Section 6.90 – Comprehensive Development 1 – Goldstream Meadows (CD1) Zone

(Replaced by Bylaw No. 1662)

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 m^2 (2,152.8 ft^2) of **gross floor area**;

(j) Bookstore, not exceeding 200 m^2 (2,152.8 ft^2) of **gross floor area**;

(k) **Business support service**;

(l) **Campground**;

(m) **Car wash**;

(n) Carpentry shop, in enclosed **buildings**;

(o) **Catering**; *(Bylaw No. 1962)*

(p) **Charitable facility**; *(Bylaw No. 1962)*

(q) **Community garden**;

(r) **Contractor service**;

(s) **Convenience store**, not exceeding 250 m^2 (2,691 ft^2) of **gross floor area**;

(t) **Cultural facility**; *(Bylaw No. 1962)*

(u) **Electronics sales, service and manufacturing**;

(v) **Equipment sales, service, repair and rental, minor**;

(w) **Film production studio**;

(x) **Financial institution**;

(y) **Fitness centre**;

(z) **Funeral parlour**;

(aa) **Gasoline service station**;

(bb) **Hotel**;

(cc) **Household equipment and appliance service and repair**, in enclosed **buildings**;

(dd) **Industrial use, light**;

(dd) **Licensed premises**;

(ee) **Medical Clinics** and accessory related commercials 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 m^2 (2,152.8 ft^2) of **gross floor area**;

(pp) **Restaurant, drive-through**, not exceeding 200 m^2 (2,152.8 ft^2) 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 m^2 (2,152.8 ft^2) 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) **Secondary suite** in a **one-family dwelling**, subject to Section 3.08; *(Bylaw No. 2183)*

(z) **Townhouse**;

(aa) **Uses accessory** to a **principal use** permitted in this Article; and

(bb) **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 m^2 (2,152.8 ft^2) 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 stablishment**;

(r) **Preschool**;

(s) **Recreation facility, indoor**;

(t) **Restaurant**;

(u) **Retail store**;

(v) **Secondary suite** in a **one-family dwelling**, subject to section 3.08; *(Bylaw No. 2183)*

(w) **Townhouse**;

(x) **Uses accessory** to a **principal use** permitted in this Article; and

(y) **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.

(5) Within that portion of the lands identified as "Area 5 – Multi-Family" on the CD1 Zone Map attached as Schedule "E", the following **uses** and no others are permitted: *(Bylaw No. 1931)*

(a) **Accessory buildings** and **structures**, subject to Section 3.05;

(b) **Apartment**;

(c) **Home Occupation**, subject to Section 3.09**;**

(d) **Uses accessory to a principal use** permitted in this Article; and

(e) **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 $1,000 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 Detatched	0.66
Multi-Family (Townhouses, Attached Housing, Apartment)	0.61

(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.

(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) There may not be more than three (3) **dwelling units** in "Area 5 – Multi-Family" of the CD1 Zone; *(Bylaw No. 1931)*

(6) Despite Article 6.90.02(5), the number of **dwelling units** in "Area 5 – Multi-Family" of the CD1 Zone may exceed three if the owner: *(Bylaw No. 1931)*

(a) Pays to the City the following contributions per **dwelling unit** prior to the issuance fo a Building Permit:

(i) $610 per **dwelling unit** towards the Affordable Housing Reserve Fund;
(ii) $3,660 per **dwelling unit** towards the General Amenity Reserve Fund; and
(iii) Contributions provided pursuant to clauses (i) and (ii) above may be refunded for each unit sold within the City's Attainable Home Ownership Program".

(7) 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;

(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 m^2 (5,005.2 ft^2);

(d) Within "Area 3", the **gross floor area** for retail commercial **uses** may not exceed 1,858 m^2 (20,000 ft^2); and

(e) Within "Area 5", the **floor area ratio** may not exceed 1.5. *(Bylaw No. 1931)*

(8) 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 m^2 (10,763.9 ft^2) 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 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**;

(3) Within "Area 3", the **height** of **one-family dwellings** shall not exceed 6 m (19.7 ft); and

(4) Within "Area 5", the **height** of **buildings** and **structures** shall not exceed six storeys. *(Bylaw No. 1931)*

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 m (3.3 ft); or

(b) Within 0 m (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 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 m (19.7 ft) of any **interior side lot line**; or

(c) Within 10 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**.

(4) **In "Area 5 – Multi-Family":** *(Bylaw No. 1931)*

(a) Within 4.5m 14.8 ft of any **lot line** adjoining Trans Canada Highway.

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 m^2 (645.8 ft^2) or greater in **lot area**; or

(c) 85% for **residential uses** on **lots** less than 60 m^2 (645.8 ft^2) in **lot area**.

(4) **Lot coverage** in "Area 4" may not exceed 35%.

(5) **Lot coverage** in "Area 5" may not exceed 25%. *(Bylaw No. 1931)*

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 m^2 (1,184 ft^2);

(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

(Replaced by Bylaw No. 1662)

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 commercials uses;

(w) **Mini-storage facility**;

(x) **Office**;

(y) On the property legally described as Lot 2, Section 80, Esquimalt District, Plan VIP83598, PID No. 027-183-033 (#136-1047 Langford Parkway) the following uses are also permitted: *(Bylaw No. 1991)*

(a) Pet daycare; and
(b) Pet grooming;

(z) **Parking facility**;

(aa) **Recreation facility, indoor**;

(bb) **Recreation facility, outdoor**;

(cc) **Restaurant** ;

(dd) **Restaurant, drive-through**;

(ee) **Retail store**;

(ff) **School**;

(gg) **Townhouse** ;

(hh) **Training and education facility**;

(ii) **Transportation terminal**;

(jj) **U-brewery**, on land legally described as Lot 2, Section 80, Esquimalt District, Plan VIP83598 (128-1047 Langford Parkway);

(kk) **Unenclosed storage**;

(ll) **Uses accessory** to a **principal use** permitted in this Article;

(mm) **Uses** permitted by Section 3.01 of this Bylaw; and

(nn) **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) **Accessory dormitories** which may include a kitchenette; *(Bylaw No. 2082)*

(c) **Community garden**;

(d) **Group daycare**, subject to Subsection 3.26.02;

(e) **Parking facility**;

(f) **Preschool**;

(g) **Public assembly and entertainment uses**; *(Bylaw No. 2227)*

(h) **Recreation facility, indoor**;

(i) **Recreation facility, outdoor**;

(j) **Restaurant**;

(k) **Uses accessory** to a **principal use** permitted in this Article; and

(l) **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) Deleted. *(Bylaw No. 2273)xxx*

6.91.02 Density of Development

(1) The combined **gross floor area** of all commercial **buildings** on Parcel "A" may not exceed 93 m^2 (1,001 ft^2) **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 m^2 (1,001 ft^2) 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 m^2 (186,215.6 ft^2), 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 m (59.1 ft);

(2) Within Parcel "B", the maximum **height** of **buildings** and **structures** shall not exceed a height of 16 m (52.5 ft);

(3) Townhouses may not be located within 215 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 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 m (19.7 ft) of the northerly boundary of Parcel "B" as shown on Schedule "G"; or

(ii) Within 0 m (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 m^2 (7,480.9 ft^2) may be created by subdivision.

(2) **Residential Areas – Parcel "B"**

(a) No **lot** having a **lot area** less than 1,800 m^2 (19,375 ft^2) may be created by subdivision; and

(b) No **lot** having a **lot width** less than 18 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

(Replaced by Bylaw Nos. 1662 and 2000)

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 m^2 (3,767.4 ft^2) of **gross floor area**;

(g) **Business support service**;

(h) **Catering**;

(i) **Charitable facility**;

(j) **Community garden**;

(k) **Conference and meeting facility;**

(l) **Cultural facility**;

(m) **Equipment sales, service, repair and rental, minor**;

(n) **Film production studio**;

(o) **Financial institution**;

(p) **Financial institution, drive-through**, only on lots abutting Langford Parkway or West Shore Parkway;

(q) **Fitness centre**;

(r) **Group daycare**, subject to Subsection 3.26.02;

(s) Deleted; *(Amended by Bylaw No. 2154, deleted by Bylaw No. 2184)*

(t) **Home occupation**, subject to Section 3.09;

(u) **Hospital**;

(v) **Hotel**;

(w) **Library**;

(x) **Licensed premises**;

(y) **Liquor store**;

(z) **Medical Clinics** and accessory related commercials uses;

(aa) **Office**;

(bb) **Parking facility** in an enclosed building that contains commercial uses on the ground floor facing the front and exterior side lot lines;

(cc) **Personal service establishment**;

(dd) **Place of worship**;

(ee) **Public assembly and entertainment uses**;

(ff) **Recreation facility, indoor**;

(gg) **Recreation facility, outdoor**;

(hh) **Recycling depot**;

(ii) **Research and development facility**;

(jj) **Restaurant**;

(kk) **Restaurant, drive-through**, only on lots abutting Langford Parkway or West Shore Parkway;

(ll) **Retail store**;

(mm) **School**;

(nn) **Townhouse** ;

(oo) **Training and education facility**;

(pp) **Transportation terminal**;

(qq) **Uses accessory** to a **principal use** permitted in this Article;

(rr) **Uses** permitted by Section 3.01 of this Bylaw; and

(ss) **Veterinary practice**, in enclosed **buildings**.

