CITY OF LANGFORD

BYLAW NO. 300

A BYLAW TO REGULATE THE USE OF LAND, BUILDINGS, AND STRUCTURES AND THE PROVISION OF PARKING AND LOADING SPACES, SCREENING, AND LANDSCAPING

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

1. **Adoption of Regulations**
   
   The document entitled “Langford Zoning Bylaw”, annexed hereto and marked as Schedules A, B, C, D, E, and F to Bylaw No. 300, is adopted as regulations pursuant to sections 903, 904, 906, 909, and 946 of the Local Government Act.

2. **Repeal**
   
   “Langford Zoning Bylaw No. 980, 1981” is repealed.

3. **Citation**
   
   This Bylaw may be cited for all purposes as “Langford Zoning Bylaw, 1999”.

READ A FIRST TIME this 18th day of January, 1999.
PUBLIC HEARING held this 20th day of January, 1999.
READ A SECOND TIME this 20th day of January, 1999.
READ A THIRD TIME this 20th day of January, 1999.
MINISTRY OF TRANSPORTATION APPROVAL this 2nd day of February, 1999.
ADOPTED this 15th day of February, 1999.

___________________________________  ___________________________________
MAYOR                             CLERK-ADMINISTRATOR

Adopted:  15 Feb 99
Consolidated: 2 Dec 19
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¹ Bylaw No. 1201 contains all the Design Guidelines and is a separate document.
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## List of Amendments
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Schedule “A” to

Zoning Bylaw No. 300

Adopted 15 February 1999
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Part 1
INTERPRETATION

Section 1.01 – Definitions

1.01.01 In this Bylaw:

“Accessory” in relation to a use, building or structure means something that is incidental, secondary and devoted to a principal use, building or structure expressly permitted by this Bylaw on the same lot and in addition to this may include uses which are accessory to other permitted uses on other properties. An accessory use also includes a structure or structures located on the common property in a bare land strata lot in that strata plan, but specifically excludes heat pumps, gas meters and propane tanks located on common property in a bare land strata plan that are affixed to a building or structure on a lot in a bare land strata plan by way of plumbing or other duct work; (Bylaw 968; Replaced by Bylaw 1570)

“Agricultural Vehicle” means a vehicle used exclusively in the conduct of an agricultural use, but does not include a vehicle used primarily for the transportation of persons or property on a highway;

“Agricultural Zone” means any zone with a short form starting with “AG”;

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

“Amenity Space” means any indoor area within a multiple-family residential building or development that is intended to provide additional recreational space specifically, but not necessarily exclusively, intended for the use of the residents of the a multiple-family residential building or development. Examples of an amenity space include: children’s play area, games room, pool, or hobby room; (Bylaw 445)

“Animal Hospital” means any building in which animals are medicinally treated or hospitalized;

“Apartment” means a building divided into not less than three dwelling units other than Attached Housing, specifically excludes a building used for a Hotel or Motel;

“Apartment (Senior Citizens)” means an apartment providing accommodation for persons over 55 years of age and constructed under provincial or federal cost sharing or funding programs and operated by provincial, federal, or municipal governments, or non-profit societies;

“Approving Officer” means the Approving Officer for the City of Langford appointed pursuant to the Land Title Act;

“Assembly Use” means a use providing for the assembly of persons for religious, charitable, philanthropic, cultural, private recreational or private educational purposes; includes auditoriums, youth centres, social halls and group camps;
“Assisted Living Apartment” means an apartment, other than a community care facility, where food, housekeeping, personal care and/or nursing care are provided to 3 or more adults who are not related by blood or marriage to an operator of the facility in addition to the residential use; (Bylaw 588, replaced by Bylaw 1394)

“Attached Housing” means a building (or buildings) divided into not less than two dwelling units with each dwelling unit having direct access to the outside at grade; includes attached dwellings such as townhouses and detached dwellings on the same lot such as patio homes, but specifically excludes three, four, and five dwelling units in the R3 zone and three-family dwellings in the RCBM1 zone; (Bylaw 670)

“Bed and Breakfast” means a home business comprising of the provision of sleeping accommodation and a morning meal to paying guests that is carried out concurrently with the owner’s occupation of the premises. This specifically excludes home rentals or any form of transient tenancy which occurs independently of concurrent owner occupation and residency; (Bylaw 1570)

“Boarder” means an individual who for consideration receives accommodation which does not include separate cooking or kitchen facilities;

“Breeding Kennel” means a kennel where more than two and no more than six dogs over the age of six months are kept on the premises for breeding or showing purposes.

“Boarding Kennel” means any building, structure, compound, group of pens or cages that lodges dogs or cats for another person for financial gain, and may include a breeding kennel, accessory office, retail sales, grooming, training and day care facilities. A boarding kennel excludes an animal shelter or an animal impounding facility;

“Body Rub” means the manipulating, touching, or stimulating, by any means, of a person’s body or part of a person’s body, and specifically excludes medical, therapeutic, or cosmetic massage treatment given by a person duly qualified, licensed, or registered to do so under legislation of the Province of British Columbia, and therapeutic touch technique; (Bylaw 717)

“Body Rub Parlour” means a place where a body rub is performed, offered, or solicited, or from which a person is dispatched to another location to perform a body rub; (Bylaw 717)

“Building” means any structure used or intended for supporting or sheltering any use or occupancy;

“Building Envelope” means the portion of a lot on which a residential building can be sited according to the setback requirements in Parts 3 and 6 of this Bylaw; and for the purposes of calculating the area of a building envelope any area used or required to be used for a septic field (including back up fields) must be excluded;

“Building Footprint” means the horizontal area within the vertical projection of the outermost walls of a building or structure; (Bylaw 691)

“Bus Terminal” means a use providing for the storage, repair, maintenance, dispatch, offices and general functions relating to the operation of a bus system or systems, and which may or may not include the actual terminus of passenger or freight service; (Bylaw 1533)

“Campsite” means the use of land for the temporary accommodation (maximum two months) of travellers in tents, travel trailers, tent trailers and recreational vehicles and similar transportable accommodation other than mobile or manufactured homes;
“Carriage Suite” means an accessory dwelling unit located on the second floor of a detached accessory building. (Bylaw 1696)

“Chief Building Inspector” means the Chief Building Inspector of the City of Langford;

“Church” means a building wherein persons regularly assemble for religious worship and which is maintained and controlled by a religious body organized to sustain public worship;

“Civic Use” (Deleted by Bylaw 1570);

“Cluster Housing” means a cluster of residential buildings and accessory uses comprised of a mix of one-family dwellings, two-family dwellings and attached housing including townhouses which may be located on separate lots or on lands included in a strata plan;

“Commercial Composting” means a facility with unenclosed storage and accessory buildings that collects and mixes organic materials in vessel to produce loam, soil, or other medium to grow plants in;

“Commercial Zone” means any zone with a short form starting with “C”, “CS”, “CR”, or “CT” or any lot in a zone with a short form starting with “BP”, if the principal use on the lot is retail sales; (Bylaw 544)

“Common Wall” means a wall jointly owned and jointly used by two parties under a party wall or other agreement of similar effect or by right-in-law;

“Community Amenity Building Space” means office or assembly area that can be used for governmental or non-profit society use, the title to which is given no charge to the District of Langford;

“Community Care Facility” means a facility licensed pursuant to the Community Care and Assisted Living Act and may include assisted living and supported care, home occupation day care, group day care and preschool; (Bylaw 474, 1146 and 1394)

“Consignment” means the business of selling of any second hand good, on a consignment basis and for a fee, for a third party, but does not include the purchasing and selling of second hand goods; (Bylaw 968)

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

“Crematorium” means a facility where human or animal remains are burned or processed, and may include associated facilities for the preparation of remains for cremation. (Bylaw 1746)

“Domestic Poultry” means the following species of domestic bird: chicken, duck, emu, goose, Indian peafowl, mute swan, ostrich, pigeon, pheasant, turkey, guinea fowl, and rhea; (Bylaw 1451)

“Dormitory” means residential accommodation that does not include separate cooking facilities, but which may include individual bathroom facilities and is operated as an accessory use to a school or other institutional use and is not subject to either the Residential Tenancy Act or the Hotel Guest Registration Act; (Bylaw 1451)

“Drive-in Business” means an establishment with facilities for attracting and servicing prospective customers travelling in motor vehicles which are driven onto the site where such
business is carried on and where normally the customer remains in the vehicle for service; specifically excludes drive-in theatres and gasoline service stations;

“Dwelling, One-Family” means a residential use in a building which is used for only one dwelling unit, and in some cases an accessory secondary suite;

“Dwelling, Two-Family” means a residential use in a building which is divided into two dwelling units which are either placed one above the other or side by side sharing a common wall dividing habitable space, each unit of which may be occupied by one family;

“Dwelling Unit” means a suite or rooms operated as a housekeeping unit, used or intended to be used as a domicile by one or more persons and usually containing cooking, eating, living, sleeping and sanitary facilities, but excluding all accommodations for the travelling public other than bed and breakfast operations (Bylaw 386);

“Engineer” means a member of the Association of Professional Engineers and Geoscientists of British Columbia;

“Escort Service or Dating Service” means a business which: (Bylaw 717)

1. Introduces or offers to introduce a person to another person for the purpose of providing companionship for a short period of time, and

2. Charges or otherwise imposes a fee each time that an introduction is made or companionship is provided.

“Exotic dancing” means any dancing in which the pubic area, genitals, nipples or areola of the dancer is exposed to the view of another person; (Bylaw 1481)

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

“Family Day Care” (Bylaw 637, 717, replaced by Bylaw 1146, replaced by 1394 and renamed Home Occupation Day Care)

“Financial Institution” means a bank, trust company, credit union or similar establishment;

“Floor Area” means the space on any storey and/or basement of a building from exterior wall to exterior wall; includes all common, utility, and habitable areas.

“Floor Area Ratio” means the figure obtained when the Gross Floor Area of all the buildings on a lot is divided by the area of the lot, except that the following are not included as floor area for the purpose of computing a maximum floor area ratio: (Bylaw 1509)

1. Any portion of a storey used for parking purposes, unless such parking is a principal use;

2. Any portion of a basement or cellar containing heating, laundry, recreational or storage facilities;

3. Swimming pools and open sundecks; and

4. Any portion of a penthouse containing elevator or ventilating machinery;
“Front Building Line” means the line parallel to the front lot line, passing through the point of the building nearest the front lot line, and in the case of a panhandle lot means the lot line or lines nearest the abutting highway, but not forming a boundary of the access strip;

“Frontage” means the length of that lot boundary which abuts a highway, or access route in a bare land strata, and for this purpose “highway” does not include a walkway or emergency access route; (Bylaw 717)

“Garage or Carport” means a detached accessory building or a portion of a principal building whose principal use is for the parking or temporary storage of motor;

“Garage Sale” means the sale to the general public of used items from any residential dwelling by displaying the used items in a garage, carport or open area of the premises; (Bylaw 544)

“Garden Suite” means an accessory dwelling unit located on the ground floor of a detached accessory building. (Bylaw 1696)

“Gasoline Service Stations” means a building or lot used for the retail sale of motor fuels and which may include accessory uses such as car wash and retail sales. This definition does not include facilities that are not open to the general public such as carlock gasoline stations; (Bylaw 1608)

“Golf Course” means a tract of land laid out for playing the game of golf; (Bylaw 520)

“Golf Practice Range” means a place of recreation, either indoor or outdoor, specifically designed for instructing and practicing the game of golf; (Bylaw 520)

“Greenbelt Zone” (Deleted by Bylaw 1481);

“Gross Floor Area” means the sum of the total floor area of each storey in each building including exterior walls;

“Group Day Care” means a facility that provides care, with or without charge, to more than eight (8) children not related by blood or marriage to an operator of the facility, which may or may not be licensed pursuant to the Community Care and Assisted Living Act, and specifically does not include a school; (Bylaw 717, replaced by Bylaw 1394)

“Health Centre” means offices as well as any rooms for examination, surgery and diagnostic purposes for any medical or paramedical profession including, but without limiting the generality of the foregoing: doctors of medicine, dentistry and chiropractic, physiotherapy and rehabilitation, massage therapy, radiology, medical imaging, and medical laboratories. Includes dispensing pharmacies as an accessory use (Bylaw 1507);

“Height” means the vertical distance from the average finished ground level at the perimeter of a building or structure to the highest point of the roof surface of a flat roof, to the deck line of a mansard roof, and to the mean level between the eaves and the ridge of a gable, hip, gambrel or other sloping roof, and in the case of a structure without a roof to the highest point of the structure (Bylaw 386);

“Highway” includes a street, road, lane, bridge, viaduct and any other way open to the use of the public, but does not include a private right of way on private property;

“Home Occupation” means an occupation, business or professional practice which is carried on for remuneration or financial gain, and which is clearly ancillary to the residential use of a dwelling unit, or to the residential use of a lot occupied by a dwelling, and where the proprietor is also a
Zoning Bylaw No. 300
City of Langford

resident of the dwelling where the home occupation occurs. A home occupation may be one of
type: (Bylaw 544)

1. Home office; or
2. Home business; or
3. Home industry;

“Home Occupation Day Care” means a facility that provides care, with or without charge, to
minimum 3 but no more than eight children, not related by blood or marriage to an operator of the
facility, which may or may not be licensed pursuant to the Community Care and Assisted Living
Act, and specifically does not include a pre-school or school; (Bylaw 1394)

“Hotel” means a building or buildings providing accommodation for the travelling public only, in
units which may contain cooking facilities and must contain its own sanitary facilities including
water closet and wash basin, in respect of which: (Replaced by Bylaw 1647)

1. The stay is limited to two months;
2. A guest register is required to be kept pursuant to the Hotel Guest Registration Act; and
3. A public dining room or cafe is provided on the same lot unless cooking facilities are
   provided in each unit;

“Indoor Recreation Facility” means a facility used and equipped for the conduct of sports,
leisure and entertainment activities;

“Industrial Use” means a use providing for the processing, fabrication, assembling, storing,
transportation, distributing, wholesaling, testing, servicing, repairing, wrecking, or salvaging of
goods, materials, or things, and including the selling of heavy industrial equipment and retail uses
incidental to the principal industrial use; includes the operation of truck terminals, docks, and
railways, but specifically excludes the primary processing of wood, metals, or chemicals; (Bylaw
717)

“Industrial Zone” means any Industrial Zone with a short form starting with “M”, any Special
Wholesale Zone with a short form starting with “W”; and any lot in a zone with a short form
starting with “BP”, unless the principal use on the lot is retail sales; (Bylaw 544)

“Intensive Agriculture” means piggeries, feed lots, mushroom farms, mink farms, and the
keeping of animals which are other than farm livestock and manure storage piles;

“Institutional Zone” means any zone with a short form starting with “P”;

“Kitchen” means a room or area in a building designed or used for the preparation or storage of
food and which contains a sink, refrigerator and a stove, hotplate or microwave oven;

“Landscape Architect” means a landscape architect registered in British Columbia under the
Architects’ (Landscape) Act;

“Landscape Contractor” means a person who requires the use of land, buildings or structures
for the supply of landscape services in conjunction with a nursery, with or without equipment,
machinery and material used for growing of bedding plants, flowers, shrubs and trees for the
business;
“Landscape Professional” means a landscape architect, arborist, landscape designer, or contractor with local knowledge and experience in implementing landscape plans;

“Lanscaping” means the planting and maintenance of lawns, shrubs and trees, and the addition of fences, benches, walks, drives, or other structures and materials used in landscape architecture, and includes the retention of existing trees and plants where appropriate, for the purpose of enhancing the natural environment;

“Landscape and Screening Area” means an irrigated decorative planting area containing a combination of trees, bushes, shrubs, plants, flowers, bark mulch, decorative boulders, decorative paving, planters, ornamental fences and the like, planted and maintained to mask and separate uses and to enhance the natural environment. Excludes paved parking areas and sidewalks, uncleared natural bush, undergrowth and uncontrolled weed growth, but specifically includes preservation and enhancement of natural vegetation;

“Library” means a building or buildings where a collection of books, manuscripts, publications, and other materials for reading, viewing or listening are maintained and made available to the public for borrowing, study or reference; (Bylaw 1570)

“Licensed Premises” means land, buildings or structures licensed pursuant to the Liquor Control and Licensing Act, but does not include a Liquor Sotre or a retail store where bottle or canned alcoholic beverages are sold in conjunction with another retail use. (Bylaw 1685)

“Liquor Store” means premises licensed pursuant to the Liquor Control and Licensing Act where the principal use is the retail sale of bottled or canned alcoholic beverages; (Bylaw 717)

“Live/Work Studio” (Bylaw 409 replaces Bylaw 516, Bylaw 1394 – Deleted by Bylaw 1437)

“Lot” means any parcel, block or other area in which land is held or into which it is subdivided whether under the Land Title Act or the Bare Land Strata Regulations under the Condominium Act;

“Lot Area” means the total area of land comprising the lot, but excluding any panhandle area;

“Lot Coverage” means the sum of the areas of the building footprints of every building or structure on the lot, expressed as a percentage of the lot area, and in the case of a building or structure with no walls the building footprint shall be the horizontal area within the drip line of the roof; (Bylaw 691)

“Lot Depth” means the depth of a lot measured in compliance with section 3.19 of this Bylaw;

“Lot Line” means the boundary of a lot, and:

1. “Front Lot Line” means the lot line that is common to the lot and an abutting highway or access route in a bare land strata plan, and where there are two or more such lot lines the shortest is deemed the front lot line, and in the case of a panhandle lot means the lot line or lines nearest the abutting highway, but not forming a boundary of the access strip;

2. “Rear Lot Line” means the lot line that is opposite the front lot line in the case of a lot having four sides, and where the rear portion of a lot is bounded by intersecting side lot lines the point of intersection is deemed the rear lot line;

3. “Exterior Side Lot Line” means a lot line that is not a front or rear lot line and that is common to the lot and an abutting highway or access route in a bare land strata plan; and
4. **“Interior Side Lot Line”** means a lot line that is not a front, rear or exterior side lot line;

“Lot Width” means the width of a lot measured in compliance with Section 3.19 of this Bylaw;

“Manufactured Home” means any factory built or manufactured housing that is a transportable, single- or multiple-section single or two-family dwelling conforming to the CAN/CSA-Z240 MH Series “Mobile Homes” at the time of manufacture, that is ready for occupancy upon completion of setup in accordance with required factory-recommended installation instructions; **(Bylaw 445)**

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

“Mobile Home Park” means any factory built or manufactured housing that is a transportable, single- or multi lot on which are installed or intended to be installed for use as dwelling units, two or more mobile homes;

“Modular Housing” means a one-family dwelling, garden suite, or carriage suite which is modular or prefabricated meeting CSA Standard A277-M1990, “Procedures for Certification of Factory-Built Houses”, or equivalent, but does not include manufactures homes meeting CAN/CSA-Z240-MH Series “Mobile Homes” standards, or equivalent; **(Bylaw 445, Replaced by Bylaw 1696)**

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

“Multi-Family Flex-Unit” **(Bylaw 1209; replaced by Bylaw 1223; Deleted by Bylaw 1437)**

“Multiple Residential or Community Amenity Space” means an outdoor and indoor space provided in a multiple residential or community development and specifically designed for use for cultural, social, and recreation activities and, except as specifically permitted in the zone, not used for commercial purposes. Such spaces may include community meeting space, community care facilities, urban plazas, sports, and fitness facilities, cultural facilities, artist studios, workshops, tennis courts, outdoor swimming pool, garden patches, and children’s play structures; **(Bylaw 1394)**

“Multiple Residential Zone” means any zone with a short form starting with “RM” or “CH”;

“Natural Boundary” means the visible high-water mark of any lake, river, stream or other body of water where the presence and action of the water are so common and usual, and so long continued in all ordinary years, as to mark upon the soil of the body of the lake, river, stream, or body of water a character distinct from that of the banks thereof and in the case of a lot having a surveyed high water mark, means the high water mark;

“Neighbourhood Commercial” means an agglomeration of small commercial uses, of not more than 500 m² (5 400 m²) of gross floor area each commercial unit, which provide convenience retail and commercial services to the immediate surrounding residential neighbourhood; **(Bylaw 591)**
“Non-conforming Use” means any lawful use existing at the time of the adoption of this Bylaw which does not conform to all the provisions of this Bylaw for the zone in which such building or use is located;

“Nursery” includes the use of land principally involved in horticulture and accessory product sales, but specifically excludes the sale of garden equipment and pesticides;

“Offices” means the operation of financial institutions, governmental and crown corporation offices, business, medical, and professional offices, not for profit organization offices, neighbourhood police stations without prisoner holding facilities, libraries and health centres;

“Panhandle Lot” means any lot, with any of the building envelope situated directly behind another lot so that it gains frontage through the use of a relatively narrow strip of land which is an integral part of the lot (hereinafter called “the access strip”);

“Parking Facility” means a use, building or structure (either whole or in part) for the parking of automobiles on an hourly or daily basis, but specifically excludes the storage of vehicles or the parking of trucks, boats, and unlicensed vehicles; (Bylaw 1481)

“Pawn Shop” a place where goods and chattels are taken at pawn and where goods and chattels taken at pawn may be sold; (Bylaw 968)

“Personal Care Use” means a use providing for the care of the sick, injured, young or aged, other than in a public hospital; may or may not be licensed under the Community Care and Assisted Living Act; (Bylaw 1394)

“Personal Service” means a commercial use of a building in which services are provided to the body or the clothing of a person, but specifically excludes “Body Rub Parlour” and “Escort Service or Dating Service”; (Bylaw 717)

“Pet Day Care” means any building that lodges cats, dogs, or other domestic house pets, for another person for financial gain, and may include an accessory office, retail sales, grooming and training, but expressly excludes the keeping of animals overnight, or the keeping of animals in areas that are not entirely within enclosed buildings. A pet day care excludes an animal shelter or an animal impounding facility; (Bylaw 790)

“Piggery” means a premises keeping more than two pigs;

“Preschool” means a facility for the care and education of children under the age of six; (Bylaw 544)

“Principal” in relation to a use, building or structure means the main or primary use, building or structure, as the case may be, conducted or constructed on a lot;
“Professional Office” means the business premises of an individual whose occupation is limited by law to persons qualified to practice in a specified field, and includes the office of a Member of Parliament of Canada or a Member of the Legislative Assembly of British Columbia;

“Public Utility Use” means a use providing for public utility facilities for water, sewer, electrical, telephone, and similar services where such use is established by one of the levels of government, a Crown Corporation or by a company regulated by a government commission;

“Rear Building Line” means the line parallel to the rear lot line, passing through the point of the building nearest the rear lot line; (Bylaw 1696)

“Recreational Facilities” means any use, building or structure intended to support or allow for recreational uses and activities, including but without limiting the generality of the foregoing: arenas, auditorium, bowling green, campsites, community centre, curling rink, golf courses, playing fields, riding academy, skating rink, sport training facilities, stadium, swimming pool and tennis courts; (Bylaw 1533; Replaced by Bylaw 1570)

“Recreation Vehicle” means a vehicle or trailer designed or used primarily for recreational purposes (including accommodation during travel or recreation) and including, but without limiting the generality of the foregoing: motorhomes, travel trailers, 5th wheel trailers, camper units, utility trailers, boats and jet skis (whether on trailers or not) and off-road vehicles; (Bylaw 1427)

“Recycling Facilities” means facilities for the recovery, storage and shipping of discarded consumer materials excluding vehicles and wood waste;

“Refund Container Return Depot” means a building or structure used for collection and temporary storage of recyclable household material such as bottles, cans, plastic containers and paper. The following shall not be allowed at a refund container return depot:

1. Processing of recyclable material other than compactors;
2. Collection and storage of paints, solvents or other hazardous material; and
3. Outdoor compaction or storage;

“Residential Building” means a one-family dwelling, two-family dwelling, three-family, four-family, and five-family dwellings attached housing or apartment;

“Residential Hotel” means a building or buildings providing accommodation to the traveling public and persons temporarily residing in the City, in units which may contain cooking facilities each of which has its own sanitary facilities including water closet and wash basin, in respect of which the length of stay of any individual is limited to 180 days in a calendar year, and a guest register is kept pursuant to the Hotel Guest Registration Act; (Bylaw 832)

“Residential Use” means the occupancy or use of a building or part thereof as a dwelling unit, and specifically excludes the use of a building or part thereof as accommodation for the traveling public, except as permitted as a “Bed and Breakfast”; (Bylaw 860)

“Residential Zone” means any residential zones with short forms starting with “R”, “RS” or “RH”;

“Restaurant” means a commercial establishment where food and beverages are served to the public. A restaurant may be either licensed or unlicensed with respect to the Liquor Control and Licensing Act; (Bylaw 790)
“Retail Store” means a building where goods, wares, merchandise, substances, articles, or things are offered or kept for sale at retail, and includes storage on or about the store premises of limited quantities of such goods, wares, merchandise, substances, articles, or things, sufficient only to service such stores, but does not include any other retail use specifically permitted by this Bylaw with the exception of consignment stores and second hand dealers; (Bylaw 968)

“Rural Residential Zone” means any residential zone with a short form starting with ‘RR’; (Bylaw 1481)

“School” means a facility for education of persons, and specifically includes preschools; (Bylaw 544)

“Second Hand Dealer” includes every person carrying on the trade or business or purchasing or selling any second hand goods or who keeps a store, shop, or other place of business for the purpose of carrying on such trade or business, but does not include a retail merchant or trader who in good faith accepts as a trade-in any chattel as part only of the consideration for the sale by him of another chattel where the balance of the sale consideration is paid or payable in money, the lawful currency of Canada, and who subsequently sells the trade-in; (Bylaw 968)

“Secondary Suite” means an accessory dwelling unit located within a one-family dwelling. (Bylaw 1186, Bylaw 1696)

“Setback” means the shortest distance from a lot line to a structure or building;

“Shopping Centre” means commercial facilities in one or more buildings designed as an integrated unit;

“Sight Triangle” means the area formed by a triangle in the angle formed by the right-of-way boundaries or boundaries produced on two points in those boundaries, 6 m from the point of intersection, as shown cross-hatched in the drawing following;

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

“Structure” means anything constructed, erected or placed, the use of which requires location on the ground or attachment to something having location on the ground, including any satellite dish antenna, but excluding any fence, beehive (Bylaw 1451), retaining wall, underground sewage disposal facility, paved, or concrete surface and any heat pump and other mechanical equipment, gas meter and/or propane tank that is permanently affixed to a building or structure by way of plumbing or other duct work; (Bylaw 717—replaces Bylaw 386) (Bylaw 968)
“Suite” means a dwelling unit that is accessory to a one-family dwelling and may be located within the one-family dwelling (secondary suite) or within an accessory building (garden suite or carriage suite); *(Bylaw 1696)*

“Taxi Office” means an office from which taxis are dispatched by radio to pick up fares;

“Through Lot” means a lot abutting two parallel or approximately parallel highways of 10 m (33 ft) or more in width;

“Tourist Information Centre” means a use providing information about attractions, lodging, maps or any other items relating to tourism to the travelling public or visitors to a location; *(Bylaw 1206)*

“Townhouse” means:

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

Where each unit is intended to be used as a permanent residence of one family (excluding any accessory rental dwelling unit, where permitted) and has a separate entrance at grade. *(Bylaw 1186)*

“Unenclosed Storage” means an area not contained within a building where construction materials and equipment, solid fuels, lumber and new building materials, monuments and stone products, public service and utility equipment, or other materials, goods, products, equipment or machinery are stored, baled, placed, piled or handled. Unenclosed storage does not include storage of landfill, salvage, scrap, junk or derelict motor vehicles;

“Urban Plaza” means an area that is exclusively used by pedestrians, is backed by a highly detailed building façade, has a decorative paving surface, is visible from the street, and includes site furniture, trees and decorative lighting. The urban plaza is accessible from both the street and from the principal building;

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

“Veterinary Practice” means premises operated for the care and treatment of domestic animals by a registered veterinarian, which may include premises for the hospitalization of animals within buildings that are sound controlled, but does not include premises for the care and treatment of farm livestock such as horses, cattle, sheep, goals or pigs, or premises that dispose of animals on site, or premises that keep or board healthy animals; *(Bylaw 775)*

“Village Commercial” means an agglomeration of commercial uses that may also include a mix of commercial and residential uses within single buildings, that is intended to serve a wider, defined residential neighbourhood or comprehensive development area, and includes a defined public square, or ‘pedestrian-only’ precinct; *(Bylaw 591)*

“Watercourse” is any natural or man-made depression with well-defined banks and a bed 0.6 m (2 ft) or more below the surrounding land serving to give direction to a current of water at least six
months of the year, or a marsh, ocean (Bylaw 386) pond, lake or stream having a drainage area of 2 km² or more;

“Zone” means a zone established by Part 5 of this Bylaw.

1.02   Numbering

1.02.01 In the numbering section used in this Bylaw, the first number indicates the part of the Bylaw, the second number indicates the section, the third number indicates the subsection, the bracketed number indicates the article, and the bracketed letter indicates the clause, as follows:

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<th>Part</th>
<th>Section</th>
<th>Subsection</th>
<th>Article</th>
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1.03   Descriptions of Land

1.03.01 All descriptions of particular land used in this Bylaw are descriptions of land in the City of Langford.
Part 2
GENERAL PROVISIONS

2.01 Application

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

2.02 Requirements for Compliance

2.02.01 Land or the surface of water in the City of Langford may not be used, land may not be subdivided, buildings and structures on land or on the surface of water may not be constructed, altered, located or used, and signs may not be erected or located on any land except as specifically permitted by this Bylaw or the City of Langford Sign Bylaw.

2.02.02 All siting measurements must be made on a horizontal plane from the natural boundary, lot line or other feature specified in this Bylaw to the nearest portion of the building, structure or use in question.

