<sup>2</sup> (70,730 ft<sup>2</sup>);
- (2) Despite any other part of Section 6.69C the combined total gross floor area of all **Automobile rental and sale facility, minor** uses in the BP9 (Business Park 9 – Millstream Road Northeast) Zone shall not be less than 1,850 m<sup>2</sup> (19,914 ft<sup>2</sup>) and not more than 5,575 m<sup>2</sup> (60,000 ft<sup>2</sup>);
- (3) (*Deleted by Bylaw No. 2062*)

**6.69C.03 Density of Development**

- (1) Except as provided in Article (2), the total combined gross floor area in the BP9 zone may not exceed 100 m<sup>2</sup> (1,076 ft<sup>2</sup>);
- (2) Despite Article 6.69C.03(1) there may be more than 100 m<sup>2</sup> (1,076 ft<sup>2</sup>) of combined gross floor area in the BP9 zone if:
  - a) the owner of the land provides to the City a lot of not less than 32,375 m<sup>2</sup> (8 acres) of land in area, in a location and in a condition that is satisfactory to the City's needs, as determined by its Chief Administrative Officer and subject to the following:
    - i) that the owner has prepared the land to be dedicated to the City to a required elevation to accommodate an indoor recreation facility and associated off-street parking wholly outside of the 200-year floodplain as well as a seasonal playing field which may be within the 200-year floorplain;
    - ii) that the owner has entered into an agreement with the City to provide an access route through the easterly portion of the amenity lot to provide emergency access between the BP9 zone and Goldie Avenue, to the satisfaction of the Chief Administrative Officer;
    - iii) that services, including water, municipal sewer, telecom and gas have been provided to the property line to the satisfaction of the Chief Administrative Officer;
    - iv) that the owner has entered into an agreement with the City to construct a multi-use trail adjacent to the Streamside Protection and Enhancement Area (SPEA) within the amenity area and provide permanent split rail fencing to delineate the SPEA to the satisfaction of the City Parks Manager;
  - AND
  - b) the owner has agreed, by way of a s.219 covenant registered in priority over all other charges and in favour of the City, to enter into license agreement satisfactory to the City in regards to the operation of the racetrack until September 15, 2022;
  - AND
  - c) the owner has paid to the City of Langford \$500,000 as a condition of bylaw adoption;
  - AND
  - d) the owner of the land has paid \$750,000 to the City on the earlier of December 30<sup>th</sup>, 2021 or upon confirmation of registration with BC Land Titles (LTO) of Phase 1 of the proposed subdivision of land legally described as Lot A, Sections 2 and 3, Range 3 West, Highland District, Plan VIP53467 Except Plan EPP55578, Lot A, Sections 2 and 3, Range 3 West, Highland District, Plan VIP53467 Except Plans EPP55578 and EPP64255, PID No. 017-612-675, (2207 Millstream Road);
  - AND
  - e) the owner of the land has paid to the City \$1,250,000 on the earlier of: September 30<sup>th</sup>, 2022 or the date when the racetrack is vacated by the licensed operator and development on that portion of the BP9 zone may occur.
- (3) Under no circumstances may the **gross floor area** exceed 3.0.

- (4) The number of **dwelling units** on the lands shown shaded on Schedule “U” may not exceed **150**, unless a **Film Production Studio** has been issued a building permit above the foundation in the BP9 zone, in which case the number of **dwelling units** may exceed 150 provided that the **floor area ratio** does not exceed 4.0. (*Bylaw No. 2062*)

#### **6.69C.04 Subdivision Lot Requirements**

- (1) No **lot** having a **lot area** less than 1,000 m<sup>2</sup> (0.3 ac) may be created by subdivision.
- (2) No **lot** having a **lot width** less than 20 m (66 ft) may be created by subdivision.

#### **6.69C.05 Lot Coverage**

- (1) **Lot coverage** of all **buildings** and **structures** may not be less than 20% and may not exceed 80%.

#### **6.69C.06 Height and Size of Principal Use Buildings**

- (1) No **structure** may exceed a **height** of 32 m (105 ft).
- (2) No building or structure within those lands shown shaded on Schedule “U” may exceed a height of 12 storeys. (*Bylaw No. 2062*)

#### **6.69C.07 Setbacks**

No building or structure may be located:

- (1) Within 4.5 m (14.8 ft) of any **lot line** that **abuts** a Highway;
- (2) Within 6 m (19.7 ft) of any lot line that does not abut a lot in a Business Park or Industrial Zone.

#### **6.69C.08 Landscape Screening**

In addition to the regulations contained in Section 3.21 of this Bylaw, the following regulations apply to landscape screening in the BP9 zone:

- (1) A continuous **landscape and screening area** not less than 2 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 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**.