(2) Within those portions of the lands identified as "Area 2 – Single-Family and 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) **Bed and breakfast** in **one-family dwellings** on **lots** of 550 m^2 (5,920.2 ft^2) 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 550 m^2 (5,920 ft^2), which must have a secondary suite, garden suite, or carriage suite in accordance with Section 3.08 unless an amenity contribution is provided in accordance with Section 6.92.03;

(j) **Dwelling, one-family**, on lots with areas less than 550 m^2 (5,920 ft^2) and greater than or equal to 300 m^2 (3,229 ft^2), 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 m^2 (3,229.2 ft^2) which may contain a **secondary suite**, subject to Section 3.08;

(l) **Dwelling, two-family**, on **lots** with **lot areas** greater than 300 m^2 (3,229.2 ft^2) and **lot widths** not less than 10 m (32.8 ft);

(m) **Home occupation**, subject to Section 3.09;

(n) **Place of worship**;

(o) **Recreation facility, indoor**;

(p) **Recreation facility, outdoor**;

(q) **School**;

(r) The following **uses** whenlocated on the ground floor of a multi-family residential **building** with a minimum **height** of four storeys:

(i) **Bakery**, not exceeding 200 m^2 (2150 ft^2) of **gross floor area**;
(ii) **Group day-care**, subject to Subsection 3.26.02;
(iii) **Fitness centre**;
(iv) **Medical clinics** and accessory related commercial uses;
(v) **Office**;
(vi) **Restaurant**;
(vii) **Retail store**;

(s) The keeping of not more than four **boarders** in a **one-family dwelling**;

(t) **Townhouse**;

(u) **Uses accessory** to a **principal use** permitted in this Article; and

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

(3) Within those portions of the lands identified as "Area 3 – Amenity" 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.

(4) Within those portions of the lands identified as "Area 4 – 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) **Apartment,** only when located above permitted business park **uses** on the ground floor of a **building**;

(c) **Automobile rental and sale, major**;

(d) **Automobile rental and sale, minor**;

(e) **Automobile repair and service, major**;

(f) **Automobile repair and service, minor**;

(g) **Bakery**;

(h) **Building and lumber supply store**;

(i) **Business support service**;

(j) **Carpentry shop**;

(k) **Car wash**;

(l) **Catering**;

(m) **Commercial nursery and greenhouse**;

(n) **Contractor service**;

(o) **Electronics sales, service and manufacturing**;

(p) **Equipment sales, service, repair and rental, minor**;

(q) **Film production studio**;

(r) **Financial institution**;

(s) **Financial institution, drive-through**;

(t) **Fitness centre**;

(u) **Garden centre and feed supply store**;

(v) **Green energy and heat production**;

(w) **Group day-care**, subject to Subsection 3.26.02;

(x) **Household equipment and appliance service and repair**;

(y) **Industrial use, light**;

(z) **Medical Clinics** and accessory related commercials uses;

(aa) **Mini-storage facility**;

(bb) **Office**;

(cc) One **caretaker dwelling unit**, in conjunction with a **principal use** permitted in this Section;

(dd) **Recreation facility, indoor**;

(ee) **Recycling depot**;

(ff) **Recycling facility**;

(gg) Rental of goods and equipment, excluding **automobiles, large automobiles** and **recreational vehicles**;

(hh) **Research and development facility**;

(ii) **Restaurant**, not exceeding 200 m^2 (2150 ft^2) of **gross floor area** ;

(jj) **Retail store**, as an **accessory use** limited to a maximum of 10% of the **gross floor area** occupied by a business;

(kk) **Training and education facility**;

(ll) **Uses accessory** to a **principal use** permitted in this Article;

(mm) **Uses** permitted by Section 3.01 of this Bylaw**;**

(nn) **Veterinary practice**, in enclosed buildings; and

(oo) **Warehouse**.

6.92.02 Subdivision Lot Requirements

(1) No **lot** having a **lot area** less than 200 m^2 (2,152.8 ft^2) may be created by subdivision.

(2) No **lot** having a **lot width** less than 9 m (29.5 ft) may be created by subdivision.

(3) No **lot** having a **building envelope** width or depth less than 6 m (19.7 ft) nor a **building envelope** area less than 72 m^2 (775 ft^2) may be created by subdivision.

(4) No **lot** having a **lot area** greater than or equal to 550 m^2 (5,920.2 ft^2) may be created by subdivision having a **lot width** area less than 10 m^2 (32.8 ft^2).

(5) No **lot** having a **lot area** greater than or equal to 550 m^2 (5,920.2 ft^2) may be created by subdivision having a **building envelope** area less than 186 m^2 (2,002.1 ft^2).

(6) Despite Articles 6.92.02(1) to (5), a **lot** having a **lot area** of no less than 70 m^2 (753.5 ft^2) and a **lot width** no less than 4 m (13.1 ft) may be created by subdivision for a **townhouse use**.

6.92.03 Amenity Contributions for One-Family Dwellings with Secondary Suites

(1) Where a **one-family dwelling** on a **lot** with a **lot area** greater than or equal to 550 m^2 (5,920 ft^2) is constructed without a **secondary suite**, **garden suite**, or **carriage suite**, a contribution of $1,000 towards the Affordable Housing Reserve Fund shall be provided prior to the issuance of a Building Permit.

6.92.04 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 m^2 (8,072.9 ft^2).

6.92.05 Density of Development in the CD3 Zone

(1) There may not be more than 2,122 **dwelling units** in the CD3 Zone;

(2) Despite Article 6.92.05(1), land in the CD3 Zone may be developed for more than 2,122 **dwelling units** if the owner of the land proposed to be built upon has provided to the City:

(a) $2,000 per dwelling unit towards the General Amenity Reserve Fund; and

(3) For the purpose of Article 6.92.05(2):

(a) A one-family dwelling on a lot less than 550 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 dwellings units (2x 0.66); and

(c) A multi-family dwelling unit (townhouse or apartment) is deemed equivalent to 0.61 dwelling units.

(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 exceed 10.0;

(ii) The **floor area ratio** may not be less than 0.75;

(iii) Despite article (ii), a **floor area ratio** of less than 0.75 may be constructed if the owner of the land proposed to be built upon has provided to the City $10.75 per m^2 of **floor area** less than that required pursuant to article (ii) towards the General Amenity Reserve Fund;

(iv) Despite articles (ii) and (iii), no more than 20% of Area 1 may have a **floor area ratio** of less than 0.75;

(5) Within "Area 2", the non-residential **gross floor area** may not exceed 6,000 m^2 (64, 583.5 ft^2);

(6) Under no circumstances may the number of **dwelling units** other than **secondary suites**, **garden suites**, or **carriage suites** within Areas 2 and 4 of the CD3 Zone exceed 4,950;

(7) Under no circumstance may the total number of **dwelling units** other than **secondary suites**, **garden suites**, or **carriage suites** within Areas 2 and 4 of the CD3 Zone exceed 4,950;

(8) In this Section, "non-residential **gross floor area**" means **gross floor area** for the **uses** listed in article 6.92.01(2)(r).

6.92.06 Lot Coverage

Within "Area 4", the **lot coverage** of all **buildings** and **structures** may not exceed 60%.

6.92.07 Height and Size of Principal Use Buildings

Within "Area 4", no **building** or **structure** may exceed a **height** of six storeys.

6.92.08 Setbacks

(1) Within “Area 2”, no building or structure may be located:

(i) Within 10 m (32.8 ft) of any **lot line** that **abuts** a **lot** in Area 4;

(2) Within “Area 4”, no building or structure may be located:

(i) Within 3 m (9.8 ft) of any **lot line** that **abuts** a **highway**;

(ii) Within 6 m of any **lot line** that **abuts** the RM2A (Attached Housing) or R2 (One- and Two-Family Residential) Zone.

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 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 4” which **abuts** a **highway**, a **lot in Area 2**, or a **lot** in an **Agricultural**, **Residential**, **Rural Residential**, **Multiple 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. 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

(Replaced by Bylaw Nos. 1662 and 2034)

The intent of the CD4 Zone is to accommodate a mix of residential, commercial, and recreational uses 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) **Accessory buildings** and **structures**, subject to Section 3.05;

(2) **Apartment**;

(3) **Apartment senior citizen**;

(4) **Assisted living**;

(5) **Bakery**, not exceeding 200 m^2 (2,152.8 ft^2) in **gross floor area**;

(6) **Bed and breakfast** in a one-family dwelling subject to Section 3.09;

(7) **Business support service**;

(8) **Charitable facility**;

(9) **Community care facility**;

(10) **Community garden**;

(11) **Cultural facility**;

(12) **Dwelling, one-family**;

(13) **Dwelling, two-family**, subject to Section 3.07;

(14) **Golf course**;

(15) **Golf course, miniature**;

(16) **Golf driving range**;

(17) **Group daycare**; subject to Section 3.26;

(18) **Home occupation**, subject to Section 3.09;

(19) **Hotel**;

(20) **Library**;

(21) **Licensed premises**;

(22) **Liquor store;**

(23) **Medical Clinics** and accessory related commercials uses;

(24) **Office**;

(25) **Personal service establishment**;

(26) **Place of worship**;

(27) **Preschool**;

(28) **Recreation facility, indoor**;

(29) **Recreation facility, outdoor**;

(30) **Restaurant**;

(31) **Retail store**;

(32) **School**;

(33) **Secondary suite** in a **one-family dwelling**, or a **garden suite** or a **carriage suite** as an accessory use to a one-family dwelling, in addordance with Section 3.08;

(34) **Townhouse**;

(35) **Uses accessory** to a **principal use** permitted in this Article; and

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

6.93.02 Subdivision Lot Requirements

(1) No **lot** having a **lot area** less than 550 m^2 may be created by subdivision; *(Bylaw No. 2273)*

(2) Deleted. *(Bylaw No. 2273)*

(3) No **lot** having a **lot area** less than 450 m^2 may be created by subdivision for a commercial use;

(4) Not **lot** having a **lot width** less than 15 m (49.2 ft) may be created by subidivision;

(5) No **lot** having a **building envelope** with a width or depth less than 7 m (23 ft) may be created by subdivision.