2.03 Violation

2.03.01 Every person commits an offence under this Bylaw, who, being an owner or occupier of land or of the surface of water in the City of Langford:

(1) Violates any property that is subject to regulation under this Bylaw, for the purpose of the provisions of this Bylaw;

(2) Causes or permits any act or thing to be done in contravention or violation of any of the provisions of this Bylaw;

(3) Neglects or omits to do anything required under this Bylaw;

(4) Carries out, causes or permits to be carried out any development of land or the surface of water in a manner prohibited by or contrary to any of the provisions of this Bylaw; and

(5) Fails to comply with an order, direction or notice given under this Bylaw; or prevents or obstructs or attempts to prevent or obstruct a person authorized under section 2.04 from entering on the property.

2.04 Administration and Enforcement

2.04.01 The City of Langford Bylaw Enforcement Officer or any other person designated by him to administer this Bylaw is authorized to enter, at any reasonable time, upon any property that is subject to regulation under this Bylaw for the purpose of determining whether the regulations are being observed.

2.04.02 No person may obstruct the Bylaw Enforcement Officer or any other designated person engaged in the administration or enforcement of this Bylaw.
2.05 **Penalty**

2.05.01 Every person who commits an offence against this Bylaw is liable, upon summary conviction, to a fine and penalty not exceeding $10 000 and the costs of prosecution.

2.05.02 Each day during which an offence against this Bylaw is continued is deemed to constitute a new and separate offence.

2.05.03 The penalties imposed under Articles (1) and (2) hereof will be in addition to and not in substitution for any other penalty or remedy imposed by this Bylaw.

2.06 **Non-compliance with Siting, Size and Shape Requirements**

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

2.07 **Non-Conforming Uses**

2.07.01 The regulations governing non-conforming uses are set forth in the *Local Government Act*.

2.07.02 The lawful use of any land, building or structure existing at the time of the adoption of this Bylaw may be continued (subject to the provisions of the *Local Government Act*), although such use does not conform with the provisions of this Bylaw.

2.08 **Appeal**

2.08.01 The Board of Variance duly established under a bylaw of the City of Langford will hear and determine any appeal permitted by the *Local Government Act*.

2.09 **Existing Land Use Contract**

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

2.10 **Units of Measurement**

2.10.01 Metric measurements are used in this Bylaw.

2.10.02 Imperial measurements included in this Bylaw do not form part of this Bylaw and are intended only as a convenience for the reader. In most cases they have been rounded up to the nearest whole number.

2.11 **Section 946 Subdivision**

2.11.01 Notwithstanding the minimum parcel sizes established by this Bylaw for various zones, the minimum parcel that may be subdivided in accordance with Section 946 of the *Local Government Act* in the Walfred Road area (as defined by Schedule “F”) shall not be less than 40 ha (100 acres), and no lot created by such a subdivision in the Walfred Road area.
area (as defined by Schedule “F”) may be less than 2 ha (4.9 acres); and (Bylaw 730)

2.11.02 Notwithstanding the minimum parcel sizes established by this Bylaw for various zones, the minimum parcel that may be subdivided in accordance with Section 946 of the Local Government Act in a rural area (as defined by Schedule “P”) shall not be less than 40 ha (100 acres) and no lot created by such a subdivision in the rural area defined by Schedule “P” may be less than 4 ha (10 acres). (Bylaw 730)

2.12 Severability

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

2.13 Effective Date of Bylaw

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

2.14 Development Permit Guidelines (Bylaw 1201)

2.14.01 Appendices “A” to “V” are adopted pursuant to Section 919.1(3) of the Local Government Act as guidelines pertaining to the development permit areas designated in the Langford Official Community Plan.
Part 3
GENERAL REGULATIONS

3.01 Uses Permitted in Any Zone

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

(1) Uses, buildings and structures which are accessory to a principal permitted use, building, or structure on the same lot;

(2) Underground electrical and telephone lines and telephone exchange buildings for the distribution of service to Langford;

(3) Pipelines, radio television and transmission towers (except that transmission towers are not desirable within 150 m [492 ft] of any residential zones or school sites) and wires, traffic control devices, clock towers, and underground or submarine utility systems, the installations of which may be sited on any portion of a lot; (Bylaw 544)

(4) Water supply facilities including reservoirs, treatment plants, pumping stations intake structures and supply lines;

(5) Sewage treatment and supply facilities including treatment plants, sewage pumping stations, storm drainage retention ponds, and sewer service lines;

(6) Transportation rights-of-way established by one of the levels of government or a Crown corporation;

(7) Parks, playgrounds and playing fields, hiking and bicycling paths, horse riding trails and ecological reserves;

(8) Road-side produce stands not exceeding 10 m$^2$ (108 ft$^2$) in floor area and used for the selling of farm products that are grown or reared on the land upon which the stand is located;

(9) Domestic composting of organic materials originating from a lot and used on that same lot, provided that the composting use does not cover more than 1% of the total lot area;

(10) Public utility poles only in accordance with City of Langford Bylaw No. 190;

(11) Filming of Motion Pictures; and (Bylaw 386)

(12) Police services, fire services or ambulance services. (Bylaw 1223)

3.02 Prohibited Uses

3.02.01 Any use not expressly permitted in this Bylaw is prohibited in every Zone and where a particular use is expressly permitted in one Zone, such use is prohibited in every Zone where it is not also expressly permitted.
3.02.02 The following uses are prohibited in every Zone:

(1) Commercial airstrips;

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

(3) Disposal of any waste matter on land or in marine areas, except such waste matter as may lawfully be discharged pursuant to a permit under the Waste Management Act or from the Capital Region Health Board;

(4) The disposal or storage of hazardous or toxic waste;

(5) The sale or distribution of cannabis sativa in any form and related drug paraphernalia, other than in a licensed pharmacy; and

(6) The occupancy of any trailer, recreational vehicle, camper, or other vehicle as a residence. (Bylaw 717)

(7) Exotic dancing. (Bylaw 1481)

3.03 Vehicle Storage

3.03.01 (Replaced by Bylaw 1427)

(1) Except where specifically permitted, no lot with an area greater than or equal to 550 m² (5920 ft²) may be used for the keeping of more than one motor vehicle, other than a farm vehicle or recreation vehicle, which is not completely enclosed in a building or structure and which does not have attached or affixed in the manner prescribed by the Motor Vehicle Act Regulations: (Bylaw 386; Replaced by Bylaw 1427)

(a) Motor vehicle number plates for the current license year issued in respect of that vehicle; or

(b) An interim vehicle license issued in respect of that vehicle pursuant to the Motor Vehicle Act Regulations; or

(2) Except where specifically permitted, no lot with an area less than 550 m² (5930 ft²) may be used for the keeping of any farm vehicle or recreation vehicle;

(3) No lot may be used for the keeping of detached parts of motor vehicles, unless the parts are completely enclosed in a permanent building;

3.03.02 No unlicensed vehicle of any type may be stored on a lot in a location in front of the front building line.

3.03.03 No vacant lot in any residential zone may be used for the keeping of unlicensed motor vehicles or vehicle parts. (Bylaw 637)

3.04 Agricultural Land Reserve

3.04.01 Despite any regulation in this Bylaw, land designated as “Agricultural Land Reserve” pursuant to the Agricultural Land Commission Act, will be subject to:
3.05 Accessory Buildings and Structures

3.05.01 Every Zone

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

(1) An accessory building or structure may not be used for human habitation, except as otherwise provided for in this Bylaw.

(2) Where an accessory building is attached to a principal building by a wall, or a floor, or a foundation and a roof element with a width equal to, or greater than 10% of the perimeter dimension of the small structure, it is considered a part of the principal building and must comply in all respects with the requirements of this Bylaw applicable to the principal building. (Bylaw 386, 686)

(3) No accessory building may be located within 1 m (3 ft) of any principal building.

(4) Notwithstanding any setback requirement in any zone, as detailed in Part 6 of this Bylaw, no accessory building may be located within 15 m (49 ft) of a front lot line unless it complies with the front lot line setback requirements applicable to the principal building. (Bylaw 506)

(5) A satellite dish antenna installed on the roof of a building may not extend above the maximum height permitted for the building upon which it is located.

(6) A satellite dish antenna installed on the ground is subject to the siting, site coverage and height regulations for accessory buildings and structures for the Zone in which it is located.

(7) Metal containers designed and constructed for shipping may not be placed on residential properties, and may not be used as an accessory building on residential property. (Bylaw 860)

(8) Eaves and gutters may project into the accessory building setbacks specified in Section 3.05 by not more than 1 m, provided that a minimum setback of 0.45 m is maintained. (Bylaw 1608)

3.05.02 Agricultural, Residential, Rural Residential, Multiple Residential Zones, and Comprehensive Development Zones (Bylaw 520, 878, 1481)

The following regulations apply to accessory buildings and structures located in Agricultural, Residential, Rural Residential, Multiple Residential Zones, and Comprehensive Development Zones (Bylaw 520, 1186, 1481):

(1) Notwithstanding any setback requirement in any zone, as detailed in Part 6 of this Bylaw, no building or structure for an agriculture use may be located within
30 m (98 ft) of the front lot line and within 15 m (49 ft) of any other lot line. (Bylaw 506)

(2) Notwithstanding any setback requirement in any zone, as detailed in Part 6 of this Bylaw, no building or structure for an intensive agriculture use may be located within 90 m (295 ft) of the front lot line within 30 m (98 ft) of any other lot line. (Bylaw 506)

(3) The height of an accessory building shall not exceed the maximum height for a building or structure permitted in Part 6 of this bylaw, with the exception that. (Bylaw 520, 1186; Replaced by Bylaw 1373)

(a) Any building that is accessory to a one- or two-family residential use may not exceed a height equal to:

i. Either 4.5 m (15 ft) or 60% of the height of the principal dwelling, whichever is greater; (Bylaw 1570) or

ii. Two storeys, or the height of the principal dwelling where the principal use on the property is a one-family residential dwelling and the lot area is greater than or equal to 1 000 m² (0.25 acres); and

(b) Any building that is accessory to a multi-family residential use may not exceed 4.5 m (15 ft) in height. (Bylaw 1570)

(4) The total floor area of all buildings that are accessory to a residential use on any lot may not exceed 30 m² (323 ft²), except under the following circumstances:: (Bylaw 520, 1186; 1373, 1696)

<table>
<thead>
<tr>
<th>Use</th>
<th>Lot Size</th>
<th>Maximum Total Floor Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>One-family residential</td>
<td>200 – 799 m²</td>
<td>65 m² (700 ft²)</td>
</tr>
<tr>
<td>One-family residential</td>
<td>800 - 999 m²</td>
<td>80 m² (861 ft²)</td>
</tr>
<tr>
<td>One-family residential</td>
<td>1,000 m² or greater</td>
<td>180 m² (1,937 ft²), plus an additional 10 m² of floor area for each additional 100 m² of lot area in excess of 1,000 m²</td>
</tr>
<tr>
<td>Multi-family residential</td>
<td>-</td>
<td>10 m² (107.6 ft²) per dwelling unit on the lot</td>
</tr>
</tbody>
</table>

Under no circumstances may accessory buildings and structures exceed the maximum site coverage regulations in Part 6 of this Bylaw.

(5) (Bylaw 386; Deleted by Bylaw 1373)

(6) Notwithstanding any setback requirement in any zone, as detailed in Part 6 of this Bylaw, no accessory building may be located within 1 m (3 ft) of a side or rear lot line or within 6 m (20 ft) of an exterior lot line except in the Comprehensive Development 3 – Westhills (CD3) Zone, and except where a common garage is erected on a common lot line, provided, however, that an accessory building in a Multiple Residential Zone may not be located within 3 m (10 ft) of a lot line which adjoins an Agricultural, Rural Residential, or Residential Zone. (Bylaw 506, 860, 1186)
(7) The following regulations also apply to accessory buildings on corner lots in a Agricultural, Rural Residential, Residential, Multiple Residential Zone, and in Comprehensive Development Zones, except the Comprehensive Development 3 – Westhills (CD3) Zone. *(Bylaw 520, 1186, 1481)*:

(a) An accessory building on a corner lot may not be located closer to the exterior side lot line than required for the principal building; and

(b) An accessory building on a corner lot may not be located within 2 m (6 ft) of any rear lot line that adjoins any side lot line in a Agricultural, Rural Residential, Residential, or Multiple Residential Zone. *(Bylaw 1481)*

### 3.05.03 Commercial, Industrial and Institutional Zones

The following regulations apply to accessory buildings and structures located in Commercial, Industrial, Institutional Zones, and in Comprehensive Development Zones *(Bylaw 520, 1186)*:

(1) An accessory building on a corner lot may not be located closer to the exterior side lot line than required for the principal building; and

(2) An accessory building may not be located within 3 m (10ft) of any rear lot line that adjoins a lot in a Agricultural, Rural Residential, Residential, or Multiple Residential Zone. *(Bylaw 1481)*

### 3.06 Temporary Buildings
*(Bylaw 984, 1146; Replaced by Bylaw 1507)*

3.06.01 Temporary buildings or structures may only be erected where permitted in Part 6 of this Bylaw for the following purposes: offices for construction or real estate marketing coordination, or as temporary housing for construction workers; and

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

### 3.07 Two-Family Dwellings

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

(1) A common wall in a two-family dwelling must have, at any one storey level, a horizontal dimension of at least 15% of the total perimeter wall length of the two-family dwellings combined, measured at the outer surface of the exterior walls and the common wall including enclosed garages or carports.

(2) Both dwelling units must contain a minimum of 4.5 m (15 ft) of linear wall length of habitable space facing the front or exterior side lot line except that this regulation does not apply to the Comprehensive Development 3 – Westhills (CD3) Zone or to two-family dwellings located on lots within an Agricultural or Rural Residential Zone if the lot is 4 000 m² (1 acre) or more in area. *(Bylaw 1186, 1481)*

(3) A suite is prohibited in conjunction with any two-family dwelling. *(Bylaw 1696)*
(4) The keeping of more than two boarders per dwelling unit is prohibited in any two-family dwelling. (Bylaw 386)

(5) Except within the Comprehensive Development 3 – Westhills (CD3) Zone no two-family dwelling may be located within 3 m (10 ft) of any interior lot line. (Bylaw 1186)

3.08 Suites (Bylaw 520, 860, 1186, 1696)

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

3.08.01 General Regulations for all Suites

(1) There may only be one suite per lot;

(2) The one-family dwelling to which a suite is accessory to must be owner-occupied;

(3) The one-family dwelling to which a suite is accessory to must be located on a lot of not less than 550 m$^2$ (5 920 ft$^2$) in area, except as otherwise permitted in Part 6 of this Bylaw;

(4) An Occupancy Permit has been issued for the secondary suite;

(5) One additional off-street parking space shall be provided for the exclusive use of the occupancy of a suite, and this space shall not be located in tandem with any parking space for the principal dwelling to which the secondary suite is accessory.

(6) The suite and the one-family dwelling to which it is accessory must be a single real estate entity. Strata titling is not permitted.

3.08.02 Additional Regulations for Secondary Suites

(1) The secondary suite must be completely contained within the one-family dwelling.

(2) The secondary suite is not obtrusive so as to change the one-family nature of the one-family dwelling.

(3) The secondary suite must have a floor area of not more than 90 m$^2$ (970 ft$^2$) or 40% of the habitable floor area of the building in which it is located, whichever is less.

3.08.03 Regulations for Garden Suites and Carriage Suites

(1) Garden suites and Carriage suites are not permitted on lots within the “City Centre” designation as delineated in the Official Community Plan;

(2) Garden suites or carriage suites must be completely contained in a detached accessory building.

(3) Garden suites or carriage suites may not be located:
(a) Within 3 m (16 ft) of the primary dwelling

(b) Within 1 m (3 ft) of any rear lot line

(c) Within 1 m (3 ft) of any interior side lot line

(d) Within 3 m of any front lot line or exterior side lot line, except that no garage or carport that faces either a front or exterior side lot line may be located within 5.5 m of that lot line;

(4) A garden suite or carriage suite is only permitted on a lot having a width greater than or equal to 11 m (36 ft) and a depth greater than or equal to 29 m (95 ft);

(5) Only one driveway per lot is permitted;

(6) Rooftop patios are not permitted;

(7) Garden suites or carriage suites must be connected to municipal sanitary sewer or provide confirmation of adequate septic capacity prior to the issuance of a building permit;

(8) All accessory buildings and structures on the lot including garden suites and carriage suites may not exceed the maximum footprint set out in section 3.05.02(4) or the maximum lot coverage of the applicable zone in Part 6 of this Bylaw;

(9) If a suite already exists within the primary dwelling it must be decommissioned prior to the issuance of a building permit for the garden suite or carriage suite. The following must occur:

(a) Removal of the kitchen which includes the stove, oven, and sink, OR the removal of the shower/bathtub and;

(b) Remove exterior access OR sufficiently open access to the principal dwelling

3.08.04 Additional Regulations for Garden Suites

(1) Permitted only on lots over 550m² unless otherwise noted in Part 6 of this bylaw;

(2) Must be located behind the rear building line of the one-family dwelling;

(3) The suite may not have a gross floor area of more than 65 m² (700 ft²);

(4) Height maximum of 4.5 m (15 ft)

3.08.05 Additional Regulations for Carriage Suites

(1) Permitted only on lots over 1000 m² unless otherwise noted in Part 6 of this bylaw;

(2) Must be located in front of the rear building line of the one-family dwelling;

(3) The suite may not have a gross floor area of more than 90m² (969 ft²);

(4) Height maximum of two storeys;
(5) Ground floor of the carriage suite must be exclusively used for vehicle parking.

(6) Are not permitted on panhandle lots;

(7) On lots over 4000 m² (1 acre):
   (a) Section 3.08.05(2) does not apply;
   (b) Permitted on panhandle lots, despite Section 3.08.05(6);
   (c) Ground floor may contain uses other than a garage, including but without limiting the generality of the foregoing: workshop, storage, or art studio;

(8) Where permitted on lots less than 1000 m² as per Part 6 of this bylaw:
   (a) May not be located within an accessory building that has a building footprint of more than 60 m²;
   (b) May not have a gross floor area of more than 60 m²;
   (c) May only be located on lots with laneway access, corner lots, or on a lot that shares a driveway with an adjacent lot that benefits from a registered reciprocal access easement;
   (d) May be located on lots with a minimum width of 9.5 m (31 ft.) and a minimum depth of 29 m (95 ft.) provided that the lot has direct vehicle access from a highway, laneway, access route in a bare land strata plan, registered access easement, or other secondary access route;
   (e) The one-family dwelling to which the carriage suite is accessory may not contain vehicle parking;
   (f) Notwithstanding the definition of “height” in Part 1, Section 3.05.02(3), and 3.08.05(4), the highest point of the roof of the carriage suite may not exceed the height of 85% of the highest point of the roof of the one-family dwelling, as measured from the average finished grade of the lot.

3.09 Home Occupations

3.09.01 All Three Types

Three types of home occupation are permitted depending on the type of dwelling in which the occupation is conducted and the size of the lot on which it is located. The following regulations apply to all three types of home occupations. Any home occupation that involves the provision of food or drink, as defined in “Regulations Governing the Sanitation and Operation of Food Premises,” must be approved by the Medical Health Officer prior to operation: (Bylaw 1394)

(1) The types of home occupations permitted are determined as follows: (Bylaw 506, 637)
(a) A home office is permitted as an accessory use in any dwelling unit, including one- and two-family dwellings, suites, manufactured homes, attached housing and apartment units; (Bylaw 1696)

(b) (Bylaw 637, 1146; Deleted by Bylaw 1394)

(c) A home business is permitted as an accessory use to a one- or two-family dwelling located on a lot with an area less than 4 000 m² (1 acre); and

(d) A home based business/industry is permitted as an accessory use to a one- or two-family dwelling located on a lot with an area of 4 000 m² (1 acre) or larger.

(e) A home occupation community care facility, for the care of not more than eight persons or as a residence for no more than 10 persons, not more than 6 of whom are persons in care, is permitted as an accessory use in a one-family dwelling; (Bylaw 1394)

(2) Home occupations may not alter the residential character of the properties on which the commercial activity takes place, and more specifically may not:

(a) Cause or result in any variation or alteration in the external residential appearance of the land and premises in which it is carried on;

(b) Produce noise, vibration, smoke, dust, odour, litter, or heat, other than that normally associated with a residential dwelling;

(c) Create or cause any fire hazard, electrical interference; (Bylaw 1199)

(d) In the case of a home office, community care facility or home occupation day care and home occupation community care facility, cause an increase in demand for, or usage of, on-site parking or parking on the adjacent street; (Bylaw 1199; Replaced by Bylaw 1394)

(e) In the case of a bed and breakfast home business, cause an increase in demand for, or usage of, on-site parking or parking on the adjacent street beyond one vehicle per room used for guest sleeping accommodation for guests; or (Bylaw 1199)

(f) In the case of all other home occupations, cause an increase in demand for, or usage of, on-site parking on the adjacent street beyond what would normally be associated with two visitors per hour to residential premises between the hours of 9 am and 6 pm, Monday to Friday, and one visitor per hour at other times. (Bylaw 1199)

(3) The following uses are prohibited for all three types of home occupation:

(a) Dance school or dance recital area except dancing lessons for children under 16 years old in classes of six or fewer;

(b) Orchestra or band training;

(c) Restaurant;

(d) Manufacturing, welding, or any other light industrial use;
(e) The salvage or repair, or both, of motor vehicles;

(f) Adult entertainment or escort agency;

(g) Business that requires the marshalling of vehicles; \textbf{(Bylaw 1608)}

(h) Storage of more than one vehicle over 8600 kg gvw on lots with an area less than 4000 m\(^2\) (1 acre);

(i) Retail or wholesale sale of goods except for goods manufactured or produced as part of a home occupation; and

(j) A home occupation day care, for the care of not more than eight children, is permitted as an accessory use in a one-family dwelling, two-family dwelling, attached housing unit, or townhouse unit; \textbf{(Bylaw 1394)}

(4) Home occupations must be conducted entirely within a dwelling or permitted accessory building except as otherwise specifically permitted in this Bylaw.

(5) Notwithstanding Section 3.09.01(4), food catering services must be contained within a one-family dwelling unit; \textbf{(Bylaw 1394)}

(6) Not more than 25% of the total floor area of a dwelling or accessory building may be used for home occupation purposes.

(7) No storage of materials, commodities, or finished products is permitted in connection with the operation of a home occupation other than within a permitted building or within a contractor yard as provided for in article 3.09.04(1).

(8) Except for one unilluminated sign not exceeding 0.2 m\(^2\) (2.15 ft\(^2\)) in area, no sign or other advertising matter may be exhibited or displayed on the premises or lot where a home occupation is conducted.

(9) The operator of every home occupation must obtain a Business License issued by the City of Langford.

(10) The operator of every home occupation must comply with all licencing, health and other application regulations of British Columbia and the Capital Regional District.

(11) A home occupation may not employ more than one non-resident employee.

(12) In addition to the off-street parking spaces required for the dwelling by Part 4 a home occupation must provide at least one off-street parking space for patrons plus one space for a non-resident employee.

(13) Notwithstanding any provision of Section 3.09 of this bylaw, and in addition to the off-street parking spaces required for the dwelling by Part 4 of this bylaw, a home occupation day care other than in a one-family dwelling shall provide, on site, one parking space for pick-up and drop-off and one additional parking space for a non-resident employee; \textbf{(Bylaw 544, 637; Replaced by Bylaw 1394)}

(14) \textbf{(Bylaw 637; Deleted by Bylaw 1394)}
(15) No vehicles that are used by the proprietor of a home office type occupation or by another person engaged in the business with which the home occupation is associated, may be kept or parked on the premises at which the home occupation is carried on, with the sole exception of personal vehicles used by the proprietor or any other resident of the premises.  \textbf{(Bylaw 1199)}

(16) A dog or cat grooming business, as a home occupation, must be conducted entirely within a dwelling or permitted accessory building. Dogs or cats that are awaiting grooming or that have been groomed must be kept indoors, and are not be allowed to roam, or be leashed, penned or caged outdoors.  \textbf{(Bylaw 1481)}

3.09.02  \textbf{Home Offices}

The following regulations apply to home offices:  \textbf{(Bylaw 1581)}

(1) The following regulations apply to home offices:

(a) A home office may not serve customers on the lot on which the home office is located; and

(b) Activities accessory to the home office use such as craft studios, simple repair work, indoor storage, or similar uses are permitted.

3.09.03  \textbf{Home Businesses}

The following regulations apply to home businesses:

(1) The following uses and no others are permitted as home businesses:

(a) Bed and breakfast limited to two rental rooms;

(b) Offices;

(c) Craft studios and the repair of household furniture and small appliances, but excluding boat building, boat refurbishment, auto refurbishing, cabinet making or furniture making; \textbf{(Bylaw 1570)}

(d) Personal services businesses such as beauty parlour or barber shops limited to a single patron at any given time;

(e) \textbf{(Bylaw 544, 637, 1039; Deleted by Bylaw 1394)}

(f) \textbf{(Bylaw 1039; Deleted by Bylaw 1394)}

(g) \textbf{(Bylaw 637, 1039, 1146; Deleted by Bylaw 1394)}

(h) The husbandry and rearing of fish, amphibians, reptiles, invertebrates, and birds in enclosed buildings for wholesale or retail sale, but specifically excluding food processing;  \textbf{(Bylaw 968)}

(i) Food Catering Services in a One-Family Dwelling; and \textbf{(Bylaw 1394)}

(j) Dog and cat grooming.  \textbf{(Bylaw 1481)}
(2) A home business other than a bed and breakfast, home occupation day care or home occupation community care facility must not occupy more than 65 m² (700 ft²) of floor area on any lot; *(Bylaw 637; Replaced by Bylaw 1394)*

### 3.09.04 Home Business/Industries

The following regulations apply to home business/industries:

1. All of the uses permitted in article 3.09.03(1), the following uses, and no others are permitted as home business/industries:
   1. Small scale manufacturing which is carried on entirely within the dwelling or an accessory building including the fabrication of cabinets and furniture;
   2. Contractor yard, provided that no more than two vehicles used in the home industry may be stored on the lot and no more than 500 m² (5,400 ft²) of lot area may be used for outdoor storage;
   3. Breeding kennels subject to the regulations in Section 3.11;
   4. Propagation of plants, shrubs, fruits and vegetables for sale;
   5. Bed and breakfast limited to two rental rooms; and
   6. Dog and cat grooming. *(Bylaw 1481)*

2. A home business/industry must not occupy more than 90 m² (970 ft²) of floor area on any lot and not more than 40 m² (430 ft²) of that total floor area may be located within an accessory building.

3. Any accessory building used for a home business/industry must be screened from adjoining lots in a Rural Residential, Residential, or Multiple Residential Zone by a continuous landscape and screening area of not less than 1 m (3 ft) in width containing a shrub, hedge, or fence screen of a minimum height of 1.8 m (6 ft) at time of planting.

4. Despite article 3.09.01(11) and Part 4 of this Bylaw, two off-street parking spaces must be provided for patrons of the home business industry. *(Bylaw 544)*

### 3.09.05 Bed and Breakfasts

The following additional regulations apply to bed and breakfast home businesses:

1. Not more than four guests may be accommodated at any one time.

2. Not more than two bedrooms may be used to accommodate guests.

3. Despite article 3.09.01(8) and Part 4 of this Bylaw, one additional off-street parking space must be provided for each bedroom used for bed and breakfast accommodation.

4. No rental of equipment or material is permitted except to registered guests.
(5) A bed and breakfast home business may only be conducted within a principal dwelling or an approved suite and may only be operated in conjunction with the owners’ concurrent residency of the property. (Bylaw 1570, 1696)

3.09.06 Garage Sales and Demolition Sales (Bylaw 544, 637)

The following regulations apply to garage sales on residential lots:

(1) Garage sales are only permitted on lots occupied by a one-family dwelling, a two-family dwelling, attached housing, or a townhouse;

(2) No residential property shall be used for a garage sale more than three times within a twelve-month period, and no single garage sale may be conducted for more than two consecutive days. (Bylaw 637)

3.10 Boarding Kennels

3.10.01 In addition to the regulations for home business/industries in Section 3.09 the following regulations apply to boarding kennels in any Zone in which they are a permitted use: (Bylaw 860)

(1) A boarding kennel is permitted as an accessory use on a lot with an area of 4 hectares (10 acres) or larger.

(2) The buildings and land associated with the boarding kennel use may not occupy more than 15% of the total lot area.

(3) Accommodation for not more than thirty animals may be provided on the lot.

(4) No building or land area used for dog boarding may be located:

(a) Within 30 m (98 ft) of any lot line;

(b) Within 90 m (295 ft) of a residence existing at the time of construction of the boarding kennel facility unless such residence is occupied by the owner or a full-time employee of the boarding kennel;

(c) Within the setback distances from natural boundaries prescribed in Section 3.16 of this Bylaw; or

(d) In front of the front building line of the principal residential building.

(5) In addition to the off-street parking spaces required by Part 4 of this Bylaw, one parking space per five dog or cat enclosures must be provided for patrons of a boarding kennel.

(6) All dogs and cats must be kept within a building from 8:00 p.m. to 7:00 a.m.

(7) All buildings and areas used by dogs as part of the boarding kennel use must be screened from residential, institutional uses, or a highway by a landscape and screening area of not less than 1 m (3 ft) in width containing a shrub, hedge, or fence screen of not less than 1.8 m (6 ft) in height, at the time of planting.
(8) A boarding kennel and its operation must also comply with the requirements of the Langford Animal Control Bylaw.

3.11 Breeding Kennels

3.11.01 In addition to the regulations for home business/industries in Section 3.09 the following regulations apply to breeding kennels in any Zone in which they are a permitted use: (Bylaw 860)

(1) A breeding kennel is permitted as an accessory use on a lot with an area of 4,000 m² (1 acre) or larger.

(2) The buildings and land associated with the breeding kennel use may not occupy more than 15% of the total lot area.

(3) Accommodation for not more than six dogs or cats may be provided on the lot.