6.93.03 Density of Development

(1) There may not be more than 5 dwelling units in the CD4 Zone;

(2) Despite Article 6.93.03(1), there may be more than 5 dwelling units but no more than 461 dwelling units in the CD4 Zone if the owner of the land proposed to be built upon has provided to the City:

(a) $500 per dwelling unit towards the Affordable Housing Reserve Fund; and

(b) A covenant charging the land in CD4 Zone, in terms satisfactory to the City, ensuring that land in an amount equal to at least 40% of the land area within the CD4 Zone, in a location satisfactory to the City, and is used as golf course, dedicated as public land, or protected as covenanted open space;

(3) Despite Articles 6.93.03(1) and (2), land in the CD4 Zone may be developed for more than 461 dwelling units if the owner of the land proposed to be built upon has provided to the City:

(a) $2,000 per dwelling unit towards the General Amenity Reserve Fund; and

(b) $1,000 per dwelling unit towards the Affordable Housing Reserve Fund;

(4) For the purpose of Article 6.93.03(3):

(a) A one-family dwelling on a lot less than 550 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.

(5) Under no circumstances may the number of **one-family dwellings** in the CD4 Zone exceed 500, whether or not the dwellings have **secondary suites**, **garden suites**, or **carriages suites**;

(6) Under no circumstances may the total number of **dwelling units** in the CD4 Zone, other than **secondary suites**, **garden suites**, or **carriage suites**, exceed 1,000;

(7) Under no circumstances may the total number of **hotel** rooms exceed 200;

(8) Provided that all of the requirements of Subsecvtion 6.93.03(2) and (3) have been met, the maximum **floor area ratio** may not exceed:

(a) 0.5, to a maximum of 372 m2 of gross floor area, on a lot containing a one-family dwelling or two-family dwelling;

(b) 2.5 on a lot containing an apartment, apartment – senior citizens, assisted living, hotel, or commercial use;

(c) 0.7 on a lot containing a townhouse use, to a maximum of 223 m^2 of gross floor area per unit.

6.93.04 Lot Coverage

(1) **Lot coverage** of all buildings and structurs on a **lot** containing an **apartment, hotel** or commercial use shall not exceed 80%;

(2) **Lot coverage** of all buildings and **structures** on a **lot** containing a **one-family dwelling** shall not exceed 50% to a maximum total building footprint of 250 m^2;

(3) **Lot coverage** of all buildings and **structures** on a **lot** containing a **two-family dwelling** shall not exceed 60%;

(4) **Lot coverage** of all **buildings** and **structures** on a **lot** containing a **townhouse** use shall not exceed 80%.

6.93.05 Height, Location, and Size of Principal Use Buildings

(1) No **one-family or two-family dwelling** may exceed a height of 10 m (32.8 ft);

(2) **No townhouse building** may exceed a height of three storeys;

(3) **No principal building** or **structure** for an office, hotel, or apartment use shall exceed a height of 12 storeys, exclusive of storeys provided wholly as parking.

6.93.06 Setbacks

(1) No **apartment**, **hotel** or commercial **building** or **structure** may be located:

(a) Within 6 m (19.7 ft) of any **front lot line** or **exterior side lot line**; or

(b) Within 3 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) No **one-family dwelling** or **two-family dwelling** may be located:

(a) Within 3 m (9.8 ft) of any **front lot line**, except that no garage or carport that faces a front lot line may be located within 5.5 m of the front lot line;

(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** that faces an **exterior side lot line** may be located within 5.5 m (18 ft) of the **exterior side lot line**; or

(d) Within 4.5 m (14.8 ft) of any **rear lot line**.

(3) No **townhouse** may be located:

(a) Within 3 m (9.8 ft) of any **front lot line** except that no **garage** or **carport** that faces a **front lot line** may be located within 6 m of the **front lot line**;

(b) Within 4.5 m (14.8 ft) of any **rear lot line**; and

(c) Within 3 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 ft) of the **exterior side lot line**.

6.93.07 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) Commercial parking areas shall be screened from any **abutting** residential or multi-family residential **use** by a **landscape and screening area** at least 1 m in width containing a decorative fence not less than 1.8 m (5.9 ft) in **height**;

(2) All areas of the lot not covered by **buildings**, parking or **structures** shall maximize retention of native planting.

Section 6.95 – Resort Community of Bear Mountain 1 Zone (RCBM1)

(Replaced by Bylaw No. 1662)

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 m^2 (2,152.8 ft^2) of **gross floor** ;

(e) **Bed and breakfast** in a **one-family dwelling**, on **lots** of 550 m^2 (5,920.2 ft^2) 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 commercials 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) **Secondary suite** in a **one-family dwelling**, subject to Section 3.08; *(Bylaw No. 2183)*

(hh) **Townhouse**;

(ii) **Uses accessory** to a **principal use** permitted in this Article; and

(jj) **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 m^2 (9,999.7 ft^2) in **gross floor area**; and

(iv) **Retail store**, with each store not exceeding 200 m^2 (2,152.8 ft^2) 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**, **garden suite**, or **carriage suite** in conjunction with a one-family dwelling, in accordance with Section 3.08; *(Bylaw No. 2183)*

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

(g) The keeping of not more than four **boarders** in a **one-family dwelling**;

(h) **Uses accessory** to a **principal use** permitted in this Article; and

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

In addition, the following **uses** are permitted on **lots** less than 4,047 m^2 (1 acre) in **lot area**, subject to Sections 6.95.03(6) and (7): *(Bylaw No. 2183)*

(j) **Dwelling, two-family**;

(k) **Secondary suite** in a **two-family dwelling**, subject to Section 3.08;

(l) **Townhouse.**

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 m^2 (5,920.2 ft^2) may be created by subdivision..

(3) No **lot** having a **lot width** less than 16 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 m (23 ft) nor a **building envelope** area less than 186 m^2 (2,002.1 ft^2) 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 m^2 (8,987.9 ft^2) for a **two-family dwelling**; and

(b) 1,000 m^2 (10,763.9 ft^2) 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 m^2 (5,920.2 ft^2) and not less than 370 m^2 (3,982.7 ft^2) may be created by subdivision for a **one-family dwelling**, provided that:

(a) The **lot width** is not less than 12 m (39.4 ft); and

(b) The **building envelope** on the **lot** created has a width and depth of at least 7 m (23 ft).

(7) No **lot** having a **lot area** less than 900 m^2 (9,687.5 ft^2) may be used for a commercial, **townhouse** or **apartment use**.

(8) No **lot** having a **lot area** less than 695 m^2 (7,480.9 ft^2) 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 m^2 (8,987.9 ft^2), 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 m^2 (10,763.9 ft^2), if the **gross floor area** of the **dwelling unit** in the **accessory building** does not exceed 74 m^2 (796.5 ft^2) 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 m^2 (3,067.7 ft^2) 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) Within "Area 6" on the RCBM1 Zone Map attached as Schedule "O" a maximum of three **dwelling units** may be permitted on **lots** with **lot areas** less than or equal to 280 m^2, which may be in the following prescribed forms: *(Bylaw No. 2183)*

(a) **One-fmaily dwelling**, which may contain a **secondary suite**; or

(b) **Townhouse; or**

(c) **Two-family dwelling**, of which one unit may contain a **secondary suite**;

(7) Within "Area" 6 on the RCBM1 Zone map attached as Schedule "O" a maximum of four **dwelling units** may be permitted on **lots** with **lot areas** between 281 m^2 and 4,047 m^2 (1 acre), which may be in the following prescribed forms: *(Bylaw No. 2183)*

(a) **One-family dwelling**, which may contain a **secondary suite**; or

(b) **One-family dwelling**, which may contain a **secondary suite** and a detached **garden suite or carriage suite**; or

(c) **Townhouse**; or

(d) **Two-family dwelling**, of which both units may contain a **secondary suite**.

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 tha 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 m^2 (645,834.6 ft^2).

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**, t**wo-family dwelling**, **townhouse** or **apartment** with a maximum of three **dwelling units** may exceed a **height** of 9 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 m (19.7 ft) from any **exterior side lot line**; or

(d) Within 3 m (9.8 ft) of any **interior side lot line** not **abutting** a **golf course**; or

(e) Within 10 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 m^2 (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 m (32.8 ft) of any **rear lot line**; or

(c) Within 3 m (9.8 ft) of any **interior side lot line**; or

(d) Within 10 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 m^2 (5,920.2 ft^2) and less than 2,024 m^2 (0.5 ac), no **one-family dwelling** may be located:

(a) Within 5.5 m (18 ft) of any **front lot line**; or

(b) Within 6 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 ft) of the **exterior side lot line**.

(4) On residential **lots** with **lot areas** greater than or equal to 835 m^2 (8,987.9 ft^2) and less than 2,024 m^2 (0.5 ac), no **two-family dwelling** may be located:

(a) Within 6 m (19.7 ft) of any **front lot line**; or

(b) Within 6 m (19.7 ft) of any **rear lot line**; or

(c) Within 3 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 ft) of the **exterior side lot line**.

Small Lot

(5) On residential **lots** with **lot areas** greater than or equal to 370 m^2 (3,982.7 ft^2) and less than 550 m^2 (5,920.2 ft^2), 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 ft) of the **front lot line**. This minimum **setback** may be reduced to 3 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 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 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 ft) of the **exterior side lot line**.

Townhouse

(6) No **townhouses** may be located:

(a) Within 6 m (19.7 ft) from any **front lot line**; or

(b) Within 10 m (32.8 ft) from any **rear lot line**; or

(c) Within 6 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 m (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 lin**e equal to 0.6 multiplied by the **height** of the **building**, whichever is less; or

(c) Within 10 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 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 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 m (6.6 ft) in which case the exterior side yard **setback** may be reduced to nil; or

(c) Within 6 m (19.7 ft) of any **rear lot line**.

(9) Despite Artice (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 m (19.7 ft) of any **interior side lot line**; or

(b) Within 10 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 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)

(Replaced by Bylaw No. 1662)

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) **Secondary suite** in a **one-family dwelling**, subject to Section 3.08; *(Bylaw No. 2183)*

(n) **Townhouse**;

Resort Commercial and Retail Uses

(o) **Catering**;

(p) **Financial institution**;

(q) **Hotel**;

(r) **Licensed premises**;

(s) **Medical Clinics** and accessory related commercials uses;

(t) **Office**;

(u) **Personal service establishment**;

(v) **Residential hotel**;

(w) **Restaurant**;

(x) **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) **Secondary suite** in a **one-family dwelling**, subject to Section 3.08; *(Bylaw No. 2183)*

(h) **Townhouse**;

(i) **Uses accessory** to a **principal use** permitted in this Article;

(j) **Uses** permitted in Section 3.01 of this Bylaw;

Educational, Cultural, Recreational and Institutional Uses

(k) **Charitable facility**;

(l) **Community garden**;

(m) **Cultural facility**;

(n) **Golf course**;

(o) **Golf course, miniature**;

(p) **Golf driving range**;

(q) Greenhouse, as an **accessory building**;

(r) Outdoor gardening and bee-keeping as **accessory** Uses, subject to Section 3.12;

(s) **Place of worship**;

(t) **Recreation facility, indoor**;

(u) **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) **Secondary suite** in a **one-family dwelling**, subject to Section 3.08; *(Bylaw Nos. 1997 and 2183)*

(h) **Townhouse**;

(i) **Uses accessory** to a **principal use** permitted in this Article;

(j) **Uses** permitted in Section 3.01 of this Bylaw;

Resort Commercial and Retail Uses

(k) **Hotel**;

(l) **Personal service establishment**;

(m) **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;

(n) **Residential hotel**;

(o) **Restaurant**;

(p) **Retail store**;

Educational, Cultural, Recreational and Institutional Uses

(q) **Community care facility**;

(r) **Dormitory**, as an **accessory** Use to a School or institutional Use;

(s) Greenhouse, as an **accessory buildings**;

(t) **Group daycare**, subject to Subsection 3.26.02;

(u) Outdoor gardening and bee-keeping as **accessory** Uses, subject to Section 3.12;

(v) **Place of worship**;

(w) **School**;

(x) **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) **Secondary suite** in a **one-family dwelling**, subject to Section 3.08; *(Bylaw No. 2183)*

(h) **Townhouse**;

(i) **Uses accessory** to a **principal use** permitted in this Article;

(j) **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 m^2 (1,076.4 ft^2) 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 m^2 (5,920.2 ft^2) 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 m^2 (5,920.2 ft^2) may be created by subdivision.

(3) No lot having a **lot width** less than 16 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 m (23 ft) nor a **building envelope** area less than 186 m^2 (2,002.1 ft^2) 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 m^2 (8,987.9 ft^2) for a **two-family dwelling**; and
(b) 1,000 m^2 (10,763.8 ft^2) for an **apartment** with a maximum of three **dwelling unit**s.

(6) Despite Article 6.95A.02(2), a **lot** having a **lot area** less than 550 m^2 (5,920.2 ft^2) and not less than 370 m^2 (3,982.7 ft^2) may be created by subdivision for a **one-family dwelling**, provided that:

(a) The **lot width** is not less than 12 m (39.4 ft); and
(b) The **building envelope** on the **lot** created has a width and depth of at least 7 m (23 ft).

(7) No **lot** having a **lot area** less than 900 m^2 (9,687.5 ft^2) may be used for a commercial **use**, **townhouse** or any type of **apartment use**.

(8) No **lot** having a **lot area** less than 695 m^2 (7,480.9 ft^2) 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 m^2 (3,067.7 ft^2) of **lot area**.

(4) Despite Article 6.95A.03(3), the density of **townhouses** may not exceed one **dwelling unit** per 214 m^2 (2,314.2 ft^2) of lot area on the property legally described as Lot A, Section 82, Highland District, Plan VIP81958, Except Part in Plan EPP42751 (2089 Champions Way). *(Bylaw No. 2096)*

(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.

(6) 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 m^2 (1,076.4 ft^2) 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 m^2 (5920 ft^2) or a **one-family dwelling** on a lot not less than 550 m^2 (5,920 ft^2);

(5) For the purpose of Clauses 6.95.04(2)(a) and (b):

(a) A **one-family dwelling** on a **lot** less than 550 m^2 (5,920.2 ft^2) 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 m^2 (384,917.4 ft^2).

(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) $1,000 per Single Family Equivalent (SFE) toward the Affordable Housing Reserve Fund; and

(b) $6,000 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 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 m (0 ft) from any **front lot line**; or

(2) Within 0 m (0 ft) from any **rear lot line**; or

(3) Within 0 m (0 ft) of any **interior side lot line**; or

(4) Within 0 m (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 m^2 (5,920.2 ft^2) and less than 2,024.00 m^2 (0.5 ac), no **one-family dwelling** may be located:

(a) Within 5.5 m (18 ft) of any **front lot line**; or

(b) Within 6 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 1.5 m (4.9 ft) of any **interior side lot line**, on the lots legally described as Section 83 Highland District Except Parts in Plans VIP75509, VIP77878, VIP78873, VIP80330, VIP82040, VIP82483, VIP82960, VIP88981, VIP88983, EPP33056, EPP80460, EPP68922 and EPP86748 (1991 Bear Mountain Parkway) **and** Section 84 Highland District Except Plans

VIP72556, VIP75509, VIP89370, EPP72419, EPP80460, EPP86748 and EPP101117 (1950 Bear Mountain Parkway; *(Bylaw No. 1997); or*

(e) 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 ft) of the **exterior side lot line**.

(2) On residential **lots** with **lot areas** greater than or equal to 835 m^2 (8,987.9 ft^2) and less than 2,024 m^2 (0.5 ac), no **two-family dwelling** may be located:

(a) Within 5.5 m (18 ft) of any **front lot line**; or

(b) Within 6 m (19.7 ft) of any **rear lot line**; or

(c) Within 3 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 ft) of the **exterior side lot line**.

Small Lot

(3) On residential **lots** with **lot areas** greater than or equal to 370 m^2 (3,982.7 ft^2) and less than 550 m^2 (5,920.2 ft^2), 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 caport** whose vehicle access crosses a **front lot line** may be located within 5.5 m (18 ft) of the **front lot line**. This minimum **setback** may be reduced to 3 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 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 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 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 m^2 (5,920.2 ft^2) and less than 2,024 m^2 (0.5 ac), no **one-family dwelling** may be located:

(a) Within 5.5 m (18 ft) of any **front lot line**; or

(b) Within 6 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 ft) of the **exterior side lot line**.

(2) On residential **lots** with **lot areas** greater than or equal to 835 m^2 (8,987.9 ft^2) and less than 2,024 m^2 (0.5 ac), no **two-family dwelling** may be located:

(a) Within 6 m (19.7 ft) of any **front lot line**; or

(b) Within 6 m (19.7 ft) of any **rear lot line**; or

(c) Within 3 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 ft) of the **exterior side lot line**.

Small Lot

(3) On residential **lots** with **lot areas** greater than or equal to 370 m^2 (3,982.7 ft^2) and less than 550 m^2 (5,920.2 ft^2), 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 ft) of the **front lot line**. This minimum **setback** may be reduced to 3 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 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 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 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 m (19.7 ft) of any **front lot line**; or

(b) Within 10 m (32.8 ft) of any **rear lot line**; or

(c) Within 6 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 m (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 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 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 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 m (6.6 ft) in which case the exterior side yard setback may be reduced to nil; or

(c) Within 6 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 m (19.7 ft) of any **interior side lot line**; or

(b) Within 10 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

(Replaced by Bylaw No. 1662)

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 m^2 (2,152.8ft^2) 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 m^2 (4,483.8 ft^2) for all **restaurants** on the site;

(p) **Restaurant, drive-through**, limited to a total **gross floor area** not exceeding 450 m^2 (4,483.8 ft^2) 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 m^2 (21,527.8 ft^2) may be created by subdivision.

(2) No **lot** having a **lot width** less than 25 m (82 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 m^2 (113,021.1 ft^2).

(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 m^2 (34,982.7 ft^2).

(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 m (49.2 ft) or four storeys.

(2) No **townhouse** or **two-family dwelling** may exceed a **height** of 9 m (29.5 ft).