(4) No building used for dog breeding may be located:

(a) Within 30 m (98 ft) of a front or exterior lot line;

(b) Within 10 m (33 ft) of an interior side lot line or a rear lot line;

(c) Within 90 m (295 ft) of a residence existing at the time of construction of the breeding kennel facility unless such residence is occupied by the owner or a full-time employee of the breeding kennel;

(d) Within the setback distances from natural boundaries prescribed in Section 3.16 of this Bylaw; or

(e) In front of the front building line of the principal residential building.

(5) In addition to the off-street parking spaces required by Part 4 of this Bylaw, one space must be provided for patrons of a breeding kennel.

(6) All dogs and cats must be kept within a building from 8:00 p.m. to 7:00 a.m.

(7) A breeding kennel and its operation must also comply with the requirements of the Langford Animal Control Bylaw.
3.12 The Keeping of Animals for Domestic Purposes

(Section 3.12. Replaced by Bylaw 1451)

3.12.01 The keeping of horses, cattle, sheep, and goats for domestic purposes is permitted as an accessory use to the residential use of a single family dwelling on any lot with an area of at least 4000 m$^2$ (1 acre) in any residential zone, subject to the following regulations:

1. Horses, cattle, sheep and goats are limited to one animal for each 4000 m$^2$ (1 acre) of lot area;
2. Horses, cattle, sheep and goats must be kept in a secure, fenced enclosure;
3. No building or structure used for the keeping of horses, cattle, sheep or goats or unenclosed storage of feed or manure may be located within 30 m (98 ft) of any front lot line or within 15 m (49 ft) of any other lot line;
4. The permitted accessory use includes the sale of meat, milk and milk products and wool produced on the premises;
5. The permitted accessory use includes the sale of manure produced on the premises, provided that the manure is securely bagged if stored or displayed for sale within 15 m (49 ft) of any lot line.

3.12.02 The keeping of domestic poultry and rabbits is permitted as an accessory use to the residential use of a single family dwelling on any lot greater than or equal to 4000 m$^2$ (1 acre) in area in any residential zone, subject to the following regulations:

1. The number of chickens, ducks, pigeons and rabbits, in total, that may be kept on any lot is limited to one for each 166 m$^2$ (1790 ft$^2$) of lot area;
2. Roosters are only permitted on land that is in the Agricultural Land Reserve (ALR);
3. Domestic poultry must be kept in a secure, fenced enclosure;
4. No building or structure erected for the purpose of keeping chickens, ducks, pigeons or rabbits or unenclosed storage of feed or manure may be sited within 3 m (10 ft) of any rear or side lot line, or closer to a front lot line than the front face of the principal dwelling;
5. No building or structure used for the keeping of domestic poultry other than chickens, ducks or pigeons or unenclosed storage of feed or manure may be located within 30 m (98 ft) of any front lot line or within 15 m (49 ft) of any other lot line;
6. The permitted accessory use includes the sale of meat, eggs, fur and feathers produced on the premises;
7. The permitted accessory use includes the sale of manure produced on the premises, provided that the manure is securely bagged if stored or displayed for sale within 15 m (49 ft) of any lot line.

3.12.03 The keeping of chickens, ducks, pigeons and rabbits for domestic purposes is permitted as an accessory use to the residential use of a single family dwelling on any lot with an area less than 4000 m$^2$ (1 acre) but not less than 550 m$^2$ (5920 ft$^2$) in any residential zone subject to the following conditions:
(1) The number of chickens, ducks, pigeons and rabbits, in total, that may be kept on any lot is limited to four (4);

(2) Chickens, ducks, pigeons and rabbits must be kept in a secure, fenced enclosure;

(3) Buildings or structures that are erected for the purpose of keeping chickens, ducks, pigeons or rabbits may not exceed a cumulative total floor area of 10m² (100 ft²) per lot;

(4) The siting and size of buildings or structures that are erected for the purpose of keeping chickens, ducks, pigeons or rabbits are subject to the requirements of this Section 3.12.3 where the requirements are different from those contained in Section 3.05 of this Bylaw, and the floor area of such buildings and structures may be excluded from the calculation of accessory building floor area under that Section;

(5) No buildings or structures erected for the purpose of keeping chickens, ducks, pigeons or rabbits or any unenclosed storage of feed or manure may exceed a height of 2.4 m (8 ft);

(6) No building or structure erected for the purpose of keeping chickens, ducks, pigeons and rabbits for domestic purposes or unenclosed storage of feed or manure may be sited within 3 m (10 ft) of any rear or side lot line, or closer to a front lot line than the front face of the principal dwelling;

(7) The permitted accessory use includes the sale of eggs, meat, feathers and fur produced on the premises;

(8) The slaughter of chickens, ducks pigeons or rabbits is prohibited on any lot less than 4000 m² (1 acre) in area.

3.12.04 The keeping of bees and beehives for domestic purposes including the sale of honey produced on the premises is permitted as an accessory use to the residential use of a single family dwelling on any lot in any residential zone with an area of at least 550 m² (5920 ft²) subject to the following conditions:

(1) The number of beehives shall not exceed 2 (two) for any lot with an area greater than or equal to 550 m² (5920 ft²) and less than or equal to 800 m² (8611 ft²);

(2) The number of beehives shall not exceed 1 (one) per 400 m² (4305 ft²) of lot area on lots greater than 800 m² (8611 ft²) in area;

(3) All beehives must be sited to the rear of the front building face of any principal building and at least 3 m (10 ft) from any lot line.

3.13 Unenclosed Storage

3.13.01 Commercial, Industrial, and Business Park Zones (Bylaw 637)

Where permitted in this Bylaw unenclosed storage in the Industrial and Business Park Zones is subject to the following regulations unless otherwise expressly permitted or prohibited in this Bylaw.

(1) The unenclosed storage use must not be located within 6 m (20 ft) of any lot line which does not adjoin a lot in a Commercial, Business Park, or Industrial Zone.
(2) The unenclosed storage use must not discharge or emit across lot lines:
   (a) Odours, toxic or noxious matter or vapour;
   (b) Heat, glare, or radiation; or
   (c) Recurrently generated ground vibration.

(3) The maximum height of any unenclosed storage use may not be more than 3.5 m (11.5 ft) if the lot adjoins any lot not located within an Industrial Zone or the BP1 or P5 Zones.

(4) Where an unenclosed storage use is located on a lot which adjoins any highway or lot not located within an Industrial Zone or a BP1 or P5 Zone the unenclosed storage use must be completely screened to a height of at least 2.5 m (8 ft) by buildings and/or a solid decorative fence located within a landscape and screening area of not less than 1.5 m (5 ft) in width. No display or storage of materials shall be piled up to a height exceeding 1.8 m (6 ft) within 6 m (20 ft) of the landscape and screening area.

(5) Loading areas or truckyards associated with the unenclosed storage use must be screened in a similar manner to that required in article 3.13.01(4).

3.14 Recycling Facilities

3.14.01 To support regional and municipal objectives of conservation, reuse and recycling, public or commercial recycling facilities are permitted in the CS1, CS2, M1, M2, and M3 Zones subject to the following requirements:
   (1) The maximum for unenclosed storage or sorting area is 2 000 m$^2$ (1/2 acre).
   (2) The use complies with the regulations for unenclosed storage in Section 3.13 of this Bylaw.

3.15 Commercial Composting Facilities

3.15.01 In vessel commercial composting of organic materials is permitted in any Industrial Zone or as otherwise permitted in Part 6 of this Bylaw, subject to the following requirements:
   (1) The minimum lot area is 1 500 m$^2$ (16 150 ft$^2$).
   (2) Despite Section 3.13 of this Bylaw, the height measured to the uppermost point of a topsoil pile may be 5 m (16.5 ft) if the uppermost point is located more than two times its height from any property line.

3.16 Flood Control and Environmental Protection

3.16.01 Despite any other regulation in this Bylaw, no building or any part thereof may be constructed, reconstructed, moved, or extended, nor may any mobile home or unit, modular home or structure be located:
   (1) Within 30 m (98 ft) of the natural boundary of any watercourse or 15 m (49 ft) of a natural depression or stream that contains water less than six months a year.
   (2) Despite subsection 3.16.01(1), on residential lots created by subdivision before February 15, 1999, the minimum setback from creeks other than Bilston Creek,
Colwood Creek, Goldstream River and Millstream Creek may be reduced to the extent necessary to accommodate the siting of a dwelling with a ground floor area of not more than 186 m$^2$ (2000 ft$^2$) if such a dwelling is sited as close to the front lot line and the side lot line furthest away from the creek, as this Bylaw permits, but in no case may the setback from the creek be reduced to less than 15 m (50 ft). (Bylaw 386)

(3) Notwithstanding Subsection 3.16.01(1), any regulation that pertains to the minimum setback from a watercourse, or a natural depression or stream that contains water less than six months a year, does not apply to man made ponds which do not connect to other watercourses, whether situated on private and public lands; (Bylaw 790)

(4) With the underside of the floor system of any area used for habitation, business, or storage of goods damageable by floodwaters, or in the case of a mobile home or unit, the ground level on which it is located:

(a) Less than 0.6 m (2 ft) above the two hundred year flood level as determined by the City Engineer; and

(b) Less than 1.5 m (5 ft) above the natural boundary of the sea or any other lake, swamp or pond; and

(c) Less than 1.5 m (5 ft) above the natural boundary of any other watercourse.

(5) Article 3.16.01(4) does not apply to: (Bylaw 860)

(a) a renovation of an existing building or structure used as a residence that does not involve an addition exceeding 25% of the floor area of the building or structure prior to the renovation; or

(b) farm buildings other than dwelling units and closed sided livestock housing; or

(c) closed-sided livestock housing, if such livestock housing is elevated 1 m (3 ft) above the natural ground elevation; or

(d) an industrial building, if such building is flood proofed to an elevation equal to the two hundred year flood level as determined by the City Engineer.

3.16.02 No fill may be placed to support a building or structure, within 30 m (98.5 ft) of the natural boundary of any watercourse.

3.16.03 Municipal pumphouses and pump houses for irrigation purposes on either agricultural land or golf courses are exempt from Subsection 3.16.01 and 3.16.02. (Bylaw 717)

3.17 Location and Siting of Buildings and Structures

3.17.01 Swimming Pools

No permanent swimming pool may be located in any required setback from a front lot line or within 3 m (10 ft) of any side or rear lot line.
3.17.02 **Underground Structures**

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

3.17.03 **Visibility at Intersections**

In regard to visibility at intersections, no person, may place or permit to be placed or grow, or permit to be grown, any tree, shrub, plant, fence, or other structure within the sight triangle above an elevation such that an eye 0.9 m (3 ft) above the surface elevation of one highway cannot see an object 0.9 m (3 ft) above the surface elevation of the other highway.

3.18 **Projections into Required Setbacks (Replaced by Bylaw 1608)**

3.18.01 The following features may project into a required setback, as noted in Table 1:

<table>
<thead>
<tr>
<th>Feature</th>
<th>Lot Size</th>
<th>Setback Required by Part 6 of this Bylaw</th>
<th>Type of Lot Line</th>
<th>Permitted Projection</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fireplaces, chimneys, eaves, gutters, bay windows, or ornamental features (such as cornices, pilasters, belts courses, sills)</td>
<td>All lots</td>
<td>3m or greater</td>
<td>All types</td>
<td>Setback for the projecting feature only may be reduced by not more than 1m</td>
</tr>
<tr>
<td></td>
<td>All lots</td>
<td>Less than 3m</td>
<td>Interior Side Lot Line only</td>
<td>Setback for projecting eaves and gutters only may be reduced to 0.45m</td>
</tr>
<tr>
<td>Steps, sunlight control projections, canopies, balconies, decks, or porches</td>
<td>Greater than or equal to 380 m²</td>
<td>n/a</td>
<td>All types</td>
<td>Setback for the projecting feature only may be reduced by not more than 1m</td>
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<tr>
<td></td>
<td>Less than 380 m²</td>
<td>n/a</td>
<td>Front or Rear Lot Line only</td>
<td>Setback for the projecting feature only may be reduced by not more than 1m</td>
</tr>
<tr>
<td>Principal Building, except those features noted separately below</td>
<td>All Lots</td>
<td>From Exterior Side Lot Line</td>
<td>Exterior Side Lot Line abutting a Highway less than 4.5m (14.8ft) wide</td>
<td>Principal Building may be located a minimum of 2.0m (6.6ft) from the Exterior Side Lot Line (Bylaw 1736)</td>
</tr>
</tbody>
</table>

### 3.19 Calculation of Lot Width and Depth

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

1. Lot width will be the lesser of the following measurements:
   1. The length of a line perpendicular to a line connecting the midpoints of the front and rear lot lines and 9 m (29.5 ft) to the rear of the front lot line; and
   2. The length of a line perpendicular to a line connecting the midpoints of the front and rear lot lines and 18 m (59 ft) to the rear of the front lot line.

2. Lot depth will be the length of a line connecting the mid-points of the front and rear lot lines, but excludes the access strip of panhandle lots.

### 3.20 Height Exceptions

3.20.01 The height regulations specified elsewhere in this Bylaw do not apply to church spires, belfries, church domes, fire and hose towers, public observation towers, stadiums, transmission towers, public utility poles, chimneys, flag poles bearing government flags, radio towers, drive-in theatre projection screens, elevator and ventilating machinery penthouses, provided that no such structure covers more than 20% of the lot or, if located on a building, not more than 10% of the roof area of the principal building on that lot.

3.20.02 Deleted (Bylaw 544, 637)
3.21 **Landscaping and Screening**

3.21.01 **All Zones**

The regulations in this subsection apply to the provision and maintenance of screening and landscaping to mask or separate uses, or to enhance the natural environment, in every Zone except as otherwise expressly required or permitted in this Bylaw.

1. The minimum width for landscape and screening areas is 1 m (3 ft).

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

3. Landscape and screening areas must not be located on septic fields, and a septic field must not be located in a landscape and screening area, unless approved in writing by the Capital Region Health Board.

4. Where a landscape plan is required to be submitted as part of a development permit application the provisions of this Bylaw will apply in addition to those contained in the City of Langford Landscape Policy No. 6630-00 and the applicable development permit guidelines. *(Bylaw 386)*

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

The regulations in this subsection apply to the provision and maintenance of screening and landscaping to mask or separate uses, or to enhance the natural environment in the One to Five-Family Residential (R3) Zone, Multiple Residential, Commercial, Industrial and Institutional Zones except as otherwise expressly required or permitted in this Bylaw.

1. All planted areas (trees, shrubs, groundcover, lawn, raised beds and planters in a landscape and screening area must be serviced and maintained by an underground automatic irrigation system.

2. On lots within a Multiple Residential Zone a landscape screen must be provided along any interior 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 ft) in width containing a decorative fence of a minimum height of 1.8 m (6 ft) and decorative planting.

3. Landscape and screening areas between parking areas and streets, roads, or highways must be provided with a low hardy shrub or hedge at a minimum height of 1.2 m (4 ft) at the time of planting to obscure vehicle headlights.

3.21.03 **Fences (Bylaw 1146)**

1. The height of a fence shall be measured as the vertical distance from the average finished ground level at the base of the fence to the highest point of the fence;

2. Fences may be constructed within any required setback, except that a fence may not be constructed within that portion of a lot that is within a Site Triangle, or that portion of a lot that is the designated Interface Fire Hazard Development Riparian Development Permit Area, unless either authorized by a Development Permit or specifically exempted from the requirements of a Development Permit; *(Bylaw 1570)*
(3) Fences adjacent to a highway in all zones shall not exceed a height of 1.22m (4 ft) and must be constructed with a permeable style (i.e. wrought iron, picket or similar style); *(Bylaw 1608)*;

(4) The following regulations apply to fences on lots containing one-family, two-family or townhouse uses: *(Bylaw 1608)*:

(a) Fences along interior side and rear lot lines (where not adjacent to a highway) shall not exceed a height of 1.83m (6 ft);

(b) Despite subsection 3.21.03(3), that portion of a fence along a highway that is a minimum of 1.83m (6ft) to the rear of the front building face may exceed 1.22m (4ft) in height but shall not exceed a height of 1.83m (6ft) and may be constructed with a solid style.

(5) Ornamental features such as arbours or gates are exempt from the maximum height requirements of this section. *(Bylaw 1608)*

3.21.04 Day Cares *(Bylaw 1039; Deleted by Bylaw 1394)*

3.21.05 Public Utilities

(1) Landscape and screening areas must be provided for pumping stations and reservoirs for drinking water, sewage pumping stations, storm drainage retention ponds, telephone, radio and television transmission structures or towers, and accessory buildings and structures for the facility, and they must have the following minimum widths, on all boundaries of a lot, and the following minimum heights: *(Bylaw 386)*

(a) Pumping stations – 1.5 m (5 ft) wide and 1.5 m (5 ft) high;

(b) Water reservoirs and storm water detention ponds – 1.5 m wide and 3 m (10 ft) high;

(c) Accessory buildings – 1.5 m (5 ft) wide and 1.8 m (6 ft) high;

(d) Automatic telephone exchange buildings – 3 m (10 ft) wide and 1.8 m (6 ft) high;

(e) Telephone, radio and television transmission towers – 3 m (10 ft) wide and 3 m (10 ft) high;

(f) Sewage treatment plant – 3 m (10 ft) wide and 1.8 m (6 ft) high;

(g) Private water tower – 3 m (10 ft) wide and 3 m (10 ft) high.

(2) With the exception of reservoirs and retention ponds, fencing at least 1.8 m (6 ft) in height must be installed around the area used for public utility and accessory structures.
3.22 Compliance with Lot Area Regulations

3.22.01 Lots created by Subdivision must comply with the minimum and average lot area regulations set out in Part 6 of this Bylaw except that a park to be dedicated upon deposit of the subdivision plan need not comply with those regulations.

3.22.02 For the purposes of this Bylaw, average lot area is the sum of the areas of the proposed lots divided by the number of proposed lots: (Bylaw 1372)

   (1) Deleted (Bylaw 1372)

3.22.03 The average and minimum lots sizes in Part 6 of this Bylaw do not apply:

   (1) If the lot being created is to be used solely for the unattended equipment necessary for the operation of facilities referred to in articles 3.01.01(2) and (3) of this Bylaw or for a community water or sewer system, a community gas distribution system, a community radio or telephone receiving antenna, a radio or television broadcasting antenna, a telecommunication relay, an automatic telephone exchange, an air or marine navigational aid, an electrical substation or generating station road access, and any other similar public service or utility and the owner grants to the City of Langford a covenant under the Land Title Act restricting the use of the lot to that use and prohibiting the disposal of that lot except through dedication to the City of Langford. (Bylaw 790, 1186)

   (2) If the lot being created is for park use, an ecological reserve, or dedication to the Crown.

3.22.04 The Approving Officer may approve a subdivision consolidation containing lots with lot areas or lot widths less than the requirements in this Bylaw if:

   (1) The subdivision consolidation creates a lesser number of lots; and

   (2) The smallest lot created is larger than the smallest of the lots being consolidated.

3.22.05 Deleted. (Bylaw 790; Deleted by Bylaw 1372)

3.23 Enforcement of Siting Regulations

3.23.01 Every application for a building permit must provide a plan signed by a B.C. Land Surveyor showing the location on the lot of all existing and proposed buildings, structures and sewage absorption fields in relation to lot and Zone boundaries, watercourses, wells and the sea, and in relation to other buildings on the lot, unless the building inspector determines that the provision of such plan is not reasonably necessary to establish whether proposed buildings, structures and sewage absorption fields comply with the siting requirements of this Bylaw.

3.23.02 Every applicant for a development permit or a development variance permit must provide a plan as described in Subsection 3.23.01 unless the City of Langford Council makes the determination referred to in that section. (Bylaw 386)

3.24 Conversion of Building Use

3.24.01 Buildings may be converted, altered, or remodeled for another use, provided that the converted building conforms to all the provisions and regulations prescribed for the Zone in which it is located, as well as any applicable provisions and regulations of the BC Building Code and the City of Langford Building and Plumbing Bylaw. (Bylaw 386)
3.25 **Covenants Against Building and Subdivision**

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

3.26 **Community Care Facilities** *(Bylaw 544, 637, 828, 832, 1146; Replaced by Bylaw 1394)*

3.26.01 In addition to, and despite any other regulations for Community Care Facilities in any Zone in this bylaw, the following regulations apply to Community Care Facilities in any Zone in which they are a permitted use:

1. A community care facility may not exist in conjunction with any other permitted use on the same property;
2. With the sole exception of a home occupation day care, a community care facility is not permitted as a home occupation in a two-family dwelling, a townhouse, an attached dwelling unit, an apartment, or a mobile home;
3. Notwithstanding Section 3.26.01(1) above, a community care facility may exist as a home occupation provided that the one-family dwelling in which the community care facility exists is occupied by the caretaker or proprietor of the community care facility;
4. Notwithstanding Section 3.26.01(1) above, a community care facility may exist as a home occupation in conjunction with a home office use within the same one-family dwelling unit;
5. Notwithstanding Section 3.26.01(1) above, a community care facility may exist on the same property as any institutional use.
6. Notwithstanding Section 3.26.01(1) above, a community care facility use may be conducted on the same property as any other use in the CT3 (Tourist Commercial – Hotel) Zone.

3.26.02 The following regulations apply to Group Day Care and Home Occupation Family Day Care facilities in any Zone in which they are a permitted use: *(Bylaw 1039, 1146; Replaced by Bylaw 1394)*

1. In Residential Zones, a Group Day Care is permitted only where the dwelling is occupied by the proprietor of the group daycare, and only in a one-family dwelling or a permitted accessory building associated with a one-family dwelling;
2. In Commercial and Institutional Zones, a group day care is permitted as a stand-alone permitted use;
3. In the C8, C8A, MU1, and MU1A Zones, a group day care is only permitted within commercially designated space on the ground floor;
4. A group day care limited to a capacity of 20 children is permitted on lots with areas less than or equal to 1 099 m² (11 830 ft²);
5. A group day care limited to a capacity of 36 children is permitted on lots with areas greater than 1 099 m² (11 830 ft²);
(6) Group day cares permitted by Section 3.26.02(5) must not be sited within 15 m (50 ft) of any lot line adjoining a property occupied by a one- or two-family residential use;

(7) Group day cares in a residential zone and home occupation day cares are not permitted in conjunction with a suite; *(Bylaw 1696)*

(8) Notwithstanding any provision of Section 3.09 of this bylaw, and in addition to the off-street parking spaces required for the dwelling by Part 4 of this bylaw, a group day care in a residential zone shall provide, on site, two parking spaces for pick-up and drop-off and one additional parking space per non-resident employee;

(9) Notwithstanding Section 3.26.02(4) above, a Group Day Care with a capacity of up to 28 children is permitted on the lot legally described as Lot 11, Section 5, Esquimalt District, Plan 7165, PID No.: 005-756-880 (2758 Peatt Rd). *(Bylaw 1589)*

(10) Notwithstanding the provisions of Section 3.05, children’s play equipment associated with a group daycare in non-residential zones may be located a minimum of 1.0m (3.0ft) from any lot line. *(Bylaw 1746)*

3.26.03 The regulations in this subsection apply to the provision and maintenance of screening and landscaping to mask or separate day care and community care facility uses from adjacent one- and two-family residential uses except as otherwise expressly permitted or required by this Bylaw. *(Bylaw 1394)*

(1) A group day care or community care facility shall provide a 1.8 m (6 ft) high decorative solid wood fence along all property boundaries directly adjacent to a one- or two-family residential use; *(Bylaw 1394)*

3.27 Temporary Commercial Use Permits Temporary Industrial Use Permit Areas *(Bylaw 559, 790, 892; Replaced by Bylaw 1198)*

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

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

3.27.03 Council may require, as a condition of issuance of a temporary use permit, that development meets the requirements of:

(1) The guidelines referred to in Section 2.14.01 of this Bylaw with respect to any development permit areas designated for the establishment of objectives for the form and character of commercial or industrial development; and

(2) The guidelines referred to in Section 2.14.01 of this Bylaw with respect to development permit areas designated for the protection of the natural environment, its ecosystems and biological diversity; the protection of development from hazardous conditions; the protection of farming; the revitalization of an area in which a commercial use is permitted; the conservation of water and energy; or the reduction of greenhouse gas emissions.

3.27.04 Council may require the following types of information in regards to the land for which a temporary use permit is being sought either as a condition of issuance, or prior to issuance of a temporary use permit:
(1) A geotechnical evaluation;
(2) An environmental impact assessment;
(3) A wildfire hazard assessment;
(4) A stormwater management and drainage plan;
(5) A groundwater management plan;
(6) A soil removal plan;
(7) An acoustical analysis and sound attenuation plan;
(8) A traffic analysis and traffic impact mitigation plan;
(9) A parking study and parking plan;
(10) A site lighting plan; and

(11) An analysis of the impact of the proposal on the visual quality of the site from surrounding properties.
Part 4
PARKING REGULATIONS

Section 4.01 – Off-Street Parking

4.01.01 Required Number of Off-Street Parking Spaces

When any new use of land or buildings or structures takes place or when any existing use of land or buildings or structures is enlarged or increased in capacity, provision must be made for off-street vehicular parking spaces and bicycle parking spaces in accordance with the standards set out in this section. The number of off-street parking spaces required in respect of particular uses is set out in Table 1, and where a particular use is not listed the number required for the most similar listed use applies. Furthermore, where a rezoning application is submitted to establish a land use not listed in Table 1, Council may require a Parking Demand Study to be provided as part of that rezoning application and subsequently add a parking requirement to Table 1. Where calculations of the required number of off-street parking spaces results in fractional numbers, calculations will be rounded (up or down) to the nearest whole number (e.g. 4.5 shall be rounded to 5; 4.45 shall be rounded to 4) (Bylaw 386; Amended by Bylaw 1050)

Table 1 below: (Bylaw 409, 445, 544, 588, 622, 628, 637, 717, 778, 817, 828, 841, 907, 927, 1039, 1061, 1111, 1209, 1215, 1124, 1223, 1248, 1313, 1335, 1337, 1350, 1380, 1394; Replaced by Bylaw 1050; Bylaw 1506, 1554, 1571, 1649, 1752, 1797, 1696, 1829)

<table>
<thead>
<tr>
<th>Land Use Category</th>
<th>Minimum Number of Parking Spaces Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>I. RESIDENTIAL</td>
<td></td>
</tr>
<tr>
<td>Apartment in City Centre and the Mixed Use Employment Centre designation as shown on Map 2 in Bylaw No. 1200, unless otherwise specified in this bylaw.</td>
<td>1.25 spaces per dwelling unit with two bedrooms or less, of which 0.25 shall be designated for visitor parking; 2.25 spaces per dwelling unit with more than 2 bedrooms, of which 0.25 shall be designated for visitor parking</td>
</tr>
<tr>
<td>Apartment outside of the City Centre and the Mixed Use Employment Centre designation as shown on Map 2 in Bylaw No. 1200, unless otherwise specified in this bylaw</td>
<td>2.75 spaces per dwelling unit with two bedrooms or less, of which 0.25 shall be designated for visitor parking; 3.75 spaces per dwelling unit with more than 2 bedrooms, of which 0.25 shall be designated for visitor parking</td>
</tr>
<tr>
<td>Apartments within the CD1 (Goldstream Meadows), CD3 (Westhills), CD4 (Olympic View), RCBM1 (Resort Community of Bear Mountain 1), RCBM2 (Resort Community of Bear Mountain 2) (Bylaw 1797), and CD12 (South Skirt Mountain) zones</td>
<td>1.5 spaces per dwelling unit with an additional 1 parking space per 4 units shall be assigned to visitors only</td>
</tr>
<tr>
<td>Affordable Housing developed in accordance with the City of Langford Affordable Housing Policy</td>
<td>1 space per dwelling unit</td>
</tr>
<tr>
<td>Assisted Living Dwelling Unit</td>
<td>1 space per 4 dwelling units</td>
</tr>
<tr>
<td>Attached Housing and Townhouses</td>
<td>2 spaces per dwelling unit</td>
</tr>
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<td>---------------------------------</td>
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<tr>
<td>(subdivided pursuant to the <em>Strata Property Act</em>)</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Attached Housing and Townhouses</th>
<th>3 spaces per dwelling unit OR 2 spaces per dwelling unit when a minimum of 1 on-street parking space per every 3 units is created within frontage of the subject property</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>(subdivided pursuant to the <em>Land Title Act</em>)</td>
<td></td>
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</tbody>
</table>

| Boarding | 1 space per sleeping unit |  |
| Flex Unit | 1 space per dwelling unit |  |
| Residential Dwelling in Area 3 of the CD1 (Goldstream Meadows) Zone | 2 space per dwelling unit |  |
| Suite (*Bylaw 1696*) | 1 space per dwelling unit |  |
| Single-Family Dwelling | 2 spaces per dwelling unit |  |
| Two-Family Dwelling (duplex) | 2 spaces per dwelling unit |  |
| Mobile/Manufactured Home | 2 spaces per home site |  |