(3) No commercial **building** may exceed a **height** of 12.2 m (40 ft) or four storeys.

6.96.06 Setbacks

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

(1) Within 2 m (6.6 ft) of the Sooke Road right-of-way; or

(2) Within 3 m (9.8 ft) of the Jacklin Road right-of-way; or

(3) Within 3 m (9.8 ft) of any internal access route; or

(4) Within 6 m (19.7 ft) of any **lot line** common to a **lot** in a **Residential Zone**; or

(5) Within 0 m (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 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

(Replaced by Bylaw No. 1662)

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 m^2 (5,920.2 ft^2) or greater in **lot area** and subject to Section 3.09;

(c) **Community garden**;

(d) Concession stands that are **accessory** to **outdoor recreation** f**acilities** 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**, **garden suite**, or **carriage suite** in conjunction with a one-family dwelling in accordance with Section 3.08; *(Bylaw No. 2183)*

(j) Deleted. *(Bylaw No. 2183)*

(k) The keeping of not more than four **boarders** in a **one-family dwelling** on a **lot** having a **lot area** of 699 m^2 (7,524 ft^2);

(l) The keeping of not more than two **boarders** in a **one-family dwelling** on a **lot** having a **lot area** less than 699 m^2 (7,524 ft^2);

(m) The keeping of not more than one **boarder** in a **one-family dwelling** on a **lot** having a **lot area** less than 550 m^2 (5,920 ft^2);

(n) **Unenclosed storage** of seasonal **recreational vehicles**, on **lots** of 550 m^2 (5,920.2 ft^2) 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.

In addition, the following **uses** are permitted on **lots** less than 4,047 m^2 (1 acre) in **lot area**, subject to Sections 6.97.03(2) and (3): *(Bylaw No. 2183)*

(q) Dwelling, two-family;

(r) Secondary suite in a two-family dwelling, subject to Section 3.08;

(s) Townhouse.

(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 m^2 (5,920.2 ft^2) may be created by subdivision;

(b) No **lot** having a **lot width** less than 16 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 m (23 ft) nor a **building envelope** area less than 186 m^2 (2,002.1 ft^2) 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 m^2 3,229.2 ft^2) may be created by subdivision for a **one-family dwelling**, provided that:

(i) The **lot width** is not less than 9 m (29.5 ft); and

(ii) The **building envelope** on the **lot** created has a width and depth of at least 6 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 m^2 (2,691 ft^2) but not more than 299 m^2 (3,218.4 ft^2) may be created by subdivision for a **one-family dwelling**, provided that the **lot width** is not less than 9 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 m^2 (16,145.9 ft^2) may be created by subdivision.

6.97.03 Density of Development on Individual Lots

(1) There may not be more than one **dwelling unit** on a lot, exclusive of either a **secondary suite**, **garden suite**, or **carriage suite**, unless otherwise specified below or where permitted by Section 6.97.0-1(2). *(Bylaw No. 2183)*

(2) Within "Area 1 – Residential" on the CD8 Zone Map attached as Schedule "Q" a maximum of three **dwelling units** may be permitted on **lots** with **lot areas** less than or equal to 280 m^2, which may be in the following prescribed forms: *(Bylaw No. 2183)*

(a) **One-family dwelling**, which may contain a **secondary suite**; or

(b) **Townhouse**; or

(c) **Two-family dwelling**, of which one unit may contain a **secondary suite**.

(3) Within "Area 1 – Residential" on the CD8 Zone Map attached as Schedule "Q" a maximum of four **dwelling units** may be permitted on **lots** with **lot areas** between 281 m^2 and 4,047 m^2 (1 acre), which may be in the following prescribed forms: *(Bylaw No. 2183)*

(a) **One-family dwelling**, which may contain a **secondary suite**; or

(b) **One-family dwelling**, which may contain a **secondary suite** and a detached **garden suite** or **carriage suite**; or

(c) **Townhouse**; or

(d) **Two-family dwelling**, or which both units may contain a **secondary suite**.

(4) The **gross floor area** of a **principal building** on any **lot** having a **lot area** of not less than 250 m^2 (2,691 ft^2), but not exceeding 299 m^2 (3,218.4 ft^2), shall be between 74 m^2 (796.5 ft^2) and 91 m^2 (979.5 ft^2).

(5) The **gross floor area** of an **accessory building** on any **lot** having a **lot area** of not less than 250 m^2 (2,691 ft^2), but not exceeding 299 m^2 (3,218.4 ft^2), shall not exceed 9.2 m^2 (99 ft^2).

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 m^2 (796.5 ft^2) and 91 m^2 (979.5 ft^2); 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 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 m^2 (3,229.2 ft^2);

(f) There shall be no more than 79 **lots** that have a **lot area** less than 550 m^2 (5,920.2 ft^2); and

(g) No **lot** shall have a **lot area** less than 250 m^2 (2,691 ft^2).

(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 11 m (36.1 ft). *(Bylaw No. 2183)*

(2) Deleted. *(Bylaw No. 2183)*

6.97.06 Setbacks

One-Family Residential Lots

(1) On residential **lots** with **lot areas** greater than or equal to 550 m^2 (5,920.2 ft^2), no **principal building** may be located:

(a) Within 3 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 ft) of the **front property line**; or *(Bylaw No. 2183)*

(b) Within 3 m (9.8 ft) of any **rear lot line**; or *(Bylaw No. 2183)*

(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 ft) of the **exterior side lot line**.

Small Lot

(2) On residential **lots** with **lot areas** greater than or equal to 300 m^2 (3,229.2 ft^2) and less than 550 m^2 (5,920.2 ft^2), no **principal building** may be located:

(a) Within 3 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 ft) of the **front lot line**; or *(Bylaw No. 2183)*

(b) Within 3 m (9.8 ft) of any **rear lot line**; or *(Bylaw No. 2183)*

(c) Within 3 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 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 m^2 (2,691 ft^2) and less than 300 m^2 (3,229.2 ft^2) no **principal building** may be located:

(a) Within 4 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 ft) of the **front lot line**. This minimum **setback** may be reduced to 3 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 m (19.7 ft) of any **rear lot line**; or

(c) Within 3 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 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 m^2 (5,920.2 ft^2), no **accessory building** may be located:

(a) Within 1 m (3.3 ft) of the **principal building**; or

(b) Within 15 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 m (3.3 ft) of any **side lot line**; or

(d) Within 1 m (3.3 ft) of any **rear lot line**.

(5) On residential **lots** with **lot areas** greater than or equal to 250 m^2 (2,691 ft^2) and less than 550 m^2 (5,920.2 ft^2), no **accessory building** may be located:

(a) Within 1 m (3.3 ft) of the **principal building**; or

(b) Within 5.5 m (18 ft) of any **front lot line**; or

(c) Within 1 m (3.3 ft) of any **side lot line**; or

(d) Within 1 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 m (19.7 ft) of any **front lot line**; or

(b) Within 3 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 ft) of the **exterior side lot line**; or

(c) Within 10 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 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

(Replaced by Bylaw No. 1662)

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**; *(Bylaw No. 2273)*

(4) **Dwelling, two-family**, subject to Section 3.07; *(Bylaw No. 2273)*

(5) **Home occupation**, subject to Section 3.09;

(6) **Townhouse**; *(Bylaw No. 2273)*

(7) **Secondary Suite** in a **one-family dwelling**, subject to Section 3.08; *(Bylaw Nos. 1957 and 2183)*

(8) **Uses accessory** to a **principal use** permitted in this Zone; and

(9) **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 m^2 (10,763.9 ft^2) may be created by subdivision. *(Bylaw No. 2273)*

(2) Deleted. *(Bylaw No. 2273)*

(3) Deleted. *(Bylaw No. 2273)*

(4) Deleted. *(Bylaw No. 2273)*

(5) Deleted. *(Bylaw No. 2273)*

(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 shall be 300 m^2 (3,229.2 ft^2) if the owner of the land proposed to be subdivided: *(Bylaw No. 2273)*

(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 m^2 (10,763.9 ft^2) and more than 299 m^2 (3,218.4 ft^2), $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 m^2 (2,906.3ft^2), 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 m^2 (796.5 ft^2) and 91 m^2 (979.5 ft^2), 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) Deleted. *(Bylaw No. 2273)*

(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. *(Bylaw No. 2273)*

6.98.05 Density of Development in the CD9 Zone

(1) There shall be no more than 38 **one-family dwelling lots** in the CD9 Zone. *(Bylaw No. 2273)*

(2) Deleted. *(Bylaw No. 2273)*

(3) There shall be no more than 44 multi-family **dwelling units** in the CD9 Zone.

(4) No **lot** in the CD9 Zone shall have a **lot area** less than 270 m^2 (2,906.3 ft^2).

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 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 ft) of the **front lot line**. This minimum **setback** may be reduced to 3 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 m (19.7 ft) of any **rear lot line**; or

(c) Within 3 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 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 are**as greater than or equal to 270 m^2 (2,906.3 ft^2) and less than 300 m^2 (3,229.2 ft^2), and that are subject to a housing agreement under Clause 6.98.02(7)(b), no **principal building** may be located within 4 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 m (19.7 ft) of any **front lot line**; or

(b) Within 10 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 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 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 Deleted. *(Bylaw No. 2273)*

Section 6.99 – Comprehensive Development – Boulder Ridge (CD10) Zone

(Replaced by Bylaw No. 1662)

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 m^2 (1,001 ft^2) 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).