### II. COMMERCIAL

<p>| Appliance Repair | 1 space per 50 m² gfa |  |
| Auction House | 1 space per 20 m² gfa |  |
| Automotive and RV Sales, Rental or Repair (&lt;5000 kg GVW) | Minimum of 4 spaces for customers and staff in addition to one space per 55 m² gfa of office and sales area combined and 3 spaces per service bay for customer vehicles |  |
| Automotive and RV Sales or Rental (&gt;5000 kg GVW) | greater of 3 spaces or 1 space per 100 m² gfa |  |
| Automotive, RV and Industrial Equipment Repair (&gt;5000 kg GVW) | 3 spaces per service bay, and these spaces must be appropriately sized for the equipment being serviced |  |
| Banquet and Catering Facility | greater of 1 space per 5 seats or 1 space per 30 m² gfa |  |
| Beauty Salon/Hair Care/Barber Shop | 1 space per 20 m² gfa |  |
| Bed and Breakfast | 1 space per room to be rented out in addition to the required parking for any other uses |  |
| Building Materials (&lt; 10,000 ft² gfa) | 1 space per 20 m² gfa of retail floor area |  |
| Building Materials (&gt; 10,000 ft² gfa) | 1 space per 35 m² gfa of retail floor area |  |
| C6A (Neighbourhood Mixed Use) and C6B (Neighbourhood Mixed Use) – all commercial uses | 1 space per 25 m² gfa |  |
| Commercial uses in the C6C (Neighbourhood Mixed-Use - McCallum) Zone | 1 space per 30 m² of GLA |  |
| C8 (Community Town Centre Pedestrian) on the property legally described as Lot 12, Section 5, Esquimalt District, Plan 7165 – all commercial uses | 7 spaces (<em>Bylaw No. 817</em>) |  |
| Commercial uses in the C10 (Belmont Market and Residences) Zone | 1 space per 30m² of GLA |  |
| Car Wash Facility | 2 spaces per wash bay |  |
| Commercial uses in Downtown Pedestrian Commercial Area as shown on Map 21 in | 1 space per 35 m² gfa |  |</p>
<table>
<thead>
<tr>
<th>Business Type</th>
<th>Parking Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bylaw No. 1200</td>
<td></td>
</tr>
<tr>
<td>Contractor’s Yard</td>
<td>1 space per 2 employees</td>
</tr>
<tr>
<td>Gas Bar</td>
<td>2 spaces</td>
</tr>
<tr>
<td>Gas Station with convenience store</td>
<td>10 spaces in addition to the required parking for additional uses such as automotive repair</td>
</tr>
<tr>
<td>Group day care limited to a capacity of 41 children and dance studio limited to a GFA of approximately 80 m² on the property legally described as Lot 29, Section 1, Range 2 West, Highland District, Plan 13385 (2285 Bellamy Rd)</td>
<td>6 spaces</td>
</tr>
<tr>
<td>Gymnasium/Health Club/Spa</td>
<td>1 space per 25 m²/gfa</td>
</tr>
<tr>
<td>Financial Institution</td>
<td>1 space per 22 m²/gfa</td>
</tr>
<tr>
<td>Funeral Parlour</td>
<td>greater of 1 space per 4 seats or 1 space per 5.6 m² of assembly space</td>
</tr>
<tr>
<td>Furniture, Large Appliance, Carpet Stores, or Similar Uses (&lt;2 000 m²/gfa)</td>
<td>1 space per 80 m²/gfa</td>
</tr>
<tr>
<td>Furniture, Appliance, Carpet Stores, or Similar Uses (&gt; or + 2 000 m²/gfa)</td>
<td>1 space per 100 m²/gfa</td>
</tr>
<tr>
<td>Home-based Business or Industry</td>
<td>1 space per business in addition to 1 space per employee</td>
</tr>
<tr>
<td>Hotel/Motel/Motor Inn</td>
<td>1 space per room</td>
</tr>
<tr>
<td>Hotel with conference facility or restaurant/lounge</td>
<td>1 space per room in addition to 1 space per 4 seats in a restaurant, or 1 space per 5 seats in a conference facility</td>
</tr>
<tr>
<td>Large Format Business (&gt; 2 000 m²/gfa – large warehouse/household goods stores, clothing stores, office supplies, catalogue stores nursery/garden centres, drug stores or similar uses)</td>
<td>1 space per 30 m²/gfa</td>
</tr>
<tr>
<td>Laundromat/Coin-op Dry Cleaning Without Dry Cleaners</td>
<td>greater of 1 space per 19 m²/gfa or 1 spaces per 2 washing machine</td>
</tr>
<tr>
<td>Laundry/With Dry Cleaners</td>
<td>1 space per 20 m²/gfa</td>
</tr>
<tr>
<td>Liquor Store</td>
<td>1 space per 13 m²/gfa</td>
</tr>
<tr>
<td>Medical or Dental Office</td>
<td>1 space per 25 m²/gfa</td>
</tr>
<tr>
<td>Non-Automotive Machinery and Equipment Sales and/or Rentals</td>
<td>1 space in addition to 1 parking space per 45 m²/gfa</td>
</tr>
<tr>
<td>Non-Automotive Machinery Service</td>
<td>greater of 3 spaces or 1 space per 45 m²/gfa</td>
</tr>
<tr>
<td>Premises Licensed Pursuant to the Liquor Control and Licensing Act</td>
<td>1 space per 35 m² where liquor is served</td>
</tr>
<tr>
<td>Printing/Publishing/Bookbinding</td>
<td>1 space 35 m²/gfa</td>
</tr>
<tr>
<td>Professional, Administrative, Business, Real Estate office</td>
<td>1 space per 35 m²/gfa</td>
</tr>
<tr>
<td>Public Transportation Terminal/Depot/Facility</td>
<td>1 space per 30 m²/gfa</td>
</tr>
<tr>
<td>Restaurant, Coffee Shop, Fast Food Restaurant</td>
<td>1 space per 4 seats</td>
</tr>
<tr>
<td>Refund Container Refund Depot</td>
<td>1 space per 47 m² of building area</td>
</tr>
<tr>
<td>Shopping Centre</td>
<td>1 space per 20 m³/gla</td>
</tr>
<tr>
<td>Sign Shop</td>
<td>1 space per 40 m³/gfa</td>
</tr>
<tr>
<td>Stand Alone Convenience Store (neighbourhood grocery)</td>
<td>1 space per 35 m³/gfa or a minimum of 4 spaces</td>
</tr>
<tr>
<td>Supermarket</td>
<td>1 space per 20 m³/gfa</td>
</tr>
<tr>
<td>Taxicab Office/Stand</td>
<td>2 spaces in addition to 1 space per taxi</td>
</tr>
<tr>
<td>Tires Sales/Repair</td>
<td>2 spaces in addition to 2 spaces per service bay</td>
</tr>
<tr>
<td>Service Description</td>
<td>Parking Spaces</td>
</tr>
<tr>
<td>------------------------------------------------------------------------------------</td>
<td>----------------</td>
</tr>
<tr>
<td>TV/Radio Station</td>
<td>1 space per 40 m²</td>
</tr>
<tr>
<td>Veterinary Clinic, Animal Care, or Training</td>
<td>1 space per 28 m²/fga</td>
</tr>
<tr>
<td>Retail or Service Not Specifically Listed in this Table</td>
<td>1 space per 20 m²/fga</td>
</tr>
</tbody>
</table>

### III. INDUSTRIAL

<table>
<thead>
<tr>
<th>Service Description</th>
<th>Parking Spaces</th>
</tr>
</thead>
<tbody>
<tr>
<td>Business Park Zones, excluding BP3 (all commercial uses)</td>
<td>1 space per 45 m²/fga</td>
</tr>
<tr>
<td>Business Park 3 Zone (BP3 – Amy Road)</td>
<td>1 space per 100 m²/fga; 1 space per 25 m²/fga for a medical clinic</td>
</tr>
<tr>
<td>Commercial or business uses in the Langford Business and Technology Park (BT1) Zone, except as otherwise specified</td>
<td>1 space per 30 m²/fga</td>
</tr>
<tr>
<td>Industrial (light &amp; general)</td>
<td>1 space per 45 m²/fga</td>
</tr>
<tr>
<td>Industrial (heavy)</td>
<td>1 space per 90 m²/fga</td>
</tr>
<tr>
<td>Manufacturing</td>
<td>1 space per 100 m²/fga</td>
</tr>
<tr>
<td>Mini-storage (warehouse style)</td>
<td>1 space per 400 m²/fga</td>
</tr>
<tr>
<td>Mini-storage (individual units)</td>
<td>1 space per 185 m²/fga</td>
</tr>
<tr>
<td>Warehouse (storage)</td>
<td>1 space per 200 m²/fga</td>
</tr>
<tr>
<td>Warehouse (wholesale distribution)</td>
<td>1 space per 100 m²/fga</td>
</tr>
</tbody>
</table>

### IV. INSTITUTIONAL

<table>
<thead>
<tr>
<th>Service Description</th>
<th>Parking Spaces</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ambulance Station</td>
<td>1 space per 20 m²/fga</td>
</tr>
<tr>
<td>Fire Station</td>
<td>1 space per 40 m²/fga</td>
</tr>
<tr>
<td>Group Day Care</td>
<td>2 spaces in addition to 1 space per staff person, and in addition to the required parking for any other uses.</td>
</tr>
<tr>
<td>Home Occupation Day Care</td>
<td>1 space in addition to 1 space per non-resident staff person and in addition to the required parking for any other use on the same lot.</td>
</tr>
<tr>
<td>Hospital (public)</td>
<td>greater of 1.8 spaces per bed or 1 space per 56 m²/fga</td>
</tr>
<tr>
<td>Hospital (private)</td>
<td>greater of 1 space per 3 beds or 1 space per 56 m²/fga</td>
</tr>
<tr>
<td>Personal Care Facility</td>
<td>1 space per 3 beds</td>
</tr>
<tr>
<td>Place of Worship</td>
<td>greater of 1 space per 8 m²/fga of assembly area and office or 1 space per 10 seats</td>
</tr>
<tr>
<td>Police Station</td>
<td>1 space per employee</td>
</tr>
<tr>
<td>Post Office</td>
<td>1 space per 20 m²/fga</td>
</tr>
<tr>
<td>Prison</td>
<td>1 per 2 employees counted as total of 2 shifts</td>
</tr>
<tr>
<td>Nursery/Pre-School</td>
<td>1 space per 5 children (minimum of 4 spaces)</td>
</tr>
<tr>
<td>School (K-grade 10)</td>
<td>2 spaces per 25 students</td>
</tr>
<tr>
<td>School (grades 11-12)</td>
<td>4.5 spaces per 25 students</td>
</tr>
<tr>
<td>Colleges, business colleges and adult learning centres</td>
<td>1 parking space per 30 m²/fga</td>
</tr>
<tr>
<td>University</td>
<td>1 space per 50 m²/fga</td>
</tr>
</tbody>
</table>

### V. MARINE

<table>
<thead>
<tr>
<th>Service Description</th>
<th>Parking Spaces</th>
</tr>
</thead>
<tbody>
<tr>
<td>Marine Repair and Service</td>
<td>3 spaces per service bay and these spaces must be appropriately sized for the equipment being serviced</td>
</tr>
<tr>
<td>Marine Sales and Rental</td>
<td>1 space in addition to 1 space per 45 m²/fga or sales and office area combined</td>
</tr>
</tbody>
</table>

### VI. RECREATIONAL/CULTURAL

<table>
<thead>
<tr>
<th>Service Description</th>
<th>Parking Spaces</th>
</tr>
</thead>
<tbody>
<tr>
<td>Archery/Shooting Range</td>
<td>1 space per target corridor</td>
</tr>
<tr>
<td>Arena/Roller/Ice Skating Rink</td>
<td>greater of 1 space per 60 m² of rink surface or 1 space per 3 seats</td>
</tr>
<tr>
<td>Assembly Use</td>
<td>1 space per 14 m²/fga</td>
</tr>
<tr>
<td>Batting Cage</td>
<td>1 space per cage</td>
</tr>
<tr>
<td>Land Use Category</td>
<td>Minimum Number of Bicycle Parking Spaces Required</td>
</tr>
<tr>
<td>-------------------------------------------</td>
<td>---------------------------------------------------</td>
</tr>
<tr>
<td><strong>RESIDENTIAL</strong></td>
<td></td>
</tr>
<tr>
<td>Apartment</td>
<td>One per dwelling unit</td>
</tr>
<tr>
<td>Townhouse</td>
<td>One per dwelling unit</td>
</tr>
<tr>
<td>Assisted Living</td>
<td>One per 15 dwelling units</td>
</tr>
<tr>
<td><strong>COMMERCIAL</strong></td>
<td></td>
</tr>
<tr>
<td>Hotel/Motel</td>
<td>One per 15 rooms</td>
</tr>
<tr>
<td>Office (all), retail sales of goods and services, financial institutions, restaurants, veterinary clinic, Personal Service Establishments, Denturists, Service Stations, Food and Beverage Manufacturers, Warehouses.</td>
<td>One per 250 m² gfa for the first 5000 m² and one per 500 m² gfa for any additional area.</td>
</tr>
<tr>
<td>Shopping Centre</td>
<td>One per 250 m² gfa for the first 5000 m² and one per 500 m² gfa for any additional area</td>
</tr>
<tr>
<td><strong>INDUSTRIAL</strong></td>
<td></td>
</tr>
<tr>
<td><strong>INSTITUTIONAL</strong></td>
<td></td>
</tr>
<tr>
<td>Hospitals</td>
<td>One per 500 m² gfa in addition to a six space rack at each entrance</td>
</tr>
<tr>
<td>Schools</td>
<td>All levels: One per 10 employees</td>
</tr>
<tr>
<td>Elementary</td>
<td>One per 10 students</td>
</tr>
<tr>
<td>Junior Secondary (Middle)</td>
<td>One per 8 students</td>
</tr>
<tr>
<td>Senior Secondary</td>
<td>One per 8 students</td>
</tr>
<tr>
<td>College</td>
<td>One per 5 students</td>
</tr>
<tr>
<td>University</td>
<td>One per 5 students (full-time, max attendance)</td>
</tr>
<tr>
<td><strong>Churches</strong></td>
<td>One per 50 fixed seats</td>
</tr>
<tr>
<td>-------------------------</td>
<td>------------------------</td>
</tr>
<tr>
<td><strong>Library/Museum/Art Gallery</strong></td>
<td>1 per 100 m²gfa</td>
</tr>
<tr>
<td><strong>Personal Care/Nursing Home/Group Home</strong></td>
<td>One per 15 dwelling units</td>
</tr>
<tr>
<td><strong>Correctional Institutions</strong></td>
<td>One per 50 beds</td>
</tr>
</tbody>
</table>

**CULTURAL & RECREATIONAL**

| **Stadium, Arena, Pool, Exhibition Hall, Assembly Facility, similar places with spectator facilities** | One per 100 m² of surface area |
| **Gymnasium, Health Club** | One per 80 m² of surface area |
| **Bowling Alley, Curling Rink** | One per 2 alleys or sheets |

### 4.01.02 Parking Spaces and Aisle Dimensions

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

**Table 4.01.02 (Replaced by Bylaw No. 1050)**

<table>
<thead>
<tr>
<th>Parking Angle in Degrees</th>
<th>Width of Stall</th>
<th>Depth of Stall Perpendicular to Manoeuvring Aisle</th>
<th>Width of Stall Parallel to Aisle</th>
<th>Overall Depth in Aisle</th>
<th>Width of Manoeuvring Aisle</th>
</tr>
</thead>
<tbody>
<tr>
<td>0</td>
<td>7.0</td>
<td>2.6 m</td>
<td>7.0 m</td>
<td>8.9 m</td>
<td>3.7 m</td>
</tr>
<tr>
<td>30</td>
<td>2.6 m</td>
<td>5.0 m</td>
<td>5.2 m</td>
<td>13.7 m</td>
<td>3.7 m</td>
</tr>
<tr>
<td>45</td>
<td>2.6 m</td>
<td>5.7 m</td>
<td>3.7 m</td>
<td>15.5 m</td>
<td>4.1 m</td>
</tr>
<tr>
<td>60</td>
<td>2.6 m</td>
<td>6.0 m</td>
<td>3.0 m</td>
<td>17.6 m</td>
<td>5.6 m</td>
</tr>
<tr>
<td>90</td>
<td>2.6 m</td>
<td>5.5 m</td>
<td>2.6 m</td>
<td>18.0 m</td>
<td>7.0 m – may be reduced to 6.7 m for in-building and underground private parking in multi-family residential developments</td>
</tr>
</tbody>
</table>

(1) If a stall is directly adjacent on one side to an obstruction, wall or fence of more than 0.3 m in height that the width of parking stall is 2.7 m clear. If a stall is obstructed on two sides that the width of parking stall is 3.0 m clear. *(Bylaw 1050)*

### 4.01.03 Access to Parking Spaces

(1) All required parking spaces must be freely accessible from a highway or access easement registered in favour of the City of Langford. *(Bylaw 1186)*

(2) All parking spaces must be kept clear and unobstructed when not occupied by vehicles.
4.01.04 Location of Parking Spaces

(1) (Bylaw 1050, 1509; Deleted by Bylaw 1752)

(2) (Bylaw 558; Replaced by Bylaw 1050; Deleted by Bylaw 1752)

(3) (Deleted by Bylaw 1752)

(4) Where a lot contains both commercial and multi-family residential uses, the Visitor Parking component of the off-street parking required for the multi-family residential use may be counted towards the commercial component provided that an easement or covenant in favour of the municipality is registered on title to secure the shared tenure of the parking stalls. (Deleted by Bylaw 1050; Replaced by Bylaw 1554)

(5) A required parking space may be open or enclosed, and may be outside, under, within, or on the roof of a building.

(6) (Bylaw 558, 637, 386; Deleted by Bylaw 1746)

(7) Small car parking areas are permitted subject to the following:

   (a) Small car parking may only account for a maximum of one third of the total parking required for all uses; (Bylaw 1050)

   (b) The depth of the stalls for small cars for 90 degree parking may be reduced from 5.5 m (18 ft) to 4.5 m (15 ft); (Bylaw 1050) and

   (c) Small car parking spaces must be clearly marked “small car use only”. (Bylaw 445)

4.01.05 Payment in Lieu of Required Off-Street Parking (Bylaw 1752)

(1) Required parking spaces for all uses shall be provided on the same site as the building or use in respect of which the spaces are required, except that for any permitted commercial use in a commercial zone, a mixed-use commercial and residential zone, a business park zone, or any part of a Comprehensive Development Zone where a commercial use is permitted, an owner or occupier may comply with subsection (a) or (b):

   (a) Provided a building, structure, or use for which application for payment in lieu is not located more than 150 m (492 ft) from a Municipal parking facility, the Municipality will accept a payment in lieu of the number of on-site parking spaces. The payment shall be eleven thousand dollars ($11 000) per parking space required.
(b) Required parking spaces may be provided on land other than that in respect of which the spaces are required, provided that:

(i) the parking site is located within a distance of 150 m (492 ft) from the site where the building, structure, or use requiring provision of parking is located or carried on; and

(ii) an easement an easement or covenant in favour of the municipality is registered against the title of the parking site, requiring that it be used to provide the required number of parking spaces for the building, structure, or use which requires the parking.

(iii) Clauses (a) and (b) shall not apply to properties which have direct access to highways controlled by the Ministry of Transportation. Parking on those properties shall be in accordance with the most recent edition of the Parking and Trip Generation Rates Manual of the Province of British Columbia Ministry of Transportation and Highways, Highway Planning and Policy Branch, or Section 4.01 of this Bylaw, whichever is greater.

4.01.06 Maintenance Requirements for Off-Street Parking Areas

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

(3) Every off-street parking space in a Commercial Zone and a BP Zone and the access thereto must be hard-surfaced and demarcated if the access thereto is from a highway which is hard-surfaced.

(4) Every off-street parking space on a lot located in an Industrial Zone and the access thereto must be hard-surfaced and demarcated if such area lies in front of the principal building. Any area at the rear or the side of the principal building provided or required for off-street parking need not be hard-surfaced, but must be of such a surface that will minimize the carrying of dirt or foreign matter upon the highway.

(5) For the purposes of this subsection, "hard-surfaced" will mean the provision of durable, dust-free road surface construction of concrete, asphalt or similar material.

(6) Any lighting must be so arranged as to direct the light exclusively on the parking area at illumination levels of 11 Lux or less.
4.01.07 Accessible Parking

(1) Accessible parking spaces for persons with a disability must be provided as follows:

a) Parking spaces for disabled persons shall be provided in accordance with the current edition of the British Columbia Building Code;

b) Notwithstanding 4.01.06(1)(a), for all commercial uses, a minimum of 1 accessible parking space shall be provided where Table 1 of Section 4.01.01 requires the provision of more than 10 and fewer than 30 off-street parking spaces, excluding those required for dwelling units, and for every 50 spaces or part thereof in excess of 30. (Subsection (1) replaced by Bylaw 1050)

(2) Accessible parking stalls must be sized and located as follows:

(a) With minimum width of 3.7 m (12 ft) and a minimum depth of 5.8 m (19 ft) or a minimum width of 2.75 m (9 ft), provided an additional 1.2 m (4 ft) wide loading zone is included and is shared with an adjacent accessible parking space. The minimum functional width of each accessible space must be 3.7 m (12 ft);

(b) Delineate accessible parking stalls with an international symbol of accessibility for the disabled and assign signage and design criteria in conformance with the current edition of the B.C. Building Code (Bylaw 1050); and

(c) Connected to the building entrance by a marked access route that avoids travel behind parked vehicles.

4.02 Off-Street Loading

4.02.01 Off-Street Loading Spaces

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

<table>
<thead>
<tr>
<th>Use of Building Site</th>
<th>Total Floor Area of Building</th>
<th>Required Number of Off-Street Loading Spaces</th>
</tr>
</thead>
<tbody>
<tr>
<td>Retail store, industry, warehouse, or similar use</td>
<td>300 m² to 500 m²</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>500 m² to 2 500 m²</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>Each additional 2 500 m² or fraction thereof</td>
<td>1 additional</td>
</tr>
<tr>
<td>Office building, place of public assembly, hospital, convalescent home, institution, club or lodge, public utility, school or other similar use</td>
<td>300 m² to 3 000 m²</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>Each additional 3 000 m² or fraction thereof</td>
<td>1 additional</td>
</tr>
</tbody>
</table>

4.02.02 Access to Loading and Unloading Space

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

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

4.02.04 Size of Loading and Unloading Space

Every loading space must be of adequate size and with adequate access thereto, to accommodate the types of vehicles which will be loading and but in no case may the space be less than 30 m² (325 ft²) in area or less than 2.5 m (8 ft) in width or provide less than 4 m (13 ft) of overhead clearance.

4.02.05 On-Street Parking for Group Day Cares (Bylaw 1039, 1146)

(1) (Bylaw 1146; Deleted by Bylaw 1394)

(2) (Deleted by Bylaw 1394)
Part 5
ESTABLISHMENT OF ZONES

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

5.02 Zone Boundaries
5.02.01 Where a zone boundary is shown on Schedule “B” as following any highway, right-of-way of stream, the centre line of such highway right-of-way or stream is the zone boundary.

5.02.02 Where a zone boundary shown on Schedule “B” does not follow a legally defined line and no dimensions are shown by which the boundary could otherwise be located, the location of the boundary must be determined by scaling from Schedule “B”.

5.03 Lots Divided by a Zone Boundary
5.03.01 If a lot is divided by one or more zone boundaries, each of the lot portions enclosed by the lot boundaries and the zone boundaries must be considered as a separate lot for the purposes of determining the requirements of this Bylaw in respect of subdivision.

5.03.02 In the circumstances described in Subsection 5.03.01, the number of dwellings permitted on a lot must be calculated with reference to the areas of the portions of the lot lying within each zone, and dwellings may only be constructed if and to the extent that the density regulation for the zone in which the construction is to occur is complied with.

5.03.03 In the circumstances described in Subsection 5.03.01, if one of the portions of the lot is in the Agricultural Zone any dwelling permitted in respect of that portion of the lot may despite any other provision of this Bylaw be constructed on another portion of the lot.

5.04 Short Form of Zones
5.04.01 The zone categories, zone designations and the short forms used in this Bylaw are:

Greenbelt Zones (Deleted by Bylaw 1481)

Greenbelt Residential Zones (Deleted by Bylaw 1481)

Agricultural Zones
Agriculture 1 AG1
Agriculture 2 AG2

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

One-Family Residential R1
One- and Two-Family Residential R2
One- and Two-Family Residential 2A R2A
One- to Five-Family Residential R3
One-Family Residential R4
Residential Small Lot RS1
Residential Small Lot 2 RS2
Residential Small Lot 3 RS3
Residential Small Lot 4 RS4
Mobile Home Park RH1
Residential Townhouse 1 RT1
Residential Townhouse 2 RT2

Multiple Residential Zones

Low Density Attached Housing RM1
Attached Housing RM2
Attached Housing A RM2A
Apartment RM3
Apartment A RM3A
Apartment – Senior Citizens RM4
Medium-Density Apartment RM7
Medium-Density Apartment A RM7A
Assisted Living Medium Density Apartment RM8
Medium-Density Apartment RM9
Cluster Housing Residential CH1
Cluster Housing Residential CH2
Cluster Housing Residential CH3
Cluster Housing Residential CH4
Cluster Housing Residential CH5

Commercial Zones

Neighbourhood Commercial C1
District Commercial C3
Office Commercial C5
Neighbourhood Public House C6
Neighbourhood Mixed Use C6A
Neighbourhood Mixed Use C6B
Neighbourhood Mixed Use McCallum C6C
Community Town Centre Pedestrian C8
Community Town Centre Pedestrian A C8A
Community Town Centre Pedestrian B C9
Belmont Market and Residences C10
Service Commercial CS1
Commercial Industrial CS3
Tourist Commercial – Motel CT1
Tourist Commercial – Campsite CT2
Tourist Commercial – Hotel CT3
Commercial Recreation CR1
Marina Commercial CR2
Mixed Use Residential Commercial MU1
Mixed Use Residential Commercial A MU1A
Mixed Use Residential Commercial 2 MU2
Mixed Use Employment 1 MUE1
Mixed Use Employment 2  MUE2

**Industrial/Business Park Zones**

Business Park 1 – Millstream Road West  BP1
Business Park 1A – Millstream Road East  BP1A
Business Park 2 – Sooke Road  BP2
Business Park 2A – Sooke Road West  BP2A
Business Park 3 – Amy Road  BP3
Business Park 4 – Millstream Road North  BP4
Business and Technology Park  BT1
Business Park 5 – McCallum Rd South  BP5
Business Park 6 – Gardner Creek  BP6
Business Park 7 – Henry Eng Pl  BP7
Business Park 8 – Centre Mountain  BP8
Special Wholesale  W1
Large Format Business  W2

**Industrial Zones**

Light Industrial  M1
General Industrial  M2
Heavy Industrial  M3

**Institutional Zones**

Neighbourhood Institutional  P1
Neighbourhood Institutional  P1A
Neighbourhood Institutional  P1B
Community Institutional  P2
Public Utility  P3
Park and Open Space  P4
Civic Institutional  P5
Institutional Residential  PR1
Amenity  AM

**Comprehensive Development Zones**

Comprehensive Development – Goldstream Meadows  CD1
Comprehensive Development – Hull’s Field  CD2
Comprehensive Development – Westhills  CD3
Comprehensive Development – Olympic View  CD4
Resort Community of Bear Mountain 1  RCBM1
Resort Community of Bear Mountain 2  RCBM2
Comprehensive Development – Sooke/Jacklin  CD7
Comprehensive Development – Valley View  CD8
Comprehensive Development – Baker View Heights  CD9
Comprehensive Development – Boulder Ridge  CD10
Comprehensive Development – South Skirt Mountain  CD12
Comprehensive Development – South Walfred  CD13
Comprehensive Development – Hazelwood/Luxton  CD14
Comprehensive Development – McCormick Meadows  CD15
Comprehensive Development – Katie’s Pond  CD18
Comprehensive Development – Eagle Ridge  CD20
Comprehensive Development – Radiant Way  CD21
Part 6
ZONE REGULATIONS

(PART 6 ZONE REGULATIONS – GREENBELT SECTIONS 6.01, 6.02, 6.03, 6.04 AND 6.05 – Deleted by Bylaw 1481)
Section 6.01 – Agriculture 1 (AG1) Zone

6.01.01 Permitted Uses

The following uses and no others are permitted in the Agriculture 1 (AG1) Zone:

1. accessory buildings and uses;
2. activities designated as a Farm Use pursuant to Part 2, Section 2 of the Agricultural Land Commission’s Agricultural Land Reserve Use, Subdivision and Procedure Regulation; (Bylaw 1485)
3. agriculture;
4. boarding kennel on lots of 4 ha (10 acres) or more in area;
5. breeding kennel;
6. cemeteries;
7. golf course;
8. group day care in accordance with Section 3.26.02; (Bylaw 717, 1039)
9. home occupation in accordance with Section 3.09; (Bylaw 1146)
10. intensive agriculture on lots of 4 ha (10 acres) or more in area;
11. one-family or two-family dwelling;
12. (Deleted by Bylaw 1485);
13. temporary buildings that are accessory to Subsection 6.06.01(2), (3), or (10); (Bylaw 1485)
14. secondary suite in a one-family dwelling in accordance with Section 3.08; (Bylaw 1146)
15. (Deleted by Bylaw 1485);
16. temporary construction and real estate marketing offices; (Bylaw 984)
17. the keeping of not more than four boarders in a one-family dwelling; and
18. uses permitted by Section 3.01 of this Bylaw.
6.01.02 Subdivision Lot Requirements

(1) No lot having an area less than 4 ha (10 acres) may be created by subdivision in the Agriculture 1 (AG1) Zone;

(2) Notwithstanding article (1), the lot legally described as Lot 6, Block B, Section 88, Metchosin District, Plan 1139, PID No. 004-557-875 (3420 Luxton Road) may be subdivided into lots with areas of not less than 1.3 ha (3.2 acres). (Bylaw 1290)

(3) Notwithstanding article (1), the lot legally described as PARCEL D (DD 144079I), SECTION 79, METCHOSIN DISTRICT, EXCEPT PARCEL NO. 1 (DD 150993I) THEREOF AND EXCEPT PART IN PLAN VIP74070, PID 009-879-986 may be subdivided into lots with areas of not less than 1.76 ha. (Bylaw 1484)

6.01.03 Density of Development

(1) There may not be more than one residential building on a lot.

(2) Despite article (1), one additional one-family dwelling, manufactured home or mobile home used for the sole purpose of housing employees may be located on a lot classified as a farm pursuant to the Assessment Act. (Bylaw 1485)

(3) Despite articles (1) and (2), one additional one-family dwelling, manufactured home or mobile home used for the sole purpose of housing an Immediate family of the owner may be located on a lot in accordance with the Agricultural Land Commission’s Agricultural Land Reserve Use, Subdivision and Procedure Regulation. (Bylaw 1485)

6.01.04 Lot Area for a Two-Family Dwelling Use

Despite the regulations in this section the following regulations must apply to two-family dwellings in the Agriculture1 (AG1) Zone:

The minimum lot area required for a two-family dwelling use is 835 m² (8 990 ft²).