(e) **Secondary suite** in a **one-family dwelling**, subject to Section 3.08; *(Bylaw No. 2183)*

(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) Deleted. *(Bylaw No. 2273)*

(e) **Dwelling, two-family suite** in a **one-family dwelling**, subject to Section 3.08; *(Bylaw No. 2183)*

(f) **Dwelling, two-family**; *(Bylaw No. 2273)*

(g) **Townhouse**; *(Bylaw No. 2273)*

(h) **Uses accessory** to a **principal use** permitted in this Article; and

(i) **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) **Secondary suite** in a **one-family dwelling**, subject to Section 3.08; *(Bylaw No. 2183)*

(g) **Townhouse**;

(h) **Uses accessory** to a **principal use** permitted in this Article; and

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

(4) Within that portion of the lands identified as "Area 4 – **Apartment**s", 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) **Secondary suite** in a **one-family dwelling**, subject to Section 3.08; *(Bylaw No. 2183)*

(l) **Townhouse**;

(m) **Uses accessory** to a **principal use** permitted in this Article;

(n) **Uses** permitted by Section 3.01 of this Bylaw; and

(o) **Veterinary practice**, in enclosed **buildings**.

6.99.02 Subdivision Lot Requirements

(1) No **lot** having a **lot area** less than 850 m^2 (9,149.3 ft^2) may be created by subdivision.

(2) No **lot** having a **lot width** less than 16 m (52.5 ft) may be created by subdivision.

(3) No **lot** having a **building envelope** width or depth of less than 7 m (23 ft) nor a **building envelope** area of less than 186 m^2 (2,002.1 ft^2) 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 m^2 (26,909.8 ft^2) in **lot area**.

(2) The **gross floor area** of an **accessory building** on any **lot** shall not exceed 9.2 m^2 (99 ft^2).

(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 m^2 (807.3 ft^2), 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 m^2 (462.9 ft^2).

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.

(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.

(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 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 m (32.8 ft) or two storeys, whichever is less.

(3) No **apartment building** may exceed a **height** of 15 m (49.2 ft).

(4) No mixed use commercial **buildings** may exceed a **height** of 10 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 m (29.5 ft) of any **front lot line**; or

(b) Within 5 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 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 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 ft) of the **front lot line**; or

(b) Within 5 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 ft) of the **exterior side lot line**.

Accessory Buildings

(4) No **building accessory** to a community institutional **use** may be located:

(a) Within 1 m (3.3 ft) of the **principal building**; or

(b) Within 15 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 m (3.3 ft) of any **side lot line**; or

(d) Within 1 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 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

(Replaced by Bylaw No. 1662)

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 m^2 (5,920.2 ft^2) 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 300 m^2 (3,2299 ft^2) and a **lot width** not less than 10 m (33 ft); *(Bylaw No. 1864)*

(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**, subject to Section 3.08; *(Bylaw No. 2183)*

(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 m^2 (5,920.2 ft^2), 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 m^2 (2,368.1 ft^2) 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 commercials 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 6.101.01(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 and 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 commercials 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 nstitution**;

(i) **Financial institution, drive-through**;

(j) **Gasoline service station**;

(k) **Hotel**;

(l) **Medical Clinics** and accessory related commercials 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 m^2 (2,152.8 ft^2) or a **lot width** less than 6 m (19.7 ft) may be created by subdivision;

(b) No **lot** with a **lot area** greater than, or equal to 550 m^2 (5,920.2 ft^2) may be created having a **lot width** less than 10 m (32.8 ft); and

(c) Despite Clause 6.101.02(1)(a), a **lot** having a **lot area** of no less than 70 m^2 (753.5 ft^2) and a **lot width** no less than 4 m (13.1 ft) may be created by subdivision for a **townhouse use**.

(2) In Areas V (a and b) and VI:

(a) No **lot** having a **lot area** less than 695 m^2 (7,480.9 ft^2) may be created by subdivision; and

(b) No **lot** having a **lot width** less than 16 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 m^2 (8,072.9 ft^2).

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 m^2 (5,920.2 ft^2) or a **one-family dwelling** on a **lot** not less than 550 m^2 (5,920.2 ft^2).

(6) For the purpose of Article 6.101.04(3):

(a) A **one-family dwelling** on a **lot** less than 550 m^2 (5,920.2 ft^2) 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 and 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 m^2 (6,458.3 ft^2) of **gross floor area**; and

ii. The **floor area ratio** may not exceed 7.0.

(c) Within Areas IV and V(a) the combined **gross floor area** for **uses** other than **residential uses** may not exceed 6,000 m^2 (64,583.5 ft^2);

(d) Within Area V(b) the **gross floor area** for **uses** other than **residential uses** may not exceed 1,000 m^2 (10,763.9 ft^2);

(e) Within Area VI, the **floor area ratio** may not exceed 7.0; and

(f) Within Area V (a and 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 and 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) *(Deleted by Bylaw No. 1943)*

(3) Within Area V (a and b) and VI, the **height** of **principal use buildings** may not exceed four storeys.

6.101.07 Setbacks

Within Area V (a and 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 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 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 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 m (9.8 ft) wide must be provided along the developed portion of each **lot** in Area V (a and b) and VI which **abuts** a **highway**, and a continuous **landscape and screening area** not less than 3 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 and 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

(Replaced by Bylaw No. 1662)

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 m^2 (5,920.2 ft^2) 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** in conjunction with a one-family dwelling, in accordance with Section 3.08; *(Bylaw No. 2183)*

(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 m^2 (5,920.2 ft^2), or not more than one **boarder** in a **one-family dwelling** located on a **lot** having a **lot area** less than 550 m^2 (5,920.2 ft^2);

(11) **Uses accessory** to a **principal use** permitted in this **Zone**; and

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

In addition, the following uses are permitted on lots less than 4,047 m^2 (1 acre) in **lot area**, subject to Sections 6.102.03(2) and (3): *(Bylaw No. 2183)*

(13) **Dwelling, two-family;**

(14) **Secondary suite** in a **two-family dwelling**, subject to Section 3.08; *(Bylaw No. 2183)*

(15) **Townhouse**.

6.102.02 Subdivision Lot Requirements in the CD13 Zone

(1) A **lot** having a **lot area** of 850 m^2 (9,149.3 ft^2) or greater may be created by subdivision for a **one-family dwelling**, provided that:

(a) The **lot width** is not less than 18 m (59.1 ft); and

(b) The **building envelope** width or depth is not less than 14 m (45.9 ft).

(2) A **lot** having a **lot area** of between 550 m^2 (5,920.2 ft^2) and 850 m^2 (9,149.3ft^2) may be created by subdivision for a **one-family** d**welling** , provided that:

(a) The **lot width** is not less than 16 m (52.5 ft); and

(b) The **building envelope** on the **lot** created has a width or depth no less than 7 m (23 ft) nor a **building envelope** area less than 186 m^2 (2,002.1 ft^2).

(3) A **lot** having a **lot area** of between 220 m^2 (2,368.1 ft^2) and 550 m^2 (5,920.2 ft^2) may be created by subdivision for a **one-family dwelling**, provided that:

(a) The **lot width** is not less than 9 m (29.5 ft); and

(b) The **building envelope** on the **lot** created has a width or depth no less than 6 m (19.7 ft) nor a **building envelope** area of less than 74 m^2 (796.5 ft^2).

6.102.03 Density of Development on Individual Lots

(1) There may not be more than one **dwelling unit** on a lot, exclusive of either a **secondary suite**, **garden suite**, or **carriage suite**, unless otherwise specified below. *(Bylaw No. 2183)*

(2) Deleted. *(Bylaw No. 2183)*

(3) A maximum of three **dwelling units** may be permitted on **lots** with **lot areas** less than or equal to 280 m^2, which may be in the following prescribed forms: *(Bylaw No. 2183)*

(a) **One-family dwelling**, which may contain a **secondary suite**; or

(b) **Townhouse**; or

(c) **Two-family dwelling**, of which one unit may contain a **secondary suite**;

(4) A maximum of four **dwelling units** may be permitted on **lots** with **lot areas** between 281 m^2 and 4,047 m^2 (1 acre), which may be in the following prescribed forms: *(Bylaw No. 2183)*

(a) **One-family dwelling**, which may contain a **secondary suite**; or

(b) **One-family dwelling**, which may contain a **secondary suite** and a detached **garden suite** or **carriage suite**; or

(c) **Townhouse**; or

(d) **Two-family dwelling**, of which both units may contain a **secondary suite**.

6.102.04 Density of Development in the CD13 Zone

(1) No **lot** having a **lot area** less than 850 m^2 (9,149.3ft^2) 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 m^2 (2,368.1 ft^2), 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 m^2 (2,368.1 ft^2) 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 m^2 (893.4 ft^2), 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 84, Esquimalt District, Plan 21772; Lot 4, Section 84, Esquimalt District, Plan 21772 (923, 927, 931 Walfred Road)	(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; (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 m^2 **lot area** for each **lot** smaller than 500 m^2 (5,920.2 ft^2); $2.29 per m^2 **lot area** for each **lot** larger than or equal to 550 m^2 (5,920.2 ft^2); towards the General Amenity Reserve Fund.

(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 m^2 (73,571.3 ft^2) 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 m^2 (5,920.2 ft^2).

(7) No **lot** shall have a **lot area** less than 220 m^2 (2,368.1 ft^2).