6.01.05 Height and Size of Principal Use Buildings

(1) No building or structure may exceed a height of 10.5 m (34 ft).

(2) Despite article (1), the height of a building for agriculture or intensive agriculture use may not exceed 12 m (39 ft).

6.01.06 Setbacks

(1) No building or structure may be located:

(a) within 7.5 m (25 ft) of any front lot line; or

(b) within 3 m (10 ft) of any side lot line; or

(c) within 10 m (33 ft) of any rear lot line;
(d) Despite article (b), 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. *(Bylaw 1581)*

(2) Despite article (1), the siting of any building or structure used for agriculture or intensive agriculture must comply with Section 3.05 of this Bylaw.

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

**6.01.07 Landscape Screening**

The relevant regulations of Section 3.21 of this Bylaw must apply.

**6.01.08 General**

The relevant regulations of Part 3 of this Bylaw must apply.
Section 6.02 – Agriculture 2 (AG2) Zone

6.02.01 Permitted Uses

The following uses and no others are permitted in the Agriculture 2 (AG2) Zone:

1. accessory buildings and uses;
2. agriculture;
3. golf course;
4. home occupation in accordance with Section 3.09; (Bylaw 1146)
5. one-family or two-family dwelling;
6. secondary suite in a one-family dwelling in accordance with Section 3.08; (Bylaw 1146)
7. silviculture;
8. temporary construction and real estate marketing offices; and (Bylaw 984)
9. uses permitted by Section 3.01 of this Bylaw.

6.02.02 Subdivision Lot Requirements

1. No lot having an area less than 695 m² (7 480 ft²) may be created by subdivision in the Agriculture 2 (AG2) Zone.
2. No lot may be created having a lot width less than 16 m (53 ft).
3. Notwithstanding Section 6.07.02(1), no lot having an area less than 1.0 ha (2.47 acres) may be created by subdivision in the Agriculture 2 (AG2) Zone unless that lot is serviced by the municipal sanitary sewer system. (Bylaw 1146)

6.02.03 Density of Development

1. There may not be more than one residential building on a lot.
2. Despite article (1), one additional one-family dwelling used or the sole purpose of housing employees may be located on a lot classified as a farm pursuant to the Assessment Act, where such lot is 4 ha (10 acres) or more in area.

6.02.04 Lot Area for a Two-Family Dwelling Use

Despite the regulations in this section the following regulations must apply to two-family dwellings in the Agriculture (AG2) Zone:

The minimum lot area required for a two-family dwelling use is 835 m² (8 990 ft²).
6.02.05 Height and Size of Principal Use Buildings

(1) No building or structure may exceed a height of 10.5 m (34 ft).

(2) Despite article (1), the height of a building for agriculture use may not exceed 12 m (39 ft).

6.02.06 Setbacks

(1) No building or structure may be located:

   a) within 7.5 m (25 ft) of any front lot line; or
   b) within 3 m (10 ft) of any side lot line; or
   c) within 10 m (33 ft) of any rear lot line;
   d) Despite article (b), no garage or carport that faces an exterior side lot line may be located within 5.5 m of the exterior side lot line. *(Bylaw 1581)*

(2) Despite article (1), the siting of any building or structure used for agriculture must comply with Section 3.05 of this Bylaw.

6.02.07 Landscape Screening

The relevant regulations of Section 3.21 of this Bylaw must apply.

6.02.08 General

The relevant regulations of Part 3 of this Bylaw must apply.
Section 6.10 – Rural Residential 1 (RR1) Zone

The intent of the Rural Residential 1 (RR1) Zone is to provide for a one-family dwelling on large rural lots with special characteristics such as mature vegetation, watercourses, ravines, or other features worthy of preservation.

6.10.01 Permitted Uses

The following uses and no others are permitted in the Rural Residential 1 (RR1) Zone:

1. accessory buildings and uses;
2. home occupation in accordance with Section 3.09; (Bylaw 1146)
3. one-family dwelling;
4. secondary suite, garden suite, or carriage suite in accordance with Section 3.08; (Bylaw 1146, 1696)
5. temporary construction and real estate marketing offices; (Bylaw 984)
6. the keeping of not more than two boarders in a one-family dwelling; and
7. uses permitted by Section 3.01 of this Bylaw.

6.10.02 Subdivision Lot Requirements

1. No lot having an area less than 1 500 m² (.37 acres) may be created by subdivision in the Rural Residential 1 (RR1) Zone.
2. No lot may be created having a lot width less than 20 m (66 ft).
3. No lot may be created having a lot depth less than 34 m (112 ft).
4. Notwithstanding Section 6.10.02(1), no lot having an area less than 1.0 ha (2.47 acres) may be created by subdivision in the Rural Residential 1 (RR1) Zone unless that lot is serviced by the municipal sanitary sewer system. (Bylaw 1146)

6.10.03 Density of Development

1. There may not be more than one residential building on a lot, exclusive of either a garden suite or carriage suite. (Bylaw 1696)
2. The gross floor area of any dwelling may not exceed 600 m² (6 450 ft²).
3. Principal buildings and accessory buildings combined may not exceed a floor area ratio of 0.55.

6.10.04 Lot Coverage

1. Lot coverage of the principal dwelling may not exceed 35%.
(2) Lot coverage of all buildings and structures may not exceed 50%.

6.10.05 Height and Size of Principal Use Buildings

No building or structure may exceed a height of 9 m (29.5 ft).

6.10.06 Setbacks

No building or structure may be located:

(1) within 7.5 m (25 ft) of any front lot line; or
(2) within 3 m (10 ft) of any interior lot line; or
(3) within 7.5 m (25 ft) of any exterior side lot line; or
(4) within 7.5 m (25 ft) of any rear lot line.

6.10.07 Landscape Screening

The relevant regulations of Section 3.21 of this Bylaw must apply.

6.10.08 General

The relevant regulations of Part 3 of this Bylaw must apply.
Section 6.11 – Rural Residential 2 (RR2) Zone

(Bylaw 1366)

6.11.01 Permitted Uses

The following uses and no others are permitted in the Rural Residential (RR2) Zone:

(1) accessory buildings and uses;
(2) agriculture;
(3) boarding kennel on lots of 4 ha (10 acres) or more in area;
(4) breeding kennel;
(5) cemeteries;
(6) golf course;
(7) group day care in accordance with Section 3.26.02;
(8) home occupation in accordance with Section 3.09;
(9) intensive agriculture on lots of 4 ha (10 acres) or more in area;
(10) one-family or two-family dwelling;
(11) riding academies, riding stables;
(12) secondary suite, garden suite, or carriage suite in accordance with Section 3.08;  
(Bylaw 1696)
(13) (Bylaw 1428; Deleted by Bylaw 1696);
(14) temporary construction and real estate marketing offices;
(15) the keeping of not more than four boarders in a one-family dwelling; and
(16) uses permitted by Section 3.01 of this Bylaw.
6.11.02 Subdivision Lot Requirements

(1) No lot having an area less than 4 ha (10 acres) may be created by subdivision in the Rural Residential 2 (RR2) Zone;

(2) Notwithstanding article (1), the lot legally described as Lot 6, Block B, Section 88, Metchosin District, Plan 1139, PID No. 004-557-875 (3420 Luxton Road) may be subdivided into lots with areas of not less than 1.3 ha (3.2 acres).

(3) Notwithstanding article (1), the lot legally described as Lot A, Section 83, Metchosin District, Plan 18993, PID 003-673-413 (3504 Happy Valley Rd) may be subdivided into lots with areas not less than 1,100m² (11,840ft²) and the lot legally described as Lot 1, Sections 83 and 84, Metchosin District, Plan VIP64069, PID 023-541-580 (3512A Happy Valley Rd) may not be subdivided into lots with areas not less than 685 m² (7,373 ft²) (Bylaw 1428).

6.11.03 Density of Development

(1) There may not be more than one residential building on a lot, exclusive of either a garden suite or carriage suite. (Bylaw 1696)

(2) Despite article (1), one additional one-family dwelling used for the sole purpose of housing employees may be located on a lot classified as a farm pursuant to the Assessment Act, where such lot is 4 ha (10 acres) or more in area.

6.11.04 Lot Area for a Two-Family Dwelling Use

(1) Despite the regulations in this section the following regulations must apply to two-family dwellings in the Rural Residential 2 (RR2) Zone:

(2) The minimum lot area required for a two-family dwelling use is 835 m² (8 990 ft²).

6.11.05 Height and Size of Principal Use Buildings

(1) No building or structure may exceed a height of 10.5 m (34 ft).

(2) Despite article (1), the height of a building for agriculture or intensive agriculture use may not exceed 12 m (39 ft).

6.11.06 Setbacks

(1) No building or structure may be located:

   (a) within 7.5 m (25 ft) of any front lot line; or

   (b) within 3 m (10 ft) of any side lot line; or

   (c) within 10 m (33 ft) of any rear lot line;

   (d) Despite article (b), no garage or carport that faces an exterior side lot line may be located within 5.5 m of the exterior side lot line. (Bylaw 1581)
(2) Despite article (1), the siting of any building or structure used for agriculture or intensive agriculture must comply with Section 3.05 of this Bylaw.

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

(4) That notwithstanding Section 3.08.03(3)(a) a carriage suite may be located not less than 2.5 m (8.2 ft) from a one-family dwelling on the lot legally described as Lot A, Section 83, Metchosin District, Plan 18993, PID 003-673-413 (3504 Happy Valley Rd). (Bylaw 1551, Bylaw 1696)

6.11.07 Landscape Screening

The relevant regulations of Section 3.21 of this Bylaw must apply.

6.11.08 General

The relevant regulations of Part 3 of this Bylaw must apply.
Section 6.12 – Rural Residential 3 (RR3) Zone

(Bylaw 1426)

6.12.01 Permitted Uses

The following uses and no others are permitted in the Rural Residential 3 Zone:

(1) accessory buildings and uses;

(2) group day care in accordance with Section 3.26.02;

(3) home occupation in accordance with Section 3.09;

(4) one-family dwelling;

(5) secondary suite, garden suite, or carriage suite in accordance with Section 3.08; (Bylaw 1696)

(6) temporary construction and real estate marketing offices;

(7) the keeping of not more than four boarders in a one-family dwelling;

(8) on the property legally described as Lot 5, Section 80, Metchosin District, Plan 7142, Except Parcel "A" (DD 247137-I) Thereof (3622 Happy Valley Road), two-family dwelling; and

(9) uses permitted by Section 3.01 of this Bylaw.

6.12.02 Subdivision Lot Requirements

(1) No lot having an area less than 1.0 ha (2.47 ac) may be created by subdivision in the Rural Residential 3 Zone (RR3) Zone.

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

(3) No lot may be created having a building envelope with a width or depth less than 7 m (23 ft) nor an area less than 186 m$^2$ (2 000 ft$^2$).

(4) Notwithstanding subsection 6.12.02(1), on land whose legal description is set out in Table 1 of Schedule AD, the minimum parcel area for subdivision may be 550 m$^2$ (5 920 ft$^2$) if the owner of the land proposed to be subdivided:

(a) pays to the City the amount specified in Column 4 of Table 1 of Schedule AD, prior to the time of subdivision.

6.12.03 Density of Development

There may not be more than one residential building on a lot, exclusive of either a garden suite or carriage suite. (Bylaw 1696)
6.12.04 Regulations for Two-Family Dwelling Use

A two-family dwelling use will be subject to the regulations of the One- and Two-Family Residential (R2) Zone and not the regulations of this Zone.

6.12.05 Lot Coverage

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

6.12.06 Height and Size of Principal Use Buildings

No building or structure may exceed a height of 9 m (30 ft).

6.12.07 Setbacks

No building or structure may be located:

1. within 6 m (20 ft) of any front or rear lot line; or
2. within 1.5 m (5 ft) of any interior side lot line; or
3. within 4.5 m (15 ft) of any exterior side lot line; or
4. despite article (3), no garage or carport that faces an exterior side lot line may be located within 5.5 m of the exterior side lot line. *(Bylaw 1548)*

6.12.08 Landscape Screening

The relevant regulations of Section 3.21 of this Bylaw must apply.

6.12.09 General

The relevant regulations of Part 3 of this Bylaw must apply.
Section 6.13 – Rural Residential 4 (RR4) Zone

(Bylaw 1481)

6.13.01 Permitted Uses

The following uses and no others are permitted in the Rural Residential 4 (RR4) Zone:

(1) accessory buildings and uses;
(2) agriculture;
(3) boarding kennel in accordance with Sec. 3.10;
(4) breeding kennel in accordance with Sec. 3.11;
(5) group day care in accordance with Section 3.26.02;
(6) home occupation in accordance with Section 3.09;
(7) intensive agriculture on lots of 4 ha (10 acres) or more in area;
(8) one-family dwelling or two-family dwelling;
(9) secondary suite, garden suite, or carriage suite in accordance with Section 3.08; (Bylaw 1696)
(10) temporary construction and real estate marketing offices;
(11) the keeping of not more than four boarders in a one-family dwelling; and
(12) uses permitted by Section 3.01 of this Bylaw.

6.13.02 Subdivision Lot Requirements

(1) No lot having an area less than 0.4 ha (1 acre) may be created by subdivision in the Rural Residential 4 (RR4) zone;

(2) Notwithstanding Subsection 6.13.02(1), no lot having an area less than 40 ha (100 acres) may be created by subdivision in the Rural Residential 4 (RR4) Zone unless that lot is serviced by the municipal sanitary sewer system; (Bylaw 1694)

(3) Notwithstanding Subsections 6.13.02(1) and (2), a lot having an area not less than 2,000.0 m² (0.5 ac) may be created from land legally described as: Lot 3, Sections 98 AND 99, Metchosin District, Plan 20923 Except Part In Plan VIP51472 (2983 Sooke Rd); Lot 5, Sections 98, 99, AND 100, Metchosin District, Plan 20923 Except Part In Plan VIP52592 (2965 Sooke Rd) and Lot 5, Block 3, Sections 89, 97, 98, 99, 100, 100A, 101, AND 101A, Metchosin District, Plan 1817, Except Part In Plan VIP52253 (2961 Sooke Rd); (Bylaw 1675)

(Added by Bylaw 1694; Deleted Bylaw 1703)
(4) Notwithstanding Subsection 6.13.02(2), on properties legally described as STRATA LOT 1 and 2 SECTION 26 GOLDSMITH DISTRICT STRATA PLAN VIS5460 TOGETHER WITH AN INTEREST IN THE COMMON PROPERTY IN PROPORTION TO THE UNIT ENTITLEMENT OF THE STRATA LOT AS SHOWN ON FORM V; PID No.: 025-822-616 (1319 & 1323 Ravensview Drive) no lot having an area less than 0.70 ha (1.7 acres) may be created by subdivision in the Rural Residential 4 (RR4) Zone, unless that lot is serviced by a municipal sanitary sewer system, except no lot created under this regulation may contain a secondary suite, garden suite, or carriage suite. (Bylaw 1690, 1696)

6.13.03 Lot Area for Two-Family Dwelling Use

Despite the other regulations in this section the following regulations must apply to two-family dwellings in the Rural Residential 4 (RR4) Zone:

(1) Two-family dwellings are prohibited on panhandle lots.

(2) The lot area may not be less than 835 m² (8 990 ft²).

(3) The lot width may not be less than 18 m (59 ft).

6.13.04 Density of Development

(1) There may not be more than one residential building per lot, exclusive of either a garden suite or carriage suite; (Bylaw 1696)

(2) Despite Section 6.04.04(1), on land legally described as Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, and 16, Section 26, Goldstream District, Plan VIP68970 there may be two one-family dwellings on a lot if:

   (a) Neither of the buildings has a gross floor area less than 85% of the gross floor area of the other building, and neither building has a building footprint greater than 242 m² (2 600 ft²);

   (b) Each of the buildings is oriented to the fronting street;

   (c) Neither of the buildings has a width or depth less than 9.7 m (32 ft);

   (d) Neither of the buildings contain a secondary suite nor have a garden suite or carriage suite. (Bylaw 1696)

6.13.05 Lot Coverage

Lot coverage of all buildings and structures may not exceed either 30% or 1000 m² (10,760 ft²);

6.13.06 Height and Size of Principal Use Buildings

(1) No building or structure may exceed a height of 10.5 m (34 ft).

(2) Despite article (1), the height of a building for agriculture or intensive agriculture use may not exceed 12 m (39 ft).
6.13.07 Setbacks

(1) No building or structure may be located:

(a) within 7.5 m (25 ft) of any front lot line; or

(b) within 3 m (10 ft) of any side lot line; or

(c) within 10 m (33 ft) of any rear lot line.

(d) Despite article (b), no garage or carport that faces an exterior side lot line may be located within 5.5m of the exterior side lot line. *(Bylaw 1548)*

(2) Despite article (1), the siting of any building or structure used for agriculture or intensive agriculture must comply with Section 3.05 of this Bylaw.

6.13.08 Landscape Screening

The relevant regulations of Section 3.21 of this Bylaw must apply.

6.13.09 General

The relevant regulations of Part 3 of this Bylaw must apply.
Section 6.14 – Rural Residential 5 (RR5) Zone

(Bylaw 1481)

6.14.01 Permitted Uses

The following uses and no others are permitted in the Rural Residential 5 (RR5) Zone:

(1) accessory buildings and uses;
(2) group day care in accordance with Section 3.26.02;
(3) home occupation in accordance with Section 3.09;
(4) one or two-family dwelling;
(5) secondary suite, garden suite, or carriage suite in accordance with Section 3.08; *(Bylaw 1696)*
(6) temporary construction and real estate marketing offices;
(7) the keeping of not more than four boarders in a one-family dwelling;
(8) the keeping of animals for domestic purposes on a lot of 4 000 m² (1 acre);
(9) uses permitted by Section 3.01 of this Bylaw.

6.14.02 Subdivision Lot Requirements

(1) No lot having an area less than 0.4 ha (1 acre) may be created by subdivision in the Rural Residential 5 (RR5) Zone.

(2) Notwithstanding Section 6.05.02(1), no lot having an area less 40 ha (100 acres) may be created by subdivision in the Rural Residential 5 (RR5) Zone unless that lot is serviced by the municipal sanitary sewer system.

6.14.03 Density of Development *(Replaced by Bylaw 1546)*

(1) There may not be more than one residential building on a lot, exclusive of either a garden suite or carriage suite; *(Bylaw 1696)*

(2) Notwithstanding Subsection 6.14.03(1), there may be two residential buildings on the property legally described as LOT 1, BLOCK 2, SECTION 86, METCHOSIN DISTRICT, PLAN 1524 (3294 Happy Valley Road) if:

(a) each building is oriented towards the street;

(b) the gross floor area of one building is not less than 85% of the gross floor area of the other building;

(c) each building has a separate driveway;
(d) neither building on a single lot has a secondary suite, garden suite, or carriage suite. *(Bylaw 1696)*

**6.14.04 Height and Size of Principal Use Buildings**

No building or structure may exceed a height of 10.5 m (34 ft).

**6.14.05 Setbacks**

(1) No building or structure may be located:

(a) within 7.5 m (25 ft) of any front lot line; or

(b) within 3 m (10 ft) of any 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 that exterior side lot line; *Bylaw 1546* and

(c) within 10 m (33 ft) of any rear lot line.

(2) Deleted *Bylaw 1581*

(3) Notwithstanding article (1), a building or structure that forms part of a building strata plan may, for the purpose of aiding in the orientation of a dwelling to the street, be located:

(a) within 1.5 m (5 ft) of a rear lot line, where that lot line adjoins an interior side lot line of another lot AND where the setback to the interior side lot line has been increased to 10 m (33 ft). *Bylaw 1546*

**6.14.06 Landscape Screening**

The relevant regulations of Section 3.21 of this Bylaw must apply.

**6.14.07 General**

The relevant regulations of Part 3 of this Bylaw must apply.
Section 6.15 - Rural Residential 6 (RR6) Zone

(Bylaw 1484)

6.15.01 Permitted Uses

The following uses and no others are permitted in the Rural Residential 6 Zone:

(1) accessory buildings and uses;
(2) group day care in accordance with Section 3.26.02;
(3) home occupation in accordance with Section 3.09;
(4) one-family dwelling;
(5) secondary suite, garden suite, or carriage on lots 500m² or greater and in accordance with Section 3.08; (Bylaw 1698, 1696)
(6) temporary construction and real estate marketing offices;
(7) the keeping of not more than four boarders in a one-family dwelling;
(8) uses permitted by Section 3.01 of this Bylaw.

6.15.02 Subdivision Lot Requirements

(1) No lot having an area less than 1.0 ha (2.47 ac) may be created by subdivision in the Rural Residential 6 Zone (RR4) Zone.
(2) No lot may be created having a lot width less than 14 m (45 ft).
(3) No lot may be created having a building envelope with a width or depth less than 7 m (23 ft) nor an area less than 186 m² (2 000 ft²).
(4) Notwithstanding Subsection 6.15.02(1), on land whose legal description is set out in Table 1 of Schedule AD, the minimum parcel area for subdivision may be 500 m² (5 382 ft²) if the owner of the land proposed to be subdivided: (Bylaw 1698)
   (b) pays to the City the amount specified in Column 4 of Table 1 of Schedule AD, prior to the time of subdivision.

6.15.03 Density of Development

There may not be more than one residential building on a lot, exclusive of any garden suite or carriage suite. (Bylaw 1696)

6.15.04 Lot Coverage

Lot coverage of all buildings and structures may not exceed 50%.
6.15.05 **Height and Size of Principal Use Buildings**

No building or structure may exceed a height of 9 m (30 ft).

6.15.06 **Setbacks**

No building or structure may be located:

1. within 4.5 m (15 ft) of any front lot line, except that any portion of the building that is a garage must be located at least 5.5 m (18 ft) way from the front lot line; or
2. within 5.5 m (18 ft) of any rear lot line; or
3. within 1.5 m (5 ft) of any interior side lot line; or
4. within 3 m (10 ft) of any exterior side lot line; or
5. despite article (4), 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 as measured from the front face of the garage door or from the front of the carport structure.

6.15.07 **Landscape Screening**

The relevant regulations of Section 3.21 of this Bylaw must apply.

6.15.08 **General**

The relevant regulations of Part 3 of this Bylaw must apply.
6.16.01 Permitted Uses

The following uses and no others are permitted in the Rural Residential 6A Zone:

1. accessory buildings and uses;
2. group day care in accordance with Section 3.26.02;
3. home occupation in accordance with Section 3.09;
4. one-family dwelling;
5. secondary suite, garden suite, or carriage suite in accordance with Section 3.08; *(Bylaw 1696)*
6. temporary construction and real estate marketing offices;
7. the keeping of not more than four boarders in a one-family dwelling;
8. uses permitted by Section 3.01 of this Bylaw.

6.16.02 Subdivision Lot Requirements

1. No lot having an area less than 1.0 ha (2.47 ac) may be created by subdivision in the Rural Residential 6A Zone (RR6A) Zone.
2. No lot may be created having a lot width less than 14 m (45 ft).
3. No lot may be created having a building envelope with a width or depth less than 7 m (23 ft) nor an area less than 186 m² (2 000 ft²).
4. Notwithstanding Subsection 6.16.02(1), on land whose legal description is set out in Table 1 of Schedule AD, the minimum parcel area for subdivision may be 550 m² (5 920 ft²) if the owner of the land proposed to be subdivided:
   (a) pays to the City the amount specified in Column 4 of Table 1 of Schedule AD, prior to the time of subdivision.
5. No land in the Rural Residential 6A Zone shall be subdivided into bare land strata lots having an average lot area of less than 1 ha (2.5 acres), if any of the strata lots in the strata plan has an area of less than 550 m² (5,920 ft²).

6.16.03 Density of Development

There may not be more than one residential building on a lot, exclusive of any garden suite or carriage suite. *(Bylaw 1696)*
6.16.04 Lot Coverage
Lot coverage of all buildings and structures may not exceed 50%.

6.16.05 Height and Size of Principal Use Buildings
No building or structure may exceed a height of 9 m (30 ft).

6.16.06 Setbacks
No building or structure may be located:

(1) within 4.5m (15 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 (18ft) of the front lot line; or

(2) within 5.5m (18 ft) of any rear lot line; or

(3) within 1.5 m (5 ft) of any interior side lot line; or

(4) within 3 m (10 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 (18ft) of the exterior side lot line;

6.16.07 Landscape Screening
The relevant regulations of Section 3.21 of this Bylaw must apply.

6.16.08 General
The relevant regulations of Part 3 of this Bylaw must apply.
Section 6.17 – Rural Residential 7 (RR7) Zone

(Bylaw 1599)

6.17.01 Permitted Uses

The following uses and no others are permitted in the Rural Residential 7 Zone:

(1) accessory buildings and uses;
(2) group day care in accordance with Section 3.26.02;
(3) home occupation in accordance with Section 3.09;
(4) one-family dwelling;
(5) secondary suite, garden suite, or carriage suite in accordance with Section 3.08;  
(Bylaw 1696)
(6) temporary construction and real estate marketing offices;
(7) the keeping of not more than four boarders in a one-family dwelling;
(8) uses permitted by Section 3.01 of this Bylaw.

6.17.02 Subdivision Lot Requirements

(1) No lot having an area less than 1.0 ha (2.47 ac) may be created by subdivision in the Rural Residential 7 Zone.
(2) No lot may be created having a lot width less than 16 m.
(3) No lot may be created having a building envelope with a width or depth less than 7m nor an area less than 186 m$^2$.
(4) Notwithstanding Subsection 6.17.02(1), on land whose legal description is set out in Table 1 of Schedule AD, the minimum parcel area for subdivision may be 800 m$^2$ if the owner of the land proposed to be subdivided:
   (a) pays to the City the amount specified in Column 4 of Table 1 of Schedule AD, prior to the time of subdivision.
(5) No land in the Rural Residential 7 Zone may be subdivided into bare land strata lots having an average lot area of less than 1 ha (2.5 ac), if any of the strata lots in the strata plan have an area of less than 800 m$^2$.

6.17.03 Density of Development

(1) There may not be more than one residential building on a lot;
(2) Notwithstanding Subsection 6.17.03(1), on lots with an area of no less than 400 m$^2$ outside of any area protected by a non-disturbance covenant, a garden suite or carriage suite shall be permitted;  
(Bylaw 1696)
(3) A residential building that encroaches onto a lot in the RR7 zone on the date of adoption of Langford Zoning Bylaw, Amendment No. 441 (New RR7 (Rural Residential 7 – Klahanie) Zone), 2015 is deemed not to be a residential building on the lot for the purposes of Subsection 6.17.03(1).

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

6.17.05 Height and Size of Principal Use Buildings
No building or structure may exceed a height of 9 m.

6.17.06 Setbacks
No building or structure may be located:
(1) within 6 m of any front or rear lot line; or
(2) within 3 m of any interior side lot line; or
(3) within 4 m 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 of the exterior side lot line;

6.17.07 Landscape Screening
The relevant regulations of Section 3.21 of this Bylaw must apply.

6.17.08 General
The relevant regulations of Part 3 of this Bylaw must apply.
Section 6.18 – Rural Agriculture and Eco-Tourism (RAE1) Zone

The intent of the Rural Agriculture and Eco-Tourism zone is to provide for opportunities for a mix of residential, agricultural/agri-tourism, eco-tourism and educational uses.

(Bylaw 1658)

6.18.01 Permitted Uses

The following uses and no others are permitted in the Rural Agriculture and Eco-Tourism (RAE1) Zone:

General Uses:

(1) accessory buildings and uses;
(2) temporary construction and real estate marketing offices;
(3) uses permitted by Section 3.01 of this Bylaw;

Agricultural Uses:

(4) agriculture;
(5) intensive agriculture on lots of 4 ha (10 acres) or more in area;
(6) nursery;
(7) riding stables

Educational Uses:

(8) riding academies including riding rings;
(9) schools and preschools;

Agri-Tourism and Eco-Tourism Uses:

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

(10) single unit (cabin) or multi-unit (bunkhouse) dormitory;
(11) campsite;
(12) rental of recreational equipment including, but without limited the generality of the foregoing: bicycles, kayaks and canoes, horses, clothing and outdoor gear;
(13) health centres;
(14) assembly use;
Residential Uses:

(15) home occupation in accordance with Section 3.09;

(16) one-family dwelling; and

(17) secondary suite in a one-family dwelling in accordance with Section 3.06.18.02 Subdivision Lot Requirements

(1) No lot having an area less than 0.4 ha (1 acre) may be created by subdivision in the Rural Agriculture and Eco-Tourism (RAE1) zone; and

(2) Notwithstanding Subsection 6.18.02(1), no lot having an area less than 40 ha (100 acres) may be created by subdivision in the Rural Agriculture and Eco-Tourism (RAE1) Zone unless that lot is serviced by the municipal sanitary sewer system.

6.18.03 Density of Development and Lot Coverage

(1) There may not be more than one one-family residential dwelling per lot; and

(2) Lot coverage of all buildings and structures may not exceed 20% or 1000 m².

6.18.04 Height and Size of Principal Use Buildings

(1) No building or structure may exceed a height of 10.5 m (34 ft); and

(2) Despite article (1), the height of a building for agriculture or intensive agriculture use may not exceed 12 m (39 ft).

6.18.05 Setbacks

(1) No building or structure may be located:

(a) within 10 m (33 ft) of any rear lot line;

(b) within 7.5 m (25 ft) of any other lot line; and

(2) Despite article (1), the siting of any building or structure used for agriculture or intensive agriculture must comply with Section 3.05 of this Bylaw.

6.18.06 Landscape Screening

The relevant regulations of Section 3.21 of this Bylaw must apply.

6.18.07 General

The relevant regulations of Part 3 of this Bylaw must apply.
Section 6.20 – One-Family Residential (R1) Zone

The intent of the One-Family Residential (R1) Zone is to permit a one-family dwelling on a lot with an area of not less than 1.0 ha (2.47 acres) in areas not serviced by community sanitary sewer, and to permit a one-family dwelling on a lot with an area not less than 550 m² (5 920 ft²) in areas that are served by community sanitary sewer. (Bylaw 860, 1146)

6.20.01 Permitted Uses

The following uses and no others are permitted in the One-Family Residential (R1) Zone:

1. accessory buildings and uses;
2. group day care in accordance with Section 3.26.02; (Bylaw 717, 1039)
3. home occupation in accordance with Section 3.09; (Bylaw 1146)
4. one-family dwelling;
5. secondary suite, garden suite, or carriage suite in accordance with Section 3.08; (Bylaw 1146, 1696)
6. temporary construction and real estate marketing offices; (Bylaw 984)
7. the keeping of horses, cattle, sheep, goats, rabbits and poultry, for domestic purposes on lots of 4 000 m² (1 acre) or more in area;
8. the keeping of not more than four boarders in a one-family dwelling; and
9. uses permitted by Section 3.01 of this Bylaw.

6.20.02 Subdivision Lot Requirements

1. No lot having an area less than 1.0 ha (2.47 acres) may be created by subdivision in the One-Family Residential (R1) Zone, except that a lot of 550 m² (5 920 ft²) may be created by subdivision if the property is served by community sanitary sewer. (Bylaw 860, 1146)

2. Notwithstanding article (1), the following Subdivision Lot Requirements apply to lots abutting Langford, Glen or Florence Lake: (Bylaw 1170)

   (a) No lot having an area less than 1 500 m² (16 146 ft²) may be created by subdivision, and the streamside protection and enhancement area designated by a qualified environmental professional in a riparian area assessment shall not be included in the lot area calculation for the purpose of determining compliance with this article; and
   
   (b) Notwithstanding article 2(i), lots having areas of 950 m² (10 226 ft²) and more may be created by subdivision if the streamside protection and enhancement area designated by a qualified environmental professional in a riparian area...
assessment of the lot being subdivided is transferred to the City of Langford at the time of subdivision.

(c) Notwithstanding article (2)(a), on land whose legal description is set out in Table 1 of Schedule AD, the minimum lot area for subdivision of lots abutting Langford, Glen or Florence Lake may be as specified in articles (i) and (ii) below, if the owner of the land proposed to be subdivided pays to the City the amount specified in Column 4 of Table 1 of Schedule AD prior to Subdivision Approval: (Bylaw 1854)

i) Lots with an area of 1,500 m$^2$ (16,146 ft$^2$) or greater, including the area of the SPEA, may be created abutting Langford, Glen or Florence Lake; and

ii) Lots with an area of 550 m$^2$ (5,920 ft$^2$) or greater may be created provided such lots are located directly behind a new lot created pursuant to article (i) above and do not abut Langford, Glen or Florence Lake.

(3) No lot having an area of 850 m$^2$ (9 150 ft$^2$) or greater may be created having a lot width less than 18 m (59 ft), and no lot having an area les than 850 m$^2$ (9 150 ft$^2$) may be created having a lot width less than 16 m (52.5 ft). (Bylaw 860)

(4) No lot may be created having a building envelope with a width or depth less than 7 m (23 ft) nor an area less than 186 m$^2$ (2 000 ft$^2$).

(5) Notwithstanding article (3), no lot may be created with an area less than 550 m$^2$ (5 920 ft$^2$) which has a lot width less than 9.5 m (3.1 ft), a building envelope with a width or depth less than 7 m (23 ft), and a building envelope area less than 93 m$^2$ (1 000 ft$^2$). (Bylaw 907)

6.20.03 Density of Development

There may not be more than one residential building on a lot, exclusive of any garden suite or carriage suite. (Bylaw 1696)

6.20.04 Lot Coverage

Lot coverage of all buildings and structures may not exceed 35% except that, for lots less than 550 m$^2$ (5 920 ft$^2$) in area, lot coverage for all buildings and structures may not exceed 50%. (Bylaw 1372)

6.20.05 Height and Size of Principal Use Buildings

No building or structure may exceed a height of 9 m (30 ft).
6.20.06 Setbacks

(1) No building or structure on a lot that is 850 m² (9 150 ft²) or greater in area may be located: (Bylaw 860)

(a) within 7.5 m (25 ft) of any front or rear lot line; or

(b) within 1.5 m (5 ft) of any interior side lot line provided, however, that the sum of the setbacks from any two interior lot lines is not less than 4.5 m (15 ft); or

(c) within 4.5 m (15 ft) of any exterior side lot line except that no garage or carport that faces an exterior side lot line may be located within 5.5m of the exterior side lot line. (Bylaw 1548)

(2) No building or structure on a lot that is less than 850 m² (9 150 ft²) may be located: (Bylaw 860)

(a) within 6 m (20 ft) of any front or rear lot line;

(b) within 1.5 m (5 ft) of any interior lot line;

(c) within 4.5 m (15 ft) of any exterior lot line except that no garage or carport that faces an exterior side lot line may be located within 5.5 m of the exterior side lot line. (Bylaw 1548)

(3) Despite article (1) and article (2) the siting of any building for the keeping of horses, cattle, sheep, or goats must comply with Section 3.12 of this Bylaw. (Bylaw 860)

(4) Despite article (1) and article (2) and Section 3.12 of this Bylaw, no building for the keeping of poultry and rabbits may be located within 6 m (20 ft) of any interior side lot line nor within 7.6 m (25 ft) of any exterior side, front or rear lot line. (Bylaw 860)

(5) Despite article (2), no building or structure on a lot that is less than 550 m² (5 920 ft²) in area may be located: (Bylaw 907, 1372)

(a) within 4.5 m (15 ft) of any front lot line when the lot fronts on and has access from a highway or access route in a bare land strata plan, except that no garage or carport that faces a front lot line may be located within 5.5 m of the front lot line. This setback may be reduced to 3 m (10 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; (Bylaw 1372, 1548)

(b) within 6 m (20 ft) of any rear lot line;

(c) within 3 m (10 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 of the exterior side lot line (Bylaw 1548); or

(d) within 1.2 m (4 ft) of any interior side lot line.
6.20.07 (Deleted by Bylaw 1451)

6.20.08 Landscape Screening

The relevant regulations of Section 3.21 of this Bylaw must apply.

6.20.09 General

The relevant regulations of Part 3 of this Bylaw must apply.
Section 6.21 – One- and Two-Family Residential (R2) Zone

The intent of the One- and Two-Family Residential Zone is to permit one-family dwellings on lots with an area of not less than 550 m² (5 920 ft²) in areas served by community sanitary sewers, to permit one-family dwellings on lots with an area of not less than 1.0 ha (2.47 acres) in areas not served by community sanitary sewers and to permit two-family dwellings on lots with an area of not less than 835 m² (8 990 ft²) within areas served by community sanitary sewers. (Bylaw 386, 860, 1146)

6.21.01 Permitted Uses

The following uses and no others are permitted in the One- and Two-Family Residential Zone:

1. accessory buildings and uses;
2. group day care in accordance with Section 3.26.02; (Bylaw 717, 1039)
3. home occupation in accordance with Section 3.09; (Bylaw 1146)
4. one-family or two-family dwelling;
5. secondary suite, garden suite, or carriage suite in accordance with Section 3.08; (Bylaw 1146, 1696)
6. (Bylaw 1699, Deleted by Bylaw 1696)
7. (Bylaw 1736, Deleted by Bylaw 1696)
8. temporary construction and real estate marketing offices; (Bylaw 984)
9. the keeping of horses, cattle, sheep, goats, rabbits and poultry, for domestic purposes on lots of 4 000 m² (1 acre) or more in area;
10. the keeping of not more than four boarders in a one-family dwelling; and
11. on land legally described as Lot 12, Section 105, Esquimalt District, Plan 36621 (332 Selica Road), one mobile home or modular home; (Bylaw 1039)
12. uses permitted by Section 3.01 of this Bylaw.

6.21.02 Subdivision Lot Requirements

1. No lot having an area less than 1.0 ha (2.47 acres) may be created by subdivision in the One- and Two-Family Residential (R2) Zone except that a lot of 550 m² (5 920 ft²) or more may be created by subdivision if the property is served by a community sanitary sewer. (Bylaw 386, 860, 1146)
2. Notwithstanding article (1), the following Subdivision Lot Requirements apply to lots abutting Langford, Glen or Florence Lake: (Bylaw 1170)
(a) No lot having an area less than 1,500 m² (16,146 ft²) may be created by subdivision, and the streamside protection and enhancement area designated by a qualified environmental professional in a riparian area assessment shall not be included in the lot area calculation for the purpose of determining compliance with this article; and

(b) Notwithstanding article 2(i), lots having areas of 950 m² (10,226 ft²) and more may be created by subdivision if the streamside protection and enhancement area designated by a qualified environmental professional in a riparian area assessment of the lot being subdivided is transferred to the City of Langford at the time of subdivision.

(c) Notwithstanding article (2)(a), on land whose legal description is set out in Table 1 of Schedule AD, the minimum lot area for subdivision of lots abutting Langford, Glen or Florence Lake may be as specified in articles (i) and (ii) below, if the owner of the land proposed to be subdivision pays to the City the amount specified in Column 4 of Table 1 of Schedule AD prior to Subdivision Approval: (Bylaw 1859)

i) Lots with an area of 1,500 m² (16,146 ft²) or greater, including the area of the SPEA, may be created abutting Langford, Glen or Florence Lake; and

ii) Lots with an area of 550 m² (5,920 ft²) or greater may be created provided such lots are located directly behind a new lot created pursuant to article (i) above and do not abut Langford, Glen or Florence Lake.

(3) No lot may be created having a lot width less than 16 m (52.5 ft).

(4) No lot may be created having a building envelope with a width or depth less than 7 m (23 ft) nor an area less than 186 m² (2,000 ft²).

(5) Notwithstanding article (3), no lot may be created with an area less than 550 m² (5,920 ft²) which has a lot area width less than 9.5 m (31 ft), a building envelope with a width or depth less than 7 m (23 ft) and a building envelope area less than 93 m² (1,000 ft²). (Bylaw 907)

6.21.03 Density of Development

(1) There may not be more than one residential building on a lot, exclusive of any garden suite or carriage suite. (Bylaw 556, 1696)

(2) Notwithstanding subsection 6.21.03(1), there may be two residential buildings on a lot if: (Bylaw 556)

(a) The lot area is not less than 835 m² (8,990 ft²) and not greater than 1,099 m² (11,830 ft²), or not greater than 1,404 m² (15,113 ft²) for property legally described as Lot 7, Section 1, Esquimalt District, Plan 7295. (Bylaw 664)

(b) The lot was in existence on 1 January 2001; or (Bylaw 1101)

In existence on 1 July 2001 for the properties legally described as: (Bylaw 1101)

i. Lot A, Section 81, Esquimalt District, Plan VIP72213;
ii. Lot B, Section 81, Esquimalt District, Plan VIP72213); and
iii. Lot 1, Section 84, Esquimalt District, Plan VIP72018; or (Bylaw 616, 1101)

In existence on 1 May 2007 for the property legally described as:

iv. Lot 24, Section 84, Esquimalt District, Plan VIP79168. (Bylaw 1101)

(c) Each building is oriented towards the street, and in the case of corner lots one building may be oriented towards the front street, and the other building may be oriented towards the flanking side street;

(d) Neither building is situated behind the other building, with the sole exception of those instances where two buildings form part of the same strata plan on a corner lot; (Bylaw 637)

(e) The gross floor area of one building is not less than 85% of the gross floor area of the other building;

(f) Each building has a separate driveway; and

(g) Neither building on a single lot may have a secondary suite, garden suite, or carriage suite. (Bylaw 1696)

6.21.04 Lot Coverage

Lot coverage of all buildings and structures may not exceed 35% except that, for lots less than 550 m² (5 920 ft²) in area, lot coverage for all buildings and structures may not exceed 50% (Bylaw 1372).

6.21.05 Height and Size of Principal Use Buildings

No building or structure may exceed a height of 9 m (30 ft).

6.21.06 Setbacks

(1) No building or structure may be located:

(a) within 6 m (20 ft) of any front or rear lot line; or

(b) within 1.5 m (5 ft) of any interior lot line; or

(c) within 4.5 m (15 ft) of any exterior side lot line except that no garage or carport that faces an exterior side lot line may be located within 5.5m of the exterior side lot line (Bylaw 1548);

(d) (Bylaw 1223; Deleted by Bylaw 1548)

(2) Despite article (1) the siting of any building for the keeping of horses, cattle, sheep, or goats must comply with Section 3.12 of this Bylaw.
(3) Despite article (1) and Section 3.12 of this Bylaw, no building for the keeping of poultry and rabbits may be located within 6 m (20 ft) of any interior side lot line nor within 7.6 m (25 ft) of any exterior side, front or rear lot line.

(4) Notwithstanding any other regulation in this section, the setback from an interior lot line for a two-family dwelling may not be less than 3 m (10 ft). (Bylaw 637)

(5) Despite article (1), no building or structure on a lot that is less than 550 m² (5 920 ft²) in area may be located. (Bylaw 907, 1372)

   (a) within 4.5 m (15 ft) of any front lot line when the lot fronts on and has access from a highway or access route in a bare land strata plan, except that no garage or carport that faces a front lot line may be located within 5.5m of the front lot line. This setback may be reduced to 3 m (10 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; (Bylaw 1372, 1548)

   (b) within 6 m (20 ft) of any rear lot line;

   (c) within 3 m (10 ft) of any exterior side lot line except that no garage or carport that faces an exterior side lot line may be located within 5.5m of the exterior side lot line (Bylaw 1548); or

   (d) within 1.2 m (4 ft) of any interior side lot line;

   (e) (Bylaw 1223; Deleted by Bylaw 1548)

6.21.07 (Deleted by Bylaw 1451)

6.21.08 Regulations for Two-Family Dwelling Use

In addition to the other regulations in this section the following regulations apply to two-family dwellings in the One- and Two-Family Residential (R2) Zone: (Bylaw 860)

(1) Two-family dwellings are prohibited on panhandle lots and lots abutting Langford, Glen or Florence Lake. (Bylaw 1170)

(2) The lot area may not be less than 835 m² (8 990 ft²).

(3) The lot width may not be less than 18 m (59 ft).

(4) The width of the building envelope may not be less than 14 m (46 ft).

(5) Deleted. (Bylaw 637)

(6) In addition to all other regulations of this Bylaw a continuous landscape and screening area of at least 1 m (3 ft) in width containing a shrub, hedge or fence screen of a minimum height of 1.8 m (6 ft), at time of planting, must be provided along any interior lot line starting from 6 m (20 ft) to the rear of the front lot line and extending to the rear lot line. (Bylaw 860)
(7) In addition to all other regulations of this Bylaw any building or structure on the lot must be dimensioned, sited, and designed in conformance with an approved development permit. (Bylaw 860)

6.21.09 Landscape Screening

The relevant regulations of Section 3.21 of this Bylaw must apply.

6.21.10 General

The relevant regulations of Part 3 of this Bylaw must apply.
Section 6.22 – One- to Five-Family Residential (R3) Zone

The intent of the One- to Five-Family Residential (R3) Zone is to permit in areas serviced by community sanitary sewer a one- or two-family dwelling on a city sized lot and to permit triplexes, fourplexes or fiveplexes on lots with an area greater than 900 m² (9 700 ft²). (Bylaw 860)

6.22.01 Permitted Uses

The following uses and no others are permitted in the One- to Five-Family Residential (R3) Zone:

(1) accessory buildings and uses;

(2) group day care in accordance with Section 3.26.02; (Bylaw 717, 1039)

(3) home occupation in accordance with Section 3.09; (Bylaw 1146)

(4) one-family or two-family dwelling;

(5) secondary suite in a one-family dwelling in accordance with Section 3.08; (Bylaw 1146)

(6) temporary construction and real estate marketing offices; (Bylaw 984)

(7) the keeping of not more than four boarders in a one-family dwelling or not more than two boarders in a one-family dwelling located on a lot less than 695 m² (7 480 ft²);

(8) three-family, four-family, and five-family dwelling (excluding attached housing subject to compliance with Section 6.33.04); and

(9) uses permitted by Section 3.01 of this Bylaw.

6.22.02 Subdivision Lot Requirements

(1) No lot having an area less than 550 m² (5 920 ft²) may be created by subdivision in the One- to Five-Family Residential (R3) Zone.

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

(3) No lot may be created having a building envelope with a width or depth less than 7 m (23 ft) nor an area less than 186 m² (2 000 ft²).

(4) No panhandle lot may be created with an area less than 695 m² (7480 ft²).

(5) The minimum parcel sizes for three-, four-, or five-dwelling building are as follows:

   (a)  1 000 m² (10 770 ft²) for a three-family dwelling;

   (b)  1 250 m² (13 460 ft²) for a four-family dwelling;

   (c)  1 450 m² (15 610 ft²) for a five-family dwelling.
6.22.03 Regulations for Two-Family Dwelling Use

Despite the regulations in this section the following regulations apply to two-family dwellings in the One- to Five-Family Residential (R3) Zone:

(1) Two-family dwellings are prohibited on panhandle lots.

(2) The lot area may not be less than 835 m² (8 990 ft²).

(3) The lot width may not be less than 18 m (59 ft).

(4) The width of the building envelope may not be less than 14 m (46 ft).

(5) The setback from any interior lot line may not be less than 3 m (10 ft).

(6) In addition to all other regulations of this Bylaw a continuous landscape and screening area of at least 1 m (3 ft) in width containing a shrub, hedge or fence screen of a minimum height of 1.8 m (6 ft), at time of planting, must be provided along any interior lot line starting from 6 m (20 ft) to the rear of the front lot line and extending to the rear lot line. (Bylaw 860)

6.22.04 Regulations for a Three-, Four-, or Five-Family Dwelling (Triplexes, Fourplexes, and Fiveplexes)

In addition to, and despite other regulations in this section, the following regulations apply to three-, four-, and five-family dwellings in the One- to Five-Family Residential (R3) Zone.

(1) Three-, four-, or five-family dwellings are prohibited on panhandle lots.

(2) The setback may not be less than 3 m (10 ft) from any interior lot line, nor 7.5 m (25 ft) from any rear lot line.

(3) In addition to all other regulations of this Bylaw a continuous landscape and screening area of at least 1 m (3 ft) in width containing a shrub, hedge or fence screen of a minimum height of 1.8 m (6 ft), at time of planting, must be provided along any interior lot line starting from 6 m (20 ft) to the rear of the front lot line and extending to the rear lot line. (Bylaw 860)

(4) Vehicle access for all dwelling units must be provided by one common access from a highway.

(5) In a three-, four-, or five-dwelling unit building, at least one of the units must be situated entirely on the second level (except door access).

(6) The building siting and massing must retain the scale and character of a large one or two-family dwelling.

6.22.05 Density of Development

There may not be more than one residential building on a lot.
6.22.06 Lot Coverage

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

6.22.07 Height and Size of Principal Use Buildings

No building or structure may exceed a height of 9 m (30 ft).

6.22.08 Setbacks

No principal building may be located:

(1) within 6 m (20 ft) of any front lot line when the lot fronts on a highway or access route in a bare land strata plan, and has legal access from it. This setback may be reduced to 4.5 m (15 ft) where automobile access to the dwelling is provided from the rear by way of a rear lane or strata title access route and all parking is located at the rear of the dwelling; within 1.5 m (5 ft) of any interior lot line nor within 4.5 m (15 ft) of any exterior side lot line;

(2) within 1.5 m (5 ft) of any interior lot line (Bylaw 1548); or

(3) within 3 m (10 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 of the exterior side lot line (Bylaw 1548)

(4) within 7.5 m (25 ft) of any rear lot line; and

(5) within 3 m (10 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 of the exterior side lot line (Bylaw 1223; Replaced by Bylaw 1548)

6.22.09 Landscape Screening

The relevant regulations of Section 3.21 of this Bylaw must apply.

6.22.10 General

The relevant regulations of Part 3 of this Bylaw must apply.
Section 6.23 – Residential Small Lot (RS1) Zone

The intent of the Residential Small Lot (RS1) Zone is to permit one-family dwellings on small lots serviced by community sanitary sewer within the urban core as an infill use, or in new neighbourhoods where community sanitary sewer is in place.  (Bylaw 860)

6.23.01 Permitted Uses

The following uses and no others are permitted in the Residential Small Lot (RS1) Zone:

(a) a maximum of one boarder in a one-family dwelling;

(b) accessory buildings and uses;

(c) home occupation in accordance with Section 3.09;  (Bylaw 1146)

(d) one-family dwelling;

(e) secondary suite in a one-family dwelling on lots with areas greater than or equal to 550 m² in accordance with Section 3.08; (Bylaw 1548)

(f) temporary construction and real estate marketing offices; and  (Bylaw 984)

(g) Two-family dwelling on lots with areas greater than or equal to 835 m² (Bylaw 1581)

(h) uses permitted by Section 3.01 of this Bylaw.

6.23.02 Subdivision Lot Requirements

(1) No lot having an area less than 850 m² (9,150 ft²) may be created by subdivision in the Residential Small Lot (RS1) Zone. (Bylaw 1679)

(2) Notwithstanding Subsection 6.23.02(1), on land whose legal description is set out in Table 1 of Schedule AD, the lot size for subdivision of lots for a one-family dwelling use may be 370 m² (4,000 ft²) if the owner of the land proposed to be subdivided:

(Bylaw 1320, 1679)

(a) Pays to the City the amount specified in Column 4 of Table 1 of Schedule AD, prior to the time of subdivision;  (Bylaw 1320, 1679)

(b) (Deleted by Bylaw 1679)

(c) (Bylaw 386; Deleted by Bylaw 1679)

(3) No lot may be subdivided with a lot width less than 9.5 m (31 ft).

(4) No lot may be created having a building envelope with a width or depth less than 7 m (23 ft) nor an area less than 93 m² (1 000 ft²).

(5) No panhandle lots may be created by subdivision in the Residential Small Lot (RS1) Zone.
6.23.03 Density of Development

There may not be more than one residential building on a lot. (Bylaw 1581)

6.23.04 Lot Coverage

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

6.23.05 Height and Size of Principal Use Buildings

(1) No building or structure may exceed a height of 8.5 m (28 ft).

(2) (Bylaw 506; Deleted by Bylaw 1745)

6.23.06 Setbacks

No building or structure may be located:

(1) within 4.5 m (15 ft) of any front lot line when the lot fronts on a highway or access route in a bare land strata plan, and has legal access from it nor 5.5 m (18 ft) in the case of a detached garage, or portion of a building comprising an attached garage, connected to the highway or access route by a driveway. (Bylaw 492) This setback may be reduced to 3 m (10 ft) where automobile access to the dwelling is provided from the rear by way of a rear lane or strata title access route and all parking is located at the rear of the dwelling; or

(2) within 1.2 m (4 ft) of any interior side lot line (Bylaw 1548); or

(3) within 3 m (10 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 of the exterior side lot line; (Bylaw 1548)

(4) within 6 m (20 ft) of any rear lot line. (Bylaw 506)
6.23.07 Regulations for Two-Family Dwellings (Bylaw 1581)

(1) Two-family dwellings are prohibited on panhandle lots;
(2) The lot area may not be less than 835 m$^2$;
(3) The lot width may not be less than 18 m;
(4) The width of the building envelope may not be less than 14 m;
(5) In addition to all other regulations of this Bylaw a continuous landscape and screening area of at least 1 m in width containing a shrub, hedge or fence screen of a minimum height of 1.8 m, at time of planting, must be provided along any interior lot line starting from 6 m to the rear of the front lot line and extending to the rear lot line.
(6) In addition to all other regulations of this Bylaw any building or structure on the lot must be dimensioned, sited, and designed in conformance with an approved development permit.

6.23.08 Landscape Screening

The relevant regulations of Section 3.21 of this Bylaw shall apply.

6.23.09 General

The relevant regulations of Part 3 of this Bylaw shall apply.
Section 6.24 – Manufactured Home Park (RH1) Zone

6.24.01 Permitted Uses

The following uses and no others are permitted in the Manufactured Home Park (RH1) Zone (Bylaw 445):

(1) accessory buildings and uses;

(2) home office home occupation in accordance with Section 3.09; (Bylaw 445; Replaced by Bylaw 1146)

(3) manufactured home parks subject to the provisions of the Capital Regional District Bylaw No. 377 Mobile Home Parks and amendments thereto; and (Bylaw 445)

(4) temporary construction and real estate marketing offices; and (Bylaw 984)

(5) uses permitted by Section 3.01 of this Bylaw.

6.24.02 Subdivision Lot Requirements

(1) No lot having an area less than 0.5 ha (1.25 acres) may be created by subdivision in the Manufactured Home Park (RH1) Zone (Bylaw 445).

(2) No subdivision plan may be approved unless each lot created by the subdivision has a width of at least 25 m (82 ft).

6.24.03 Landscape Screening

The relevant regulations of Section 3.21 of this Bylaw shall apply.

6.24.04 General

The relevant regulations of Part 3 of this Bylaw shall apply.
Section 6.25 – Residential Small Lot 2 (RS2) Zone

(Bylaw 843; replaced by Bylaw 1189)

The intent of the Residential Small Lot 2 (RS2) Zone is to permit one-family dwellings lots serviced by community sanitary sewer within the urban core as an infill use, or in new neighbourhoods where a sewer system is in place, and provide an opportunity, through density bonusing, to create small lots. (Bylaw 860)

6.25.01 Permitted Uses

The following uses and no others are permitted in the Residential Small Lot 2 (RS2) Zone:

(1) a maximum of one boarder in a one-family dwelling;

(2) accessory buildings and uses;

(3) home occupation in accordance with Section 3.09; (Bylaw 1146)

(4) one-family dwelling;

(5) secondary suite in a one-family dwelling on lots with areas greater than or equal to 550 m² in accordance with Section 3.08; (Bylaw 1548)

(6) temporary construction and real estate marketing offices; and (Bylaw 984)

(7) Two-family dwelling on lots with areas greater than or equal to 835 m²; (Bylaw 1581)

(8) uses permitted by Section 3.01 of this Bylaw.

6.25.02 Subdivision Lot Requirements

(1) No lot having an area less than 850 m² (9 150 ft²) may be created by subdivision in the Residential Small Lot 2 (RS2) Zone.

(2) No lot may be subdivided with a lot width less than 9.5 m (31 ft).

(3) No lot may be created having a building envelope with a width or depth less than 7 m (23 ft) nor an area less than 93 m² (1 000 ft²).

(4) No panhandle lots may be created by subdivision in the Residential Small Lot 2 (RS2) Zone.

(5) Deleted (Bylaw 1581)

Deleted Table 1 (Bylaw 1581)
Notwithstanding Subsection 6.25.02(1), on land whose legal description is set out in Table 1 of Schedule AD, the minimum parcel area for subdivision may be 300 m\(^2\) (3230 ft\(^2\)) if the owner of the land proposed to be subdivided: *(Bylaw 1320)*

(a) pays to the City the amount specified in Column 4 of Table 1 of Appendix AD, prior to the time of subdivision;

(b) provides to the City the amenity specified in Column 4 of Table 1 of Appendix AD, prior to the time of subdivision; and

(c) enters into a housing agreement and covenant with the City in respect of at least the number of parcels in the subdivision indicated in Column 4 of Table 1 of Schedule AD, which parcels may have an area of not less than 270 m\(^2\) (2906 ft\(^2\)) and no more than two of which parcels may be contiguous along their interior side lots lines, requiring the owner to construct on each such parcel within 26 weeks of the deposit of the subdivision plan a one-family dwelling having a gross floor area of not less than 83 m\(^2\) (893 ft\(^2\)), restricting the selling price of the parcel and dwelling to $165,000 for the first five years following deposit of the subdivision plan, and restricting the selling price of the parcel and dwelling for the following twenty years to $165,000 plus $2,000 for each full year that has elapsed following the expiry of the initial five-year period.

### 6.25.03 Density of Development

(1) There may not be more than one residential building on a lot. *(Bylaw 1581)*

### 6.25.04 Lot Coverage

(1) Lot coverage of all buildings and structures may not exceed 40%.

### 6.25.05 Height and Size of Principal Use Buildings

(1) No building or structure on a lot greater than or equal to 550 m\(^2\) (5920 ft\(^2\)) may exceed a height of 9 m (30 ft). *(Bylaw 1581)*

(2) No building or structure on a lot less than 550 m\(^2\) (5920 ft\(^2\)) may exceed a height of 8.5 m (28 ft). *(Bylaw 1061, 1581)*

### 6.25.06 Setbacks

*(Heading Deleted by Bylaw No. 1581)*

(1) No principal building may be located:

(a) within 4.5 m (15 ft) of any front lot line when the lot fronts on and has access from a highway or access route in a bare land strata plan, nor within 5.5 m (18 ft) of a portion of a building comprising an attached garage, connected to the highway or access route by a driveway. This setback may be reduced to 3 m (10 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;

(b) within 6 m (20 ft) of any rear lot line;
(c) within 3 m (10 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 of the exterior side lot line; or (Bylaw 1548)

(d) within 1.2 m (4 ft) of any interior side lot line;

(e) (Bylaw 1223; Deleted by Bylaw 1548)

Small Lot Affordable Housing

(2) Notwithstanding Section 6.25.06(1), on residential lots with areas greater than or equal to 270 m² (2 906 ft²) and less than 300 m² (3 230 ft²) no principal building may be located:

(a) within 4 m (20 ft) from any front lot line when the lot fronts on and has access from a highway or access route in a bare land strata plan, nor within 5.5 m (18 ft) from the front lot line in the case of a portion of a building abutting a driveway. This setback may be reduced to 3 m (10 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;

(b) within 6 m (20 ft) from any rear lot line;

(c) within 3 m (10 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 of the exterior side lot line; or (Bylaw 1548)

(d) within 1.2 m (4 ft) of any interior side lot line;

(e) (Bylaw 1223; Deleted by Bylaw 1548)

Accessory Buildings

(3) No accessory building may be located:

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

(b) Within 15 m (49 ft) of any front lot line unless it complies with the front lot line setback requirements applicable to the principal building;

(c) Within 1 m (3 ft) of any side lot line; or

(d) Within 1 m (3 ft) of any rear lot line.
Notwithstanding Section 6.25.06(3), on residential lots with areas less than or equal to 300 m² (3 229 ft²) no accessory building may be located (Bylaw 1061):

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

(b) Within 5.5 m of any front lot line;

(c) Within 1 m (3 ft) of any side lot line; or

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

6.25.07 Regulations for Two-Family Dwellings (Bylaw 1581)

(1) Two-family dwellings are prohibited on panhandle lots;

(2) The lot area may not be less than 835 m²;

(3) The lot width may not be less than 18 m;

(4) The width of the building envelope may not be less than 14 m;

(5) In addition to all other regulations of this Bylaw a continuous landscape and screening area of at least 1 m in width containing a shrub, hedge or fence screen of a minimum height of 1.8 m, at time of planting, must be provided along any interior lot line starting from 6 m to the rear of the front lot line and extending to the rear lot line.