6.102.05 Height and Size of Principal Use Buildings

(1) No **building** or **structure** may exceed a **height** of 11 m (36.1 ft). *(Bylaw No. 2183)*

(2) Despite Article 3.05.02(3), an **accessory building** on a **lot** greater than 550 m^2 (5,920.2 ft^2) 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 m^2 (5,920.2 ft^2), no **principal building** may be located:

(a) Within 3 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 ft) of the **front lot line**; or *(Bylaw No. 2183)*

(b) Within 3 m (9.8 ft) of any **rear lot line**; or *(Bylaw No. 2183)*

(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 ft) of the **exterior side lot line**.

Small Lots

(2) On **residential lots** with **lot areas** greater than or equal to 220 m^2 (2,368.1ft^2) and less than 550 m^2 (5,920.2ft^2), no **principal building** may be located:

(a) Within 3 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 ft) of the **front lot line**; or

(b) Within 3 m (18 ft) of any **rear lot line**; or *(Bylaw No. 2183)*

(c) Within 2 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 ft) of the **exterior side lot line**; or *(Bylaw No. 1581)*

(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 m^2 (5,920.2 ft^2), no **accessory building** may be located:

(a) Within 1 m (3.3 ft) of the **principal building**; or

(b) Within 15 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 m (3.3 ft) of any **side lot line**; or

(d) Within 1 m (3.3 ft) of any **rear lot line**.

(4) On **residential lots** with **lot areas** greater than or equal to 220 m^2 (2,368.1 ft^2) and less than 550 m^2 (5,920.2 ft^2), no **accessory building** may be located:

(a) Within 1 m (3 ft) of the **principal building**; or

(b) Within 5.5m (18 ft) of any **front lot line**; or

(c) Within 1 m (3.3 ft) of any **side lot line**; or

(d) Within 1 m (3.3 ft) of any **rear lot line**.

6.102.07 Lot Coverage

(1) Lot coverage of all buildings or structures may not exceed 50%. *(Bylaw No. 2183)*

(2) Deleted. *(Bylaw No. 2183)*

Section 6.103 – Comprehensive Development 14 – Hazelwood/Luxton (CD14) Zone

(Replaced by Bylaw No. 1662)

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 m^2 (9,149.3 ft^2), subject to Section 3.07;

(6) **Garden suite** or **carriage suite** in conjunction with a one-family dwelling on lots greater than or equal to 300 m^2 (3,229.2 ft^2), in accordance with Section 3.08; *(Bylaw No. 2183)*

(7) **Group daycare**, subject to Subsection 3.26.02;

(8) **Home occupation**, subject to Section 3.09;

(9) 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);

(10) **Secondary suite** in a **one-family dwelling**, subject to Section 3.08; *(Bylaw No. 2183)*

(11) The keeping of not more than two **boarders** in a **one-family dwelling** located on a **lot** having a **lot area** more than 550 m^2 (5,920.2 ft^2), or not more than one **boarder** in a **one-family dwelling** located on a **lot** having a **lot area** less than 550 m^2 (5,920.2 ft^2);

(12) **Uses accessory** to a **principal use** permitted in this Zone; and

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

In addition, the following **uses** are permitted on **lots** less than 4,047 m^2 (1 acre) in **lot area**, subject to Sections 6.103.03(2) and (3): *(Bylaw No. 2183)*

(14) **Dwelling, two-family**;

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

(16) **Townhouse.**

6.103.02 Subdivision Lot Requirements in the CD14 Zone

(1) A **lot** having a **lot area** of 850 m^2 (9,149.3 ft^2) 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 m (59.1 ft); and

(b) The **building envelope** width or depth is not less than 14 m (45.9 ft).

(2) A **lot** having a **lot area** of not less than 220 m^2 (2,368.1 ft^2) and not greater than 850 m^2 (9,149.3 ft^2) may be created by subdivision for a **one-family dwelling**, provided that:

(a) The **lot width** is not less than 9 m (29.5 ft); and

(b) The **building envelope** on the **lot** created has a width or depth no less than 6 m (19.7 ft) nor a **building envelope** area of less than 74 m^2 (796.5 ft^2).

(3) A **lot** having a **lot area** of 700 m^2 (7,534.7ft^2) or greater may be created by subdivision for a **multi-family residential use**, provided that the **lot width** is not less than 25 m (82 ft).

(4) No **lot** shall have a **lot area** less than 220 m^2 (2,368.1 ft^2).

(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 m (26.3 ft); and

(b) A **building envelope** width or depth of no less than 5 m (16.4 ft), and a **building envelope** area of no less than 70 m^2 (753.5 ft^2).

6.103.03 Density of Development on Individual Lots

(1) There may not be more than one **dwelling unit** on a lot, exclusive of either a **secondary suite**, **garden suite,** or **carriage suite**, unless otherwise specified below or where permitted by Sections 6.103.01(5) and (8). *(Bylaw No. 2183)*

(2) A maximum of three **dwelling units** may be permitted on **lots** with **lot areas** less than or equal to 280 m^2, which may be in the following prescribed forms: *(Bylaw No. 2183)*

(a) **One-family dwelling**, which may contain a **secondary suite**; or

(b) **Townhouse**; or

(c) **Two-family dwelling**, of which one unit may contain a **secondary suite**;

(3) A maximum of four **dwelling units** may be permitted on **lots** with **lot areas** between 281 m^2 and 4,047 m^2 (1 acre), which may be in the following prescribed forms: *(Bylaw No. 2183)*

(a) **One-family dwelling**, which may contain a **secondary suite**, or

(b) **One-family dwelling**, which may contain a **secondary suite** and a detached **garden suite** or **carriage suite**; or

(c) **Townhouse**; or

(d) **Two-family dwelling**, of which both units may contain a **secondary suite**.

6.103.04 Density of Development in the CD14 Zone

(1) No **lot** having a **lot area** less than 850 m^2 (9,149.3 ft^2) 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 m^2 (2,368.1 ft^2) or 700 m^2 (7,534.7 ft^2) 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 m^2 (2,368.1 ft^2) 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 m^2 (796.5 ft^2) **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 and 2, Section 87 and 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 m^2 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 m^2 of **lot area** for **one-family dwelling** and $6.10 per m^2 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 m^2 of **lot area** towards the General Amenity Reserve Fund.
• Lot 8, Block 3, Section 86, Metchosin district, Plan 1718 (1017 Marwood Avenue)	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 **structure** may exceed a **height** of 11 m (36.1 ft). *(Bylaw No. 2183)*

(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 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 ft) of the **front lot line**; or

(b) Within 3 m (9.8 ft) of any **rear lot line**; or *(Bylaw No. 2183)*

(c) Within 3 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 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 m (9.8 ft) of any **front lot line**; or

ii. Within 3 m (9.8 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 ft) of the **rear lot line**; or *(Bylaw No. 2183)*

iii. Within 3 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 m (9.8 ft) of any **front lot line**; or

ii. Within 3 m (9.8 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 ft) of the **rear lot line**; or *(Bylaw No. 2183)*

iii. Within 3 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 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 m (16.4 ft) of the **principal building**; or

(b) Within 5.5 m (18 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

(Replaced by Bylaw No. 1662)

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**, **garden suite**, or **carriage suite** in conjunction with a one-family dwelling, in accordance with Section 3.08; *(Bylaw No. 2183)*

(9) Deleted. *(Bylaw No. 2183)*

(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 m^2 (5,920.2 ft^2);

(11) The keeping of not more than one **boarder** in a **one-family dwelling** on **lots** with **lot ar**eas less than 550 m^2 (5,920.2 ft^2), 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 m^2 (3,229.2 ft^2) may be created by subdivision.

(2) No **lot** having a **lot width** less than 13 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 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 m (42.7 ft) but no less than 12 m (39.4 ft), provided that the **lot area** is less than 550 m^2 (5,920.2 ft^2).

(5) Despite Articles 6.104.02(1) and (2), no **lot** having a **lot area** of less than 100 m^2 (1,076.4 ft^2) or a **lot width** less than 5 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 theCD15 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)	a) $1,000 towards the Affordable Housing Reserve Fund per one-family **lot** created with a **lot area** of 550 m^2 (5,920 ft^2) or greater; b) $6,000 towards the General Amenity Reserve Fund per one-family **lot** created with a **lot area** of 550 m^2 (5,920 ft^2) or greater; c) $660 towards the Affordable Housing Reserve Fund per one-family **lot** created with a **lot area** less than 550 m^2 (5,920 ft^2); d) $3,960 towards the General Amenity Reserve Fund per one-family **lot** created with a **lot area** less than 550 m^2 (5,920 ft^2); e) $610 towards the Affordable Housing Reserve Fund per **townhouse** or **two-family dwelling unit**; f) $3,660 towards the General Amenity Reserve Fund per **townhouse** or **two-family dwelling unit**;

(a) Pays to the City $200,000 towards the General Amenity Reserve Fund prior to October 30, 2014;

(b) 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 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 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 ft) of the **front line**; or

(b) Within 1.5 m (4.9 ft) of any **interior side lot line**; or

(c) Within 3 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 ft) of the **exterior side line**; or

(d) Within 6 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 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 ft) of the **front lot line**; or

(b) Within 3 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 ft) of the **exterior side lot line**; or

(c) Within 4 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 m (3.3 ft) of the **principal building**; or

(b) Within 5.8 m (19 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

(Replaced by Bylaw No. 1662)

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 I – 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 m^2 (3,229.2 ft^2);

(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; *(Bylaw No. 2183)*

(i) **Suite, carriage** subject to Section 3.08, on **lots** with **lot areas** greater than or equal to 310 m^2 (3,336.8 ft^2);

(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 I – 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 m^2 (2,475.7 $ft^{2)}$;

(ii) Lot width less than 9 m (29.5 ft);

(iii) Building envelope width or depth less than 6 m (19.7 ft); and

(iv) Building **envelope** area less than 74 m^2 (796.5 ft^2);

(b) No **lot** for a **two-family dwelling** may be created by subdivision having a **lot area** less than 460 m^2 (4,951.4 ft^2) or a **lot width** less than 18 m (59.1 ft); and

(c) No **lot** for a **townhouse** may be created by subdivision having a **lot area** less than 100 m^2 (1,076.4 ft^2) or a **lot width** less than 5 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 m^2 (1,076.4 ft^2) 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 **dwellings 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 amound 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 m^2 (2.5 ac) of land dedication.
Lot 1, Sections 84 and 85, Metchosin District, Plan EPP40253 (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; 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 m^2 (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
Level 1	10%
Level 2	15%
Level 3	25%
Level 4	50%

6.107.04 Height and Size of Principal Use Buildings

No **principal building** may exceed a **height** of 9 m (29.5 ft).