(6) In addition to all other regulations of this Bylaw any building or structure on the lot must be dimensioned, sited, and designed in conformance with an approved development permit.

6.25.08 Landscape Screening

The relevant regulations of Section 3.21 of this Bylaw shall apply.

6.25.09 (Deleted by Bylaw 1061)
Section 6.26 – One- and Two-Family Residential (R2A) Zone

(Bylaw 926)

The intent of the One- and Two-Family Residential A Zone is to permit one-family dwellings on lots with an area of not less than 550 m² (5 920 ft²) in areas served by community sanitary sewers and to permit two-family dwellings on lots with an area of not less than 835 m² (8 990 ft²) within areas served by community sanitary sewers. (Bylaw 1146)

6.26.01 Permitted Uses

The following uses and no others are permitted in the One- and Two-Family Residential Zone:

(1) accessory buildings and uses;
(2) group day care limited to one child per 100 m² (1 076 ft²) of lot area;
(3) home occupation in accordance with Section 3.09; (Bylaw 1146)
(4) one-family or two-family dwelling;
(5) secondary suite, garden suite, or carriage suite in accordance with Section 3.08; (Bylaw 1146, 1696)
(6) the keeping of horses, cattle, sheep, goats, rabbits and poultry, for domestic purposes on lots of 4 000 m² (1 acre) or more in area);
(7) the keeping of not more than four boarders in a one-family dwelling; and
(8) uses permitted by Section 3.01 of this Bylaw.

6.26.02 Subdivision Lot Requirements

(1) No lot having an area less than 1 500 m² (0.37 acres) may be created by subdivision in the One- and Two-Family Residential A (R2A) Zone.

(2) No lot may be created having a lot width less than 16 m (52.5 ft) except that a lot less than 550 m² (5 920 ft²) in area may have a minimum lot width of 9.5 m (31 ft). (Bylaw 1372)

(3) No lot may be created having a building envelope with a width or depth less than 7 m (23 ft) nor an area less than 186 m² (2 000 ft²) except that a lot less than 550 m² (5 920 ft²) in area may have a minimum building envelope area of 93 m² (1 000 ft²). (Bylaw 1372)

(4) (Bylaw 1118, 1144, 1145, 1146; Deleted by Bylaw 1427)

(5) Notwithstanding subsection 6.26.02(1), on land whose legal description is set out in Table 1 of Schedule AD, the minimum parcel area for subdivision may be 550 m² (5 920 ft²) if the owner of the land proposed to be subdivided: (Bylaw 1196; Replaced by Bylaw 1320)

(a) Pays to the City the amount specified in Column 4 of Table 1 of Schedule AD, prior to the time of subdivision; and
(b) Enters into a housing agreement and covenant with the City in respect of at least the number of parcels in the subdivision indicated in Column 4 of Table 1 of Schedule AD, which parcels may have an area of not less than 270 m² (2 906 ft²) and no more than two of which parcels may be contiguous along their interior side lot lines, requiring the owner to construct on each such parcel within 26 weeks of the deposit of the subdivision plan a one-family dwelling having a gross floor area of not less than 83 m² (893 ft²), restricting the selling price of the parcel and dwelling to $165 000 for the first five years following deposit of the subdivision plan, and restricting the selling price of the parcel and dwelling for the following twenty years to $165 000 plus $2 000 for each full year that has elapsed following the expiry of the initial five-year period.

(6) **(Bylaw 1103; Deleted by Bylaw 1320)**

(Table 1 Deleted by Bylaw 1320)

(Table 2 Bylaw 1320; Deleted by Bylaw 1427)

(7) **(Deleted by Bylaw 1270—deleted by Bylaw 1320)**

6.26.03 Density of Development *(Bylaw 1146)*

(1) There may not be more than one residential building on a lot, exclusive of any garden suite or carriage suite. **(Bylaw 1696)**

(2) Notwithstanding Subsection 6.26.03(1), there may be two residential buildings on a lot if:

(a) The lot area is not less than 835 m² (8 990 ft²) and not greater than 1 099 m² (11 830 ft²);

(b) The lot was:

   (1) In existence on 1 January 2001; or
   (2) In existence on 5 December 2006 for the property legally described as: Lot 9, Section 84, Metchosin District, Plan VIP82261 (3446 Happy Valley Road);

(c) Each building is oriented towards the street, and in the case of corner lots one building may be oriented towards the front street, and the other building may be oriented towards the flanking side street;

(d) Neither building is situated behind the other building, with the sole exception of those instances where two buildings form part of the same strata plan on a corner lot;

(e) The gross floor area of one building is not less than 85% of the gross floor area of the other building;

(f) Each building has a separate driveway; and

(g) Neither building on a single lot may have a secondary suite, garden suite, or carriage suite. **(Bylaw 1696)**
6.26.04 Lot Coverage

Lot coverage of all buildings and structures may not exceed 35% except that, for lots less than 550 m² (5 920 ft²) in area, lot coverage for all buildings and structures may not exceed 50%. (Bylaw 1372)

6.26.05 Height and Size of Principal Use Buildings

No building or structure may exceed a height of 9 m (30 ft).

6.26.06 Setbacks

(1) No building or structure may be located:

(a) within 6 m (20 ft) of any front or rear lot line; or

(b) within 1.5 m (5 ft) of any interior lot line; or

(c) within 4.5 m (15 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 of the exterior side lot line; (Bylaw 1548)

(d) (Bylaw 1223; Deleted by Bylaw 1548)

(2) Notwithstanding Section 6.26.06(1), on residential lots that are less than 550 m² (5 920 ft²) no principal building may be located: (Bylaw 1146, 1372)

(a) within 4 m (13 ft) from any front lot line when the lot fronts on and has access from a highway or access route in a bare land strata plan, except that no garage or carport that faces a front lot line may be located within 5.5m of the front lot line. This setback may be reduced to 3 m (10 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; (Bylaw 1372, 1581)

(b) within 6 m (20 ft) from any rear lot line;

(c) within 3 m (10 ft) of any exterior side lot line except that no garage or carport that faces an exterior side lot line my be located within 5.5 m of the exterior side lot line; or (Bylaw 1548)

(d) within 1.2 m (4 ft) of any interior side lot line;

(e) (Bylaw 1223; Deleted by Bylaw 1548)

(3) Despite article (1) the siting of any building for the keeping of horses, cattle, sheep, or goats must comply with Section 3.12 of this Bylaw.

(4) Despite article (1) and Section 3.12 of this Bylaw, no building for the keeping of poultry and rabbits may be located within 6 m (20 ft) of any interior side lot line nor within 7.6 m (25 ft) of any exterior side, front, or rear lot line.
(5) Notwithstanding any other regulation in this section, the setback from an interior lot line for a two-family dwelling may not be less than 3 m (10 ft).

6.26.07 (Deleted by Bylaw 1451)

6.26.08 Regulations for Two-Family Dwelling Use

In addition to the other regulations in this section the following regulations apply to two-family dwellings in the One- and Two-Family Residential A (R2A) Zone:

Two-family dwellings are prohibited on panhandle lots.

(1) The lot area may not be less than 835 m² (8 990 ft²).

(2) The lot width may not be less than 18 m (59 ft).

(3) The width of the building envelope may not be less than 14 m (46 ft).

(4) In addition to all other regulations of this Bylaw a continuous landscape and screening area of at least 1 m (3 ft) in width containing a shrub, hedge or fence screen of a minimum height of 1.8 m (6 ft), at time of planting, must be provided along any interior lot line starting from 6 m (20 ft) to the rear of the front lot line and extending to the rear lot line.

(5) In addition to all other regulations of this Bylaw any building or structure on the lot must be dimensioned, sited, and designed in conformance with an approved development permit.

6.26.09 Landscape Screening

The relevant regulations of Section 3.21 of this Bylaw must apply.

6.26.10 General

The relevant regulations of Part 3 of this Bylaw must apply.
Section 6.27 – Residential Small Lot 3 (RS3) Zone

(Bylaw 1061)

The intent of the Residential Small Lot 3 (RS3) Zone is to permit one-family dwellings lots serviced by municipal sewers within the urban core as an infill use, or in new neighbourhoods where a sewer system is in place, and provide an opportunity, through density bonusing, to create small lots.

6.27.01 Permitted Uses

The following uses and no others are permitted in the Residential Small Lot 3 (RS3) Zone:

(1) a maximum of one boarder in a one-family dwelling;

(2) accessory buildings and uses;

(3) home occupation in accordance with Section 3.09; (Bylaw 1146)

(4) one-family dwelling; and

(5) secondary suite in a one-family dwelling on lots with areas greater than or equal to 550 m² in accordance with Section 3.08; (Bylaw 1548, 1808, 1851)

(6) secondary suite in a one-family dwelling on lots with areas greater than or equal to 400 m² and lot width greater than 12m in accordance with Section 3.08 on the properties legally described as: LOT 1, SECTION 116, ESQUIMALT DISTRICT, PLAN 22391 (2786 Wenger Terrace) and LOT 3, SECTION 84, ESQUIMALT DISTRICT, PLAN 21075 (939 Walfred Rd); (Bylaw 1851)

(7) uses permitted by Section 3.01 of this Bylaw;

(8) secondary suite in a one-family dwelling, in accordance with Section 3.08, on the properties legally described as Lots 1, 2 and 3, Block 1, Section 86, Metchosin District, Plan 1524 and The Northerly 74.6 Feet of Lot 2, Block 1, Section 86, Metchosin District, Plan 1524 (3300, 3310, 3326/3328 and 3306 Happy Valley Road); Lot 1, Section 86, Metchosin District, Plan 12293 (3344 Happy Valley Road); and Strata Lots 1 and 2, Section 86, Metchosin District, Strata Plan VIS2845 (3338 and 3340 Happy Valley Road); (Bylaw 1384)

(9) attached housing, on land legally described as Lot 1, Section 84, Metchosin District, Plan 10609 (3497 Luxton Road); (Bylaw 1408)

(10) Two-family dwelling on lots with areas greater than or equal to 835 m². (Bylaw 1581)

(11) (Deleted Bylaw 1583; Replaced with Bylaw 1597)

Townhouses on the properties legally described as PID No.: 002-559-285 (3306 Happy Valley Rd); PID No.: 003-620-603 (3310 Happy Valley Rd); PID No.: 005-198-143 (3326 & 3328 Happy Valley Rd); PID No.: 018-357-776 (3338 Happy Valley Rd); PID No.: 018-357-784 (3340 Happy Valley Rd); PID No.: 004-491-823 (3344 Happy Valley Rd); and PID No. 000-156-884 (3416 Hazelwood Rd).
6.27.02 Subdivision Lot Requirements

(1) No lot having an area of less than 850 m² (9150 ft²) may be created by subdivision in the Residential Small Lot 3 (RS3) Zone.

(2) No lot for a one-family dwelling use may be created with a lot width of less than 9 m and no lot for a townhouse/attached housing use may be created with a lot width of less than 5 m. (Bylaw 1597)

(3) No lot created for a one-family dwelling use, with the exception of those listed in Table 1 below, may be created having a building envelope width or depth of less than 6 m (20 ft) nor a building envelope are of less than 74 m² (800 ft²). (Bylaw 1597)

(4) No panhandle lot may be created by subdivision in the Residential Small Lot 3 (RS3) Zone.

(5) (Bylaw 1104, 1140, 1146, 1178; Deleted by Bylaw 1427)

Table 1 (Bylaw 1320; Deleted by Bylaw 1427)

(6) (Bylaw 1320, 1567; Replaced by Bylaw 1597) Notwithstanding Subsection 6.27.02(1), on land whose legal description is set out in Table 1 of Schedule AD, the lot size for subdivision of lots for a one-family dwelling use may be 220 m² (2,368 ft²) and lots for a townhouse/attached housing use, where permitted in Section 6.27.01, may be 100 m² (1,076 ft²) if the owner of the land proposed to be subdivided:

(a) Pays to the City the amount specified in Column 4 of Table 1 of Schedule AD, prior to the time of subdivision for one-family dwelling lots and prior to the issuance of a Building Permit for a townhouse/attached housing use;

(b) enters into a housing agreement and covenant with the City in respect of at least the number of parcels in the subdivision indicated in Column 4 of Table 1 of Schedule AD, which parcels may have an area of not less than 220 m² (2,368 ft²) and no more than two of which parcels may be contiguous along their interior side lot lines, requiring the owner to construct on each such parcel within 26 weeks of the deposit of the subdivision plan a one-family dwelling having a gross floor area of not less than 83 m² (893 ft²), restricting the selling price of the parcel and dwelling to $165 000 for the first five years following the deposit of the subdivision plan, and restricting the selling price of the parcel and dwelling for the following twenty years to $165 000 plus $2 000 for each full year that has elapsed following the expiry of the initial five-year period; and

(c) Provides to the City the amenity specified in Column 4 of Table 1 of Schedule AD prior to the time of subdivision approval.
(7) **(Deleted and Replaced by Bylaw 1597)**
Notwithstanding Subsections 6.27.02(6) and 6.27.02(2), the minimum lot size and minimum lot width for subdivision of lots for a one-family dwelling use may be further reduced for the properties listed in Table 1 below as indicated:

<table>
<thead>
<tr>
<th>Legal Description</th>
<th>Minimum Lot Size</th>
<th>Minimum Lot Width</th>
</tr>
</thead>
<tbody>
<tr>
<td>PID No.: 002-559-285 (3306 Happy Valley Rd); PID No.: 003-620-603 (3310 Happy Valley Rd); PID No.: 005-198-143 (3326 &amp; 3328 Happy Valley Rd); PID No.: 018-357-776 (3338 Happy Valley Rd); PID No.: 018-357-784 (3340 Happy Valley Rd); and PID No.: 004-491-823 (3344 Happy Valley Rd)</td>
<td>176m² (1,864ft²), provided that the one-family dwelling has one side yard setback at a 0m interior side yard setback</td>
<td>6 m (20 ft)</td>
</tr>
<tr>
<td>PID No.: 000-156-884 (3416 Hazelwood Rd)</td>
<td>215 m² (2,368 ft²), except one lot included in the plan of subdivision may be 200 m² (2,152 ft²)</td>
<td>8.4 m (27.5 ft), except one lot included in the plan of subdivision may be 7.6 m (24.9 ft)</td>
</tr>
<tr>
<td>LOT 3, SECTION 84, ESQUIMALT DISTRICT, PLAN 21075 PID No.: 003-488-209 (939 Walfred Rd) <strong>(Bylaw 1851)</strong></td>
<td>200m²</td>
<td>n/a</td>
</tr>
</tbody>
</table>

(8) **(Deleted by Bylaw 1597)**

**6.27.03 Density of Development**

(1) There may not be more than one residential building on a lot. **(Bylaw 1581)**

(2) Despite article (1), one or more additional residential buildings are permitted where townhouse units are located within a strata plan subdivided pursuant to the *Strata Property Act*. **(Bylaw 1583)**

**6.27.04 Lot Coverage**

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

(2) Lot coverage of all buildings and structures on lots for attached housing or townhouses **(Bylaw 1583)** with an area of less than 220 m² (2,368 ft²) may not exceed 60%. **(Bylaw 1408)**

(3) Lot coverage for all buildings and structures on lots less than 220 m² may not exceed 55% for one-family dwellings if one interior side yard setback is at a 0 m setback. **(Bylaw 1583)**
6.27.05 Height of Principal Use Buildings

(1) No building or structure on a lot with an area greater than or equal to 550 m² (5 920 ft²) may exceed a height of 9 m (30 ft). (Bylaw 1581)

(2) No building or structure on a lot with an area less than 550 m² (5 920 ft²) may exceed a height of 8.5 m (28 ft). (Bylaw 1581)

(3) No townhouse may exceed a height of three storeys. (Bylaw 1583)

(4) No one-family dwelling may exceed a height of 3 storeys on the properties legally described as: PID 002-559-285 (3306 Happy Valley Rd) and PID 003-620-603 (3310 Happy Valley Rd) and PID 005-198-143 (3326 & 3328 Happy Valley Rd) and PID 018-357-776 (3338 Happy Valley Rd) and PID 018-357-784 (3340 Happy Valley Rd) and PID 004-491-823 (3344 Happy Valley Rd) and PID 000-156-884 (3416 Hazelwood Rd). (Bylaw 1583; Replaced by Bylaw 1597)

6.27.06 Setbacks

Heading Deleted (Bylaw No. 1581)

(1) No principal building may be located:

(a) within 3.0 m (9.8 ft) of any front lot line when the lot fronts on and has access from a highway or access route in a bare land strata plan, nor within 5.5 m (18 ft) of a portion of a building comprising an attached garage, connected to the highway or access route by a driveway. This setback may be reduced to 3 m (10 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;

(b) Within 5.5 m (18 ft) of any rear lot line;

(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 5.5m of the exterior side lot line; or (Bylaw 1548)

(d) Within 1.2 m (4 ft) of any interior side lot line;

(e) (Bylaw 1223; Deleted by Bylaw 1548)

Small Lot Affordable Housing

(2) (Deleted by Bylaw 1146)

Accessory Buildings

(3) No accessory building may be located:

(a) Within 1 m (3 ft) of the principal building;
(b) Within 15 m (49 ft) of any front lot line unless it complies with the front lot line setback requirements applicable to the principal building;

(c) Within 1 m (3 ft) of any side lot line; or

(d) Within 1 m (3 ft) of any rear lot line except that no garage or carport that faces an exterior side lot line may be located within 5.5 m of the exterior side lot line. (Bylaw 1546)

(4) (Deleted by Bylaw 1146)

Attached Housing or Townhouses  (Bylaw 1408, 1583)

(5) No Attached housing or Townhouse (Bylaw 1583) building may be located:

(a) Within 3.0 m (9.8 ft) of any front lot line when the lot fronts on and has access from a highway or access route in a bare land strata plan, nor within 5.5 m (18 ft) of a portion of a building comprising an attached garage, connected to the highway or access route by a driveway. This setback may be reduced to 3 m (10 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;

(b) Within 5.5 m (18 ft) of any rear lot line;

(c) within 1.2 m (4 ft) where the adjoining lot is not an attached housing or townhouse (Bylaw 1583) use; and

(d) Within 3.5 m (11.5 ft) of any exterior side lot line except that no garage or carport that faces a front lot line may be located within 5.5m of the front lot line. (Bylaw 1581)

6.27.07 Regulations for Two-Family Dwellings (Bylaw 1581)

(1) Two-family dwellings are prohibited on panhandle lots;

(2) The lot area may not be less than 835 m²;

(3) The total floor area of a one family-dwelling on lots less than 400 m² on the property legally described as LOT 3, SECTION 84, ESQUIMALT DISTRICT, PLAN 21075; PID No.: 003-488-209 (939 Walfred Rd) may not exceed the total area of the lot upon which it is constructed; (Bylaw 1851)

(4) The width of the building envelope may not be less than 14 m;

(5) In addition to all other regulations of this Bylaw a continuous landscape and screening area of at least 1m in width containing a shrub, hedge or fence screen of a minimum height of 1.8 m, at time of planting, must be provided along any interior lot line starting from 6 m to the rear of the front lot line and extending to the rear lot line.

(6) In addition to all other regulations of this Bylaw any building or structure on the lot must be dimensioned, sited, and designed in conformance with an approved development permit.

6.27.08 Landscape Screening

The relevant regulations of Section 3.21 of this Bylaw shall apply.
6.27.09 General

The relevant regulations of Part 3 of this Bylaw shall apply.
Section 6.27A – Residential Small Lot 4 (RS4) Zone

(Bylaw 1568)

The intent of the Residential Small Lot 4 (RS4) Zone is to permit one-family dwellings with secondary suites on lots serviced by municipal sewers within the urban core as an infill use, or in new neighbourhoods where a sewer system is in place, and provide an opportunity, through density bonusing, to create small lots.

6.27A.01 Permitted Uses

The following uses and no others are permitted in the Residential Small Lot 4 (RS4) Zone:

1. a maximum of one boarder in a one-family dwelling;
2. accessory buildings and uses;
3. home occupation in accordance with Section 3.09;
4. one-family dwelling;
5. secondary suite in a one-family dwelling on lots with areas greater than or equal to 400m² (4,305 ft²) in accordance with Section 3.08; (Bylaw 1608) and
6. townhouses on those properties legally described as THAT PORTION OF THE SOUTHERLY 11 CHAINS OF SECTION 81, METCHOSIN DISTRICT, LYING WESTERLY OF THE HAPPY VALLEY ROAD, EXCEPT THOSE PARTS IN PLANS 28272 AND VIP52319; PID No.: 009-875-867 (3690 Happy Valley Rd) and LOT 1, SECTION 81, METCHOSIN DISTRICT, PLAN 28272 EXCEPT THAT PART IN PLAN VIP74006; PID No.: 002-035-235 (3694 Happy Valley Rd) only; (Bylaw 1694)

7. townhouses on those portions of the property legally described as Lot 2, Section 87, Metchosin District, Plan 31715 Except Plans EPP70874 and EPP74392, PID No. 001-138-138 (4342 West Shore Pkwy) (Bylaw 1741)

8. Two-family dwelling on lots with areas greater than or equal to 835 m²; (Bylaw 1581)

9. uses permitted by Section 3.01 of this Bylaw;

6.27A.02 Subdivision Lot Requirements

1. No lot having an area of less than 850 m² may be created by subdivision in the Residential Small Lot 4 (RS4) Zone;
2. No lot may be created with a lot width of less than 9 m;
3. No lot may be created having a building envelope width or depth of less than 6 m nor a building envelope area of less than 74 m²;
4. No panhandle lot may be created by subdivision in the Residential Small Lot 4 (RS4) Zone.
(6) Despite subsection 6.27A.02(1), on land whose legal description is set out in Table 1 of Schedule AD, the minimum parcel area for subdivision may be 400 m² if the owner of the land proposed to be subdivided:

(a) pays to the City the amount specified in Column 4 of Table 1 of Schedule AD, prior to the time of subdivision.

(7) Despite subsection 6.27A.02(1), on that property legally described as Lot 1, Section 26, Goldstream District, Plan 24172; PID 002-981-220 (2955 Irwin Rd), the minimum parcel area for subdivision may be 260 m² if the owner of the land proposed to be subdivided: (Bylaw 1731)

(a) pays to the City the amount specified in Column 4 of Table 1 of Schedule AD, prior to the time of subdivision; and

(b) does not exceed a maximum density of development of 18 lots.

6.27A.03 Density of Development

(1) There may not be more than one residential building on a lot. (Bylaw 1581)

(2) Notwithstanding subsection 6.27A.03(1) there may be more than one residential building on a lot, if those residential buildings contain a townhouse use; (Bylaw 1694)

(3) Under no circumstances may the density of development on those properties legally described as THAT PORTION OF THE SOUTHERLY 11 CHAINS OF SECTION 81, METCHOSIN DISTRICT, LYING WESTERLY OF THE HAPPY VALLEY ROAD, EXCEPT THOSE PARTS IN PLANS 28272 AND VIP52319; PID No.: 009-875-867 (3690 Happy Valley Rd) and LOT 1, SECTION 81, METCHOSIN DISTRICT, PLAN 28272 EXCEPT THAT PART IN PLAN VIP74006; PID No.: 002-035-235 (3694 Happy Valley Rd) exceed 125 Single Family Equivalent (SFE) dwelling units, and for the purpose of this section a Townhouse unit shall be deemed equivalent to 0.66 SFE. (Bylaw 1694)

6.27A.04 Lot Coverage

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

6.27A.05 Height of Principal Use Buildings

(1) No building or structure on a lot with an area greater than or equal to 550 m² (5 920 ft²) may exceed a height of 9 m; (Bylaw 1581)

(2) No building or structure on a lot with an area less than 550 m² (5 920 ft²) may exceed a height of 8.5 m. (Bylaw 1581)

6.27A.06 Setbacks

(1) No principal building may be located:

(a) within 3.0 m 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 5.5 m of any rear lot line;

(c) Within 3.5 m 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 of the exterior side lot line; or

(d) Within 1.2 m of any interior side lot line.

6.27A.07 Regulations for Two-Family Dwellings (Bylaw 1581)

(1) Two-family dwellings are prohibited on panhandle lots;
(2) The lot area may not be less than 835 m²;
(3) The lot width may not be less than 18 m;
(4) The width of the building envelope may not be less than 14 m;
(5) In addition to all other regulations of this Bylaw a continuous landscape and screening area of at least 1m in width containing a shrub, hedge or fence screen of a minimum height of 1.8 m, at time of planting, must be provided along any interior lot line starting from 6 m to the rear of the front lot line nad extending to the rear lot line.
(6) In addition to all other regulations of this Bylaw any building or structure on the lot must be dimensioned, sited, and designed in conformance with an approved development permit.

6.27A.08 Regulations of Use for a Townhouse

(1) A Townhouse will be subject to the regulations of the Residential Townhouse (RT1) Zone and not the regulations of this Zone. (Bylaw 1694)

6.27A.09 Landscape Screening

The relevant regulations of Section 3.21 of this Bylaw shall apply.

6.27A.10 General

The relevant regulations of Part 3 of this Bylaw shall apply
Section 6.28 – Residential Townhouse (RT1) Zone

(Bylaw 1177)

6.28.01 Permitted Uses

The following uses and no other uses are permitted in the Residential Townhouse (RT1) Zone:

1. accessory buildings and uses;
2. home office in accordance with Section 3.09;
3. On property legally described at LOT 1 SECTION 84 METCHOSIN DISTRICT PLAN VIP67043, PID No. 024-144-592 (3483 Happy Valley Rd), on one-family dwelling;
4. temporary construction and real estate marketing offices;
5. townhouses;
6. uses permitted under Section 3.01 of this Bylaw.

6.28.02 Subdivision Lot Requirements

1. No lot having an area less than 100 m\(^2\) (1 076 ft\(^2\)) may be created by subdivision in the RT1 Zone.
2. No lot may be created having a lot width less than 5 m (16 ft).

6.28.03 Density of Development

1. Except as provided in article (2), the floor area ratio may not exceed 0.50;
2. Notwithstanding Subsection 6.28.03(1), on land whose legal description is set out in the Table 1 of Schedule AD, the minimum floor area ratio may be increased to 1.0 if the owner of the land proposed to be developed: (Bylaw 1320)

(a) pays to the City the amount specified in Column 4 of Table 1 of Schedule AD, prior to the issuance of a building permit.

(Table 1 Deleted by Bylaw 1320)

6.28.04 Regulations of Use for a One-Family Dwelling (Bylaw 1613)

1. A one-family dwelling use will be subject to the regulations of the One- and Two-Family Residential (R2) Zone and not the regulations of this Zone.

6.28.05 Lot Coverage

Lot coverage of all buildings and structures may not exceed 60%.
6.28.06 Height and Size of Principal Use Buildings

No building or structure may exceed a height of 10 m (32.8 ft).

6.28.07 Setbacks

(1) No building or structure may be located:

(a) Within 3.0 m (10 ft) of any front lot line when the lot fronts on and has access from a highway, except that no garage or carport that faces a front lot line may be located within 5.5 m of the front lot line. (Bylaw 1548)

(b) Within 0 m (0 ft) for interior lot lines abutting the Residential Townhouse (RT1) Zone, nor within 1.2 m (4 ft) for interior lot lines abutting any zone other than the Residential Townhouse (RT1) Zone;

(c) Within 3.5 m (11 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 of the exterior side lot line; and (Bylaw 1548)

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

6.28.08 Landscape Screening

The relevant regulations of Section 3.21 of this Bylaw must apply.

6.28.09 General

The relevant regulations of Part 3 of this Bylaw must apply.
Section 6.28A – Residential Townhouse (RT2) Zone

(Bylaw 1304)

The intent of the Residential Townhouse 2 (RT2) Zone is to permit townhouse units on a fee simple lot that is not less than 100 m² in area where each townhouse unit and lot is within a group of at least three units.

6.28A.01 Permitted Uses

The following uses and no other uses are permitted in the Residential Townhouse (RT2) Zone:

1. townhouses;
2. home office in accordance with Section 3.09;
3. temporary construction and real estate marketing offices;
4. accessory buildings and uses; and
5. uses permitted by Section 3.01 of this Bylaw.

6.28A.02 Subdivision Lot Requirements

1. No lot having an area less than 100 m² (1,076 ft²) may be created by subdivision in the RT2 Zone.
2. No lot may be created having a lot width less than 5 m (16 ft).

6.28A.03 Density of Development

1. No lot having an area less than 550 m² (5920 ft²) may be created by subdivision in the RT2 (Residential Townhouse 2);
2. Notwithstanding Subsection 6.28A.03(1), on land whose legal description is set out in Table 1 of Schedule AD, the minimum floor area ratio may be increased to 1 dwelling unit per 100 m² of lot area if the owner of the land proposed to be developed: (Bylaw 1320)
   (a) pays to the City the amount specified in column 4 of Table 1 of Schedule AD, prior to the issuance of a building permit:

   (Table 1 Deleted by Bylaw 1320)

6.28A.04 Lot Coverage

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

6.28A.05 Height and Size of Principal Use Buildings

No building or structure may exceed a height of two storeys.
6.28A.06 Setbacks

(1) No building or structure may be located:

   (a) Within 2.0 m (6.6 ft) of any front lot line when the lot fronts on and has access from a highway, except that no garage or carport that faces a front lot line may be located within 5.5 m of the front lot line; *(Bylaw 1548)*

   (b) Within 0m (0ft) for interior lot lines abutting the Residential Townhouse (RT2) zone, nor within 1.2 m (4 ft) of any interior lot line abutting any zone other than the Residential Townhouse (RT2) Zone;

   (c) Within 1.5 m (4.9 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 of the exterior side lot line; and *(Bylaw 1548)*

   (d) Within 3.5 m (11 ft) of any rear lot line abutting any zone other than the Residential Townhouse (RT2) Zone.

6.28A.07 Landscape Screening

The relevant regulations of Section 3.21 of this Bylaw must apply.

6.28A.08 General

The relevant regulations of Part 3 of this Bylaw must apply.
Section 6.29 – One-Family Residential 4 (R4) Zone

(Bylaw 1216)

The intent of the One-Family Residential 4 Zone is to permit one-family dwellings with secondary suites or one-family dwellings with secondary suites in detached accessory buildings on lots with an area of not less than 550 m² (5 920 ft²) in areas served by community sanitary sewers.

6.29.01 Permitted Uses

The following uses and no others are permitted in the One-Family Residential 4 zone:

1. accessory buildings and uses;
2. group day care in accordance with Section 3.26.02;
3. home occupation in accordance with Section 3.09;
4. one-family dwelling;
5. secondary suite, garden suite, or carriage suite in accordance with Section 3.08; *(Bylaw 1696)*
6. temporary construction and real estate marketing offices;
7. the keeping of not more than four boarders in a one-family dwelling; and
8. uses permitted by Section 3.01 of this Bylaw.

6.29.02 Subdivision Lot Requirements

1. No lot having an area less than 3 000 m² (32 292 ft²) may be created by subdivision in the One-Family Residential (R4) Zone.
2. No lot may be created having a lot width less than 16 m (52.5 ft).
3. No lot may be created having a building envelope with a width or depth less than 7 m (23 ft) nor an area less than 186 m² (2 000 ft²).
4. Notwithstanding subsection 6.29.02(1), on land whose legal description is set out in Table 1 of Schedule AD, the minimum parcel area for subdivision may be 550 m² (5 920 ft²) if the owner of the land proposed to be subdivided: *(Bylaw 1320)*
   - (b) pays to the City the amount specified in Column 4 of Table 1 of Schedule AD, prior to the time of subdivision.
5. No subdivision plan may be approved unless the lots created by the subdivision have an average area of at least 1,012 m² (0.25 acre).

*(Table 1 Deleted by Bylaw 1320)*
6.29.03 Density of Development
There may not be more than one residential building on a lot, exclusive of any garden suite or carriage suite. (Bylaw 1696)

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

6.29.05 Height and Size of Principal Use Buildings
No building or structure may exceed a height of 9 m (30 ft).

6.29.06 Setbacks
No building or structure may be located:
1. within 6 m (20 ft) of any front or rear lot line; or
2. within 1.5 m (5 ft) of any interior side lot line; or
3. within 4.5 m (15 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 of the exterior side lot line. (Bylaw 1548)

6.29.07 Landscape Screening
The relevant regulations of Section 3.21 of this Bylaw must apply.

6.29.08 General
The relevant regulations of Part 3 of this Bylaw must apply.
Section 6.30 – Low Density Attached Housing (RM1) Zone

6.30.01 Permitted Uses

The following uses and no others are permitted in the Low Density Attached Housing (RM1) Zone:

(1) accessory buildings and uses;

(2) attached housing;

(3) home occupation in accordance with Section 3.09; \(\text{Bylaw 1146}\)

(4) temporary construction and real estate marketing offices; \(\text{Bylaw 984}\)

(5) three-, four-, or five-family dwelling;

(6) townhouses; and \(\text{Bylaw 503}\)

(7) uses permitted by Section 3.01 of this Bylaw.

6.30.02 Subdivision Lot Requirements

(1) No lot having an area less than 1 800 m\(^2\) (.44 acres) may be created by subdivision in the Low Density Attached Housing (RM1) Zone.

(2) No lot may be created having a lot width less than 25 m (82 ft).

6.30.03 Density of Development

(1) There may not be more than one dwelling unit per 500 m\(^2\) (5 380 ft\(^2\)) of lot area.

(2) The floor area ratio is limited to 0.6, but may be increased to 0.75 if 75% of the required off-street parking is provided underground.

6.30.04 Lot Coverage

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

6.30.05 Height and Size of Principal Use Buildings

(1) No building or structure may exceed a height of 9 m (30 ft).

(2) No building containing attached housing may exceed a horizontal width of 50 m (164 ft) or six dwelling units, whichever is the lesser.
6.30.06 Setbacks

No building or structure may be located:

(1) within 7.5 m (25 ft) of any front lot line; or

(2) within 6 m (20 ft) of any interior side lot line; or

(3) within 7.5 m (25 ft) of any exterior side lot line; or

(4) within 10 m (33 ft) of any rear lot line.

6.30.07 Landscape Screening

The relevant regulations of Section 3.21 of this Bylaw must apply.

6.30.08 General

The relevant regulations of Part 3 of this Bylaw must apply.
Section 6.31 – Attached Housing (RM2) Zone

6.31.01 Permitted Uses

The following uses and no others are permitted in the Attached Housing (RM2) Zone:

(1) accessory buildings and uses;

(2) attached housing;

(3) home occupation in accordance with Section 3.09; (Bylaw 1146)

(4) temporary construction and real estate marketing offices; (Bylaw 984)

(5) townhouses; and (Bylaw 503)

(6) uses permitted by Section 3.01 of this Bylaw.

6.31.02 Subdivision Lot Requirements

(1) No lot having an area less than 1 800 m² (.44 acres) may be created by subdivision in the Attached Housing (RM2) Zone.

(2) No lot may be created having a lot width less than 18 m (59 ft).

6.31.03 Density of Development

(1) There may not be more than one dwelling unit per 285 m² (3 070 ft²) of lot area which would permit approximately 35 dwelling units per hectare (14 units/acre).

(2) The floor area ratio is limited to 0.6, but may be increased to 0.75 if 75% of the required off-street parking is provided underground.

6.31.04 Lot Coverage

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

6.31.05 Height and Size of Principal Use Buildings

(1) No building or structure may exceed a height of 9 m (30 ft).

(2) No building containing attached housing may exceed a horizontal width of 50 m (164 ft) or six units, whichever is the lesser.
6.31.06 Setbacks

No building or structure may be located:

(1) within 7.5 m (25 ft) of any front lot line; or
(2) within 6 m (20 ft) of any interior side lot line; or
(3) within 7.5 m (25 ft) of any exterior side lot line; or
(4) within 10 m (33 ft) of any rear lot line.

6.31.07 Landscape Screening

The relevant regulations of Section 3.21 of this Bylaw must apply.

6.31.08 General

The relevant regulations of Part 3 of this Bylaw must apply.
Section 6.31A – Attached Housing (RM2A) Zone

(Bylaw 1145)

6.31A.01 Permitted Uses

The following uses and no others shall be permitted in the Attached Housing (RM2A) Zone.

(1) accessory buildings and uses;

(2) attached housing;

(3) home occupation;

(4) temporary construction and real estate marketing offices;

(5) townhouses; and (Bylaw 1223, 1437)

(6) uses permitted by Section 3.01 of this Bylaw.

6.31A.02 Subdivision Lot Requirements

(1) No lot having an area less than 1,800 m² (0.44 acre) may be created by subdivision in the Attached Housing (RM2A) Zone;

(2) No lot may be created having a lot width less than 18 m (59 ft);

6.31A.03 Density of Development

(1) Except as provided in articles (2) and (3), buildings in the RM2A Zone shall not exceed a floor area ratio of 0.75; (Bylaw 1757, 1698)

(2) Despite Subsection 6.31A.03(1), on land whose legal description is set out in Table 1 of Schedule AD, the floor area ratio may be increased to 1.0, if the owner of the land proposed to be developed: (Bylaw 1320; Replaced by Bylaw 1757, 1698)

(a) pays to the City the amount specified in Column 4 of Table 1 of Schedule AD, prior to the issuance of a Building Permit. (Bylaw 1320; Replaced by Bylaw 1757, 1698)

(3) Despite the floor area ratio specified in subsection 6.31A.03(2), the floor area ratio may be increased to 1.5 if the owner provides 50% of the parking spaces required by this Bylaw in an underground or under building parking structure, subject to compliance with the density bonus provisions specified in Subsection 6.31A.03(2). (Bylaw 1320; Replaced by Bylaw 1757, 1698)

(Table 1 Deleted by Bylaw 1320)
6.31A.04 Lot Coverage

Lot coverage of all buildings and structures may not exceed 45%. (Bylaw 1720; Replaced by Bylaw 1766)

6.31A.05 Height and Size of Principal Use Buildings

(1) No building or structure may exceed a height of 3 storeys. (Bylaw 1720)

(2) No building containing attached housing may exceed a horizontal width of 50 m (164 ft) or six units, whichever is the lesser.

6.31A.06 Setbacks

No building or structure may be located: (Replaced by Bylaw 1757)

(1) Within 5.5 m (18 ft) of any front lot line;

(2) Within 5.5 m (18 ft) of any exterior side lot line;

(3) Within 7.5 m (25 ft) of at least one interior side or rear lot line, and within 3.0 m (10 ft) of the other interior side and rear lot lines.

6.31A.07 Landscape Screening

The relevant regulations of Section 3.21 of this Bylaw must apply.

6.31A.08 General

The relevant regulations of Part 3 of this Bylaw must apply.
Section 6.32 – Apartment (RM3) Zone

6.32.01 Permitted Uses

The following uses and no others are permitted in the Apartment (RM3) Zone:

(1) accessory buildings and uses;

(2) apartment;

(3) attached housing;

(4) home occupation in accordance with Section 3.09; (Bylaw 1146)

(5) temporary construction and real estate marketing offices; (Bylaw 984)

(6) townhouses; and

(7) uses permitted by Section 3.01 of this Bylaw.

6.32.02 Subdivision Lot Requirements

(1) No lot having an area less than 1 800 m² (.44 acres) may be created by subdivision in the Apartment (RM3) Zone.

(2) No lot may be created having a lot width less than 18 m (59 ft).

6.32.03 Regulations for Use for an attached Housing Use

An Attached Housing Use will be subject to the regulations of the Attached Housing (RM2) Zone and not the regulations of this zone, except on that part of Lot 3, Section 5, Esquimalt District, Plan 3495, lying to the north east of a boundary parallel to and perpendicularly distant 75 feet from the north easterly boundary of said lot, where Attached Housing will be subject to the regulations of this zone. (Bylaw 417)

6.32.04 Density of Development

(1) Except as provided in articles (2) and (3), there may not be more than one dwelling unit per 200 m² (2 150 ft²) of lot area which would permit approximately 50 dwelling units per hectare (20 dwelling units/acre).

(2) Despite article (1) the floor area of the buildings in the Apartment (RM3) Zone will not exceed a floor area ratio of 1.0.

(3) The floor area ratio may be increased to 1.25 if 75% of the required off-street parking is provided underground.

6.32.05 Lot Coverage

Lot coverage of all buildings and structures may not exceed 35%.
6.32.06 Height and Size of Principal Use Buildings

(1) No apartment building may exceed a height of six (6) storeys. (Bylaw 997, 1531)

(2) No attached housing or townhouse may exceed 9 m (30 ft).

6.32.07 Setbacks

No building or structure may be located:

(1) within 7.5 m (25 ft) of any front lot line; or

(2) within 7.5 m (25 ft) of any side lot line or a distance equal to 0.6 multiplied by the height of the building, whichever is less; or (Bylaw 386)

(3) within 10 m (33 ft) of the rear lot line or a distance equal to 1 m (3 ft) multiplied by the height of the building in metres, whichever is less.

6.32.08 Landscape Screening

The relevant regulations of Section 3.21 of this Bylaw must apply.

6.32.09 General

The relevant regulations of Part 3 of this Bylaw must apply.
Section 6.32A – Apartment (RM3A) Zone

(Bylaw 1103)

6.32A.01 Permitted Uses

The following uses and no others are permitted in the Apartment (RM3A) Zone:

1. accessory buildings and uses;
2. apartment;
3. attached housing;
4. home occupation in accordance with Section 3.09;
5. temporary construction and real estate marketing offices;
6. townhouses; and
7. uses permitted by Section 3.01 of this Bylaw.

6.32A.02 Subdivision Lot Requirements

1. No lot having an area less than 1 800 m² (.44 acres) may be created by subdivision in the Apartment (RM3A) Zone.

2. No lot may be created having a lot width less than 18 m (59 ft).

6.32A.03 Density of Development

1. There may not be more than one dwelling unit per 550 m² (5 920 ft²) of lot area.

2. Notwithstanding subsection 6.32A.03 (1), on land whose legal description is set out in Table 1 of Schedule AD, the density of development may exceed one unit per 550 m² (5 920 ft²), if the owner of the land proposed to be developed: (Bylaw 1320)

   a. pays to the City the amount specified in Column 4 of Table 1 of Schedule AD, prior to issuance of a building permit; and

   b. provides to the City the amenity specified in Column 4 of Table 1 of Schedule AD, prior to issuance of a building permit.

3. Notwithstanding subsection 6.32A.03(2), buildings in the RM3A zone developed pursuant to article (2) shall not exceed a floor area ratio of 1.0, nor shall there be more than one dwelling unit per 200 m² (2,150 ft²).

(Table 1 Deleted by Bylaw 1320)
6.32A.04 Lot Coverage
Lot coverage of all buildings and structures may not exceed 35%.

6.32A.05 Height and Size of Principal Use Buildings
(1) No apartment building may exceed a height of six (6) storeys. (Bylaw 1531)
(2) No attached housing or townhouse may exceed 9 m (30 ft).

6.32A.06 Setbacks
No building or structure may be located:
(1) within 7.5 m (25 ft) of any front lot line; or
(2) within 7.5 m (25 ft) of any side lot line or a distance equal to 0.6 multiplied by the height of the building, whichever is less; or
(3) within 10 m (33 ft) of the rear lot line or a distance equal to 1 m (3 ft) multiplied by the height of the building in metres, whichever is less.

6.32A.07 Landscape Screening
The relevant regulations of Section 3.21 of this Bylaw must apply.

6.32A.08 General
The relevant regulations of Part 3 of this Bylaw must apply.
Section 6.33 – Apartment – Senior Citizens (RM4) Zone

6.33.01 Permitted Uses

The following uses and no others are permitted in the Apartment – Senior Citizens (RM4) Zone:

1. accessory buildings and uses;
2. apartment (senior citizens);
3. home occupation in accordance with Section 3.09; *(Bylaw 1146)*
4. temporary construction and real estate marketing offices; *(Bylaw 984)*
5. uses permitted by Section 3.01 of this Bylaw.

6.33.02 Subdivision Lot Requirements

No lot having an area less than 5 000 m² (1.24 acres) may be created by subdivision in the Apartment – Senior Citizens (RM4) Zone.

6.33.03 Density of Development

Density shall be limited by the lesser of the following two clauses:

1. The sum of the following must not exceed the area in square metres (square feet) of any lot:
   
   (a) the number of one bedroom dwelling units on the lot times 93 (1 000);
   
   (b) the number of two bedroom dwelling units on the lot times 278 (2 990); and
   
   (c) the number of three bedroom dwelling units on the lot times 464 (4 995);

2. The floor area ratio is limited to 0.6, but may be increased to 0.75 if 75% of the required off-street parking is provided underground.

6.33.04 Lot Coverage

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

6.33.05 Height and Size of Principal Use Buildings

No building or structure may exceed a height of six (6) storeys. *(Bylaw 1531)*
6.33.06 **Setbacks**

No building or structure may be located:

(1) within 7.5 m (25 ft) of any front lot line; or

(2) within 7.5 m (25 ft) of any side lot line or a distance equal to 0.6 multiplied by the height of the building, whichever is less; or **(Bylaw 386)**

(3) within 10 m (33 ft) of the rear lot line or a distance equal to 1 m (3 ft) multiplied by the height of the building, whichever is less.

6.33.07 **Landscape Screening**

The relevant regulations of Section 3.21 of this Bylaw must apply.

6.33.08 **General**

The relevant regulations of Part 3 of this Bylaw must apply.
Section 6.34 – Cluster Housing Residential (CH1) Zone

6.34.01 Permitted Uses

The following uses and no others are permitted in the Cluster Housing (CH1) Zone (Bylaw 386):

(1) building and structures accessory to residential uses;

(2) home office home occupation in accordance with Section 3.09;  (Bylaw 1039, 1146)

(3) park;

(4) single-detached and duplex dwelling units, at the location shown hatched on Schedule “C” (attached to and forming part of this Bylaw);

(5) single-detached and duplex dwelling units and townhouses in those locations identified as Lot A and B on Schedule “C”, provided that at least 17% of the maximum permitted dwelling units on Lot A are single-detached or duplex (the construction of the single-detached or duplex form dwelling units may be the last units to be built); and

(6) temporary construction and real estate marketing offices.  (Bylaw 984)

6.34.02 Density of Development

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

Lot A: 413 dwelling units

Lot B: 76 dwelling units

6.34.03 Height and Size of Principal Use Buildings

(1) The height of any residential building shall not exceed 12 m (39 ft) or three storeys.

(2) The height of any accessory building shall not exceed 5 m (16 ft).

(3) No townhouse building or structure shall exceed a horizontal width of 50 m (164 ft) or six units, which ever is greater.

6.34.04 Setbacks

(1) No Townhouse may be located:

(a) less than 5 m (16 ft) from 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; or (Bylaw 1548)

(b) less than 6 m (20 ft) from any side lot line unless on a corner lot in which not less than 7.5 m (25 ft) from any side lot line adjacent to a street; or
(c) less than 7.5 m (25 ft) from any rear lot line.

(2) No **Single-Detached and Duplex Buildings may be located**:

(a) less than 5 m (16 ft) from 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; or **(Bylaw 1548)**

(b) less than 1.5 m (5 ft) from any side lot line and the sum of the setbacks from the two side lot lines shall not be less than 4.5 m (15 ft) in width unless on a corner lot in which not less than 6 m (20 ft) from any side lot line adjacent to a street; or

(c) less than 7.5 m (25 ft) from any rear lot line.

(3) **Accessory Buildings**

(a) Accessory buildings are not permitted in any required front or side setback.

6.34.05 **Lot Coverage**

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

6.34.06 **Subdivision Lot Requirements**

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

(1) minimum parcel size shall be 695 m² (7 480 ft²);

(2) minimum lot width shall be 16 m (52 ft); and

(3) minimum lot depth shall be 30 m (100 ft).

6.34.07 **Townhouse Development**

Townhouses may not be developed on parcels less than 1 800 m² (.44 acres) in area or 25 m (82 ft) in depth.

6.34.08 **Landscape Screening**

The relevant regulations of Section 3.21 of this Bylaw must apply.

6.34.09 **General**

The relevant regulations of Part 3 of this Bylaw must apply.
Section 6.35 – Cluster Housing Residential (CH2) Zone

(Bylaw 335)

6.35.01 Permitted Uses

The following uses and no others are permitted in the Cluster Housing (CH2) Zone:

1. accessory buildings and uses;
2. group day care in accordance with Section 3.26.02; (Bylaw 717, 1039)
3. home occupation in accordance with Section 3.09; (Bylaw 1146)
4. on land legally described as Lot 1, Section 80, Metchosin District, Plan VIP70354 (1028 Lomalinda Drive) a group daycare limited to a capacity of 76 children; (Bylaw 1259)
5. one-family dwelling;
6. the keeping of not more than four boarders in a one-family dwelling;
7. park;
8. secondary suite in a one-family dwelling in accordance with Section 3.08; (Bylaw 1146)
9. temporary construction and real estate marketing offices; and (Bylaw 984)
10. uses permitted by Section 3.01 of this Bylaw.

6.35.02 Subdivision Lot Requirements

No lot having an area less than 1 400 m² (15 070 ft²) may be created by subdivision in the Cluster Housing Residential (CH2) Zone.

6.35.03 Density of Development

(1) The maximum density on the property legally described as Parcel A (DD34484I), Section 80, Metchosin District, Except Part On Plan Attached to Conveyance Dated the 24th Day of July 1911 From David Albert Henry to the Canadian Northern Pacific Railway Company and Deposited Under DD 27589 and Except Parts in Plans 6887 and 7142 shall be 8 one-family dwelling units. This may be increased to 16 one-family dwelling units if at least 45% of the property is dedicated as park and the applicant provides at its own cost, the installation of sewer services to the entire strata subdivision, prior to subdivision. (Bylaw 386, 1047)

(2) There may not be more than one daycare on land legally described as Lot 1, Section 80, Metchosin District, Plan VIP70354 (1028 Lomalinda Drive. (Bylaw 1259)

6.35.04 Height and Size of Principal Use Buildings

No building or structure may exceed a height of 9 m (30 ft).
6.35.05 **Setbacks**

(1) No building or structure may be located:

   (a) within 7.5 m (25 ft) of any front or rear lot line; or

   (b) within 1.5 m (5 ft) of any interior side lot line provided, however, that the sum of
       the setbacks from any two interior lot lines is not less than 4.5 m (15 ft); or

   (c) within 6 m (20 ft) of any exterior side lot line.

6.35.06 **Lot Coverage**

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

6.35.07 **Landscape Screening**

The relevant regulations of Section 3.21 of this Bylaw must apply.

6.35.08 **General**

The relevant regulations of Part 3 of this Bylaw must apply.
Section 6.36 – Medium-Density Apartment (RM7) Zone

(Bylaw 445)

6.36.01 Permitted Uses

The following uses and no others shall be permitted in the Medium-Density Apartment (RM7) Zone.

1. accessory buildings and uses
2. apartments;
3. attached housing;
4. home occupation in accordance with Section 3.09; (Bylaw 1146)
5. temporary construction and real estate marketing offices; (Bylaw 984)
6. townhouses; and (Bylaw 894)
7. uses permitted by Section 3.01 of this Bylaw.

6.36.02 Subdivision Lot Requirements

1. No lot having an area less than 4 000 m² (1 acre) may be created by subdivision in the Medium-Density Apartment (RM7) Zone;
2. No lot may be created having a lot width less than 20 m (66 ft); and
3. No lot may be created having a lot depth less than 34 m (112 ft).

6.36.03 Density of Development

1. Except as provided in articles (2), (3), and (4), buildings in the RM7 Zone shall not exceed a floor area ratio of 1.0;
2. The floor area ratio may be increased to 1.15 if the owner provides 50% of the parking spaces required by this Bylaw in an underground parking structure, and by an additional 0.02 to a maximum of 1.25 for every additional 5% of the parking spaces so provided;
3. The floor area ratio may be increased to 1.25 if the owner provides multiple-family residential amenity space of 5 m² per dwelling unit in addition to the required usable open space; and
4. The floor area ratio may be increased to 1.25 if the owner grants to the City of Langford pursuant to s.215 of the Land Title Act, prior to issuance of the building permit and in priority to any financial charges, a covenant including a provision that those certain trees situated on land legally described as Lot 5, Section 72, Esquimalt District, Plan 3499, shall be preserved in their natural state in perpetuity, such covenant to include an indemnity of the City of Langford in respect of the preservation of the trees and a rent charge payable by the owner in the event the covenant is breached.
5. The floor area ratio may be increased to 1.6 on a lot located in the shaded area shown on Schedule AE. (Bylaw 1399)

6.36.04 Lot Coverage

1. Lot coverage of all buildings and structures may not exceed 50%;
(2) Lot coverage of all buildings and structures with heights of not less than 3-storeys located in the shaded area shown on Schedule “AE” may not exceed 75%. (Bylaw 1399)

6.36.05 Height and Size of Principal Use Buildings

(1) No apartment building may exceed a height of six (6) storeys. (Bylaw 997, 1531)

(2) No attached housing or townhouse may exceed a height of 9 m (30 ft).

6.36.06 Setbacks

No building or structure may be located:

(1) Within 7.5 m (25 ft) of any front lot line;

(2) Within 3 m (10 ft) of any interior side lot line;

(3) Within 7.5 m (25 ft) of any exterior side lot line; and

(4) Within 3 m (10 ft) of any rear lot line; or

(5) Within 7.5 m (25 ft) of any rear lot line, if that lot line abuts, or is separated only by a highway, from a lot that is zoned residential.

6.36.07 Landscape Screening

The relevant regulations of Section 3.21 of this Bylaw must apply.

6.36.08 General

The relevant regulations of Part 3 of this Bylaw must apply.
Section 6.36A – Medium-Density Apartment A (RM7A) Zone

6.36A.01 Permitted Uses

The following uses and no others are permitted in the Medium-Density Apartment A Zone:

1. accessory buildings and uses;

2. apartments, except on the parcels legally described as Lot 3, Section 108, Esquimalt District, Plan 15809 Except Parts in Plans VIP1966 and VIP1969 (300 Phelps Ave); Lot 15, Section 109, Esquimalt District, Plan 12187 Except Part in Plan VIP71967 (647 Redington Ave); Lot 17, Section 109, Esquimalt District, Plan 12187 (2478 Selwyn Rd); Lot 16, Section 109, Esquimalt District, Plan 12187 Except Part in Plan VIP71967 (2482 Selwyn Rd); and Lot A, Section 84, Esquimalt District, Plan VIP51623 (3296 Jacklin Road) (Bylaw 1223, 1366, 1568; Replaced by Bylaw 1642, 1695)

3. attached housing;

4. Group daycare, on the property legally described as Lot 1, Section 72, Esquimalt District, Plan 45918 (616 Goldstream Ave) and in accordance with Subsection 3.26.02; (Bylaw 1773)

5. home occupation in accordance with Section 3.09; (Bylaw 1146)

6. temporary construction and real estate marketing offices;

7. townhouses; and (Bylaw 1223, 1366; Replaced by Bylaw 1437)

8. uses permitted by Section 3.01 of this Bylaw.

6.36A.02 Subdivision Lot Requirements

1. No lot having an area less than 3000 m² (0.74 acre) may be created by subdivision in the Medium-Density Apartment A (RM7A) Zone; (Bylaw 1642)

2. No lot may be created having a lot width less than 20 m (66 ft);

3. No lot may be created having a lot depth less than 34 m (112 ft).

4. Notwithstanding subsection 6.36A.02(1), on lots located within the shaded area shown on Schedule “AI”, a lot having an area less than 4000 m² but not less than 90 m² may be created by subdivision if the owner of the land proposed to be subdivided: (Bylaw 1476)

   a. Pays to the City the amount specified in Column 4 of Table 1 of Schedule AD, prior to the issuance of a Building Permit.

5. Notwithstanding Subsections 6.36A.02(2) and 6.36A.02(3), on lots located within the shaded area shown on Schedule “AI”, no lot may be created by subdivision with a lot width less than 4 m or a depth less than 22 m. (Bylaw 1476)

6.36A.03 Density of Development

1. There may not be more than three residential dwelling units on a lot, with a combined floor area ratio not exceeding 0.5.

2. Notwithstanding Subsection 6.36A.03(1), on land whose legal description is set out in Table 1 of Schedule AD, the density of development may exceed three
residential dwelling units and a floor area ratio of 0.5 if the owner of the land proposed to be developed: **(Bylaw 1230; Replaced by Bylaw 1320)**

(a) pays to the City the amount specified in Column 4 of Table 1 of Schedule AD, prior to the issuance of a building permit.

(b) provides to the City the amenity specified in Column 4 of Table 1 of Schedule AD prior to the time of building permit issuance. **(Bylaw 1567)**

(3) Notwithstanding Section 6.36A.03 (3), the owner may provide a reduced amenity contribution from that specified in Table 1 of Schedule AD in accordance with Table 2 below where the owner enters into an agreement with the City prior to issuance of a Building Permit, under which agreement the owner agrees to achieve a minimum Level 1 Rating defined by the Green Development Checklist Policy. **(Bylaw 1432)**

<table>
<thead>
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<th>Overall Green Development Checklist Project Rating</th>
<th>% Reduction to the Required Contributions Specified in Table 1</th>
</tr>
</thead>
<tbody>
<tr>
<td>Level 1</td>
<td>10%</td>
</tr>
<tr>
<td>Level 2</td>
<td>15%</td>
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<tr>
<td>Level 3</td>
<td>25%</td>
</tr>
<tr>
<td>Level 4</td>
<td>50%</td>
</tr>
</tbody>
</table>

(4) The floor area ratio may be increased to 1.6 on a lot located in the shaded area shown on Schedule AE. **(Bylaw 1399)**

Table 1 (Deleted by Bylaw 1320)

(5) Except as provided in article (4), buildings in the RM7A Zone developed pursuant to article (2) shall not exceed a floor area ratio of 1.0.

(6) The floor area ratio may be increased to 1.15 if the owner provides 50% of the parking spaces required by this Bylaw in an underground parking structure, and by an additional 0.02 to a maximum of 1.25 for every additional 5% of the parking spaces so provided.

(7) Notwithstanding any other part of this subsection, on lots located within the shaded area shown on Schedule “AI”, the floor area ratio may not exceed 3.0. **(Bylaw 1476)**

(8) Notwithstanding Sections 6.36A.03 (1) and (5) and subject to Section 6.36A.03 (2), the floor area ratio may be 1.2 for the lot legally described as Lot 1, Section 109, Esquimalt District, Plan 15552 Except Part in Plan VIP71965, PID No