6.107.05 Setbacks

Principal Use Buildings

(1) No **principal building** may be located:

(a) Within 3 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 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 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 ft) of the **exterior side lot line**; or

(d) Within 5.5 m (18 ft) of any **rear lot line**.

Carriage Suite

(2) No **carriage suite** may be located:

(a) Within 5 m (16.4 ft) of the **principal building**; or

(b) Within 5.8 m (19 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

(Replaced by Bylaw No. 1662)

The intent of the CD20 Zone is to accommodate residential and related uses.

6.109.01 Permitted Uses

(1) Within those portions of the lands identified as "Area I" 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; *(Bylaw No. 2183)*

(i) **Townhouse**;

(j) **Uses accessory** to a **principal use** permitted in this Article; and

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

(2) 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; *(Bylaw No. 2183)*

(j) **Townhouse**;

(k) **Uses accessory** to a **principal use** permitted in this Article; and

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

(3) 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) **Secondary suite**, **garden suite**, or **carriage suite** in conjunction with a one-family dwelling, on accordance with Section 3.08; *(Bylaw No. 2183)*

(f) **Uses accessory** to a **principal use** permitted in this Article; and

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

In addition, the following **uses** are permitted on **lots** less than 4,047 m^2 (1 acre) in **lot area** subject to Sections 6.109.03(4) and (5): *(Bylaw No. 2183)*

(h) **Dwelling, two-family**;

(i) **Secondary suite** in a **two-family dwelling**, subject to Section 3.08;

(j) **Townhouse**.

(4) 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**, **garden suite**, or **carriage suite** in conjunction with a one-family dwelling, in accordance with Section 3.08; *(Bylaw No. 2183)*

(f) **Uses accessory** to a **principal use** permitted in this Article; and

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

In addition, the following **uses** are permitted on **lots** less than 4,047 m^2 (1 acre) in **lot area**, subject to Sections 6.109.03(04) and (5). *(Bylaw No. 2183)*

(h) **Dwelling, two-family**;

(i) **Secondary suite** in a **two-family dwelling**, subject to Section 3.08;

(j) **Townhouse**.

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 m^2 (3,229.2 ft^2) or a **lot width** less than 9 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 m^2 (1,076.4 ft^2) or a **lot width** less than 5 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 m^2 (3,229.2 ft^2) or a **lot width** less than 9 m (29.5 ft) may be created by subdivision for a **one-family dwelling**;

(b) No **lot** having a **lot area** less than 100 m^2 (1,076.4 ft^2) or a **lot width** less than 5 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 m^2 (7,480.9 ft^2) 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 m2 (4,305.6 ft2) or a width less than 9 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 m^2 (14,789.6 ft^2) 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. The maximum SFE in each "Area" identified on the CD20 Zone Map attached as Schedule "AG" are as follows: *(Bylaw No. 1920)*

(a) Area 1 – 36.68 SFE;

(b) Area 2 – 21.0 SFE; and

(c) Areas 3 and 4 – 2.32 SFE.

(2) Despite Article 6.109.03(1)(a), there may be more than 36.68 SFE in Area 1 of the CD20 Zone if the owner of the land proposed to be built upon: *(Bylaw No. 1920)*

(a) Pays to the City $90,000 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, and two-family dwellings; and

(b) Pays to the City the amount specified in Table 1 below, prior to subdivision approval for **one-family dwellings** and prior to the issuance of a Building Permit for **townhouse** and **two-family dwellings**:

Table 1 – Amenity Contributions *(Bylaw No. 1920)*

a) $5,400 per one-family **lot** greater than or equal to 550 m^2 (5,920 ft^2) towards the General Amenity Reserve Fund;
b) $3,564 per one-family **lot** less than 550 m^2 (5,920 ft^2) towards the General Amenity Reserve Fund;
c) $3,294 per **townhouse**, **two-family dwelling** or **apartment dwelling unit** towards the General Amenity Reserve Fund;
d) $900 per one-family **lot** greater than or equal to 550 m^2 (5,920 ft^2) towards the Affordable Housing Reserve Fund;
e) $594 per one-family **lot** less than 550 m^2 (5,920 ft^2) towards the Affordable Housing Reserve Fund; and
f) $549 per **townhouse**, **two-family dwelling** or **apartment dwelling unit** towards the Affordable Housing Reserve Fund

(3) Despite Article 6.109.03(1)(b), there may be more than 21.0 SFE in Area 2 of the CD20 Zone if the owner of the land proposed to be built upon: *(Bylaw No. 1920)*

(a) Pays to the City $60,000 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 Table 1 below, prior to subdivision approval for one-family dwellings and prior to the issuance of a Building Permit for townhouses, two-family dwellings and apartments.

Table 2 – Amenity Contribution Reductions

Overall Green Development Checklist Project Rating	% Reduction to the Required Contributions Specified in the Amenity Contribution Policy
Level 2	15%
Level 3	25%
Level 4	50%

(4) Within "Area 3" and "Area 4" on the CD20 Zone Map attached as Schedule "AG", a maximum of three **dwelling units** may be permitted on **lots** with **lot areas** less than or equal to 280 m^2, which may be in the following prescribed forms: *(Bylaw No. 2183)*

(a) **One-family dwelling**, which may contain a **secondary suite**; or

(b) **Townhouse**; or

(c) **Two-family dwelling**, of which one unit may contain a **secondary suite**.

(5) Within "Area 3" and "Area 4" on the CD20 Zone Map attached as Schedule "AG", a maximum of four **dwelling units** may be permitted on **lots** with **lot areas** between 281 m^2 and 4,047 m^2 (1 acre), which may be in the following prescribed forms:

(a) **One-family dwelling**, which may contain a **secondary suite**; or

(b) **One-family dwelling**, which may contain a **secondary suite** and a detached **garden suite** or **carriage suite**, or

(c) **Townhouse**; or

(d) **Two-family dwelling**, of which both units may contain a **secondary suite**.

(6) 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".

(7) 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".

(8) 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".

(9) 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 m^2 (5,920 ft^2) in **lot area** = 1.0 SFE;

(b) A **one-family dwelling** on a **lot** less than 550 m^2 (5,920 ft^2) 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 **building** or **structure** may exceed a **height** of 11 m (36.1 ft). *(Bylaw No. 2183)*

(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 m^2 (5,920 ft^2) or greater may be located:

(a) Within 3 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 ft) of the **front lot line**; *(Bylaw No. 2183)*

(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 ft) of the **exterior side lot line**; or

(d) Within 3 m (9.8 ft) of any **rear lot line**. *(Bylaw No. 2183)*

(2) No **one-family dwelling** on a **lot** with a **lot area** less than 550 m^2 (5,920 ft^2) may be located:

(a) Within 3 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 ft) of the **front lot line**; or *(Bylaw No. 2183)*

(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 ft) of the **exterior side lot line**; or

(d) Within 3 m (9.8 ft) of any **rear lot line**. *(Bylaw No. 2183)*

(3) No **townhouse** or **two-family dwelling** may be located:

(a) Within 3 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 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 **garageor carport** whose vehicle access crosses an **exterior side lot line** may be located within 5.5 m (18 ft) of the **exterior side lot line**; or

(d) Within 6 m (19.7 ft) of any **rear lot line**.

(4) No **apartment building** may be located:

(a) Within 3 m (9.8 ft) of any **front lot line**; or

(b) Within 3 m (9.8 ft) of any **interior side lot line**; or

(c) Within 3 m (9.8 ft) of any **exterior side lot line**; or

(d) Within 6 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

(Replaced by Bylaw No. 1662)

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**, subject to Section 3.08; *(Bylaw No. 2183)*

(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 m^2 (2,368.1 ft^2) may be created by subdivision, provided that: *(Bylaw No. 2273)*

(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 ft).

(2) Deleted. *(Bylaw No. 2273)*

6.110.03 Density of Development on Individual Lots

(1) There may not be more than one **residential building** on a **lot**. *(Bylaw No. 2273)*

(2) Deleted. *(Bylaw No. 2273)*

6.110.04 Deleted. *(Bylaw No. 2273)*

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 m^2 (4,843.8 ft^2) 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 m^2 (4,843.8 ft^2) may exceed a **height** of 9 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 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 ft) of the front lot line; or

(b) Within 3 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 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 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 ft) of the **front lot line**; or

(b) Within 3 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 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 ft) of the **exterior side lot line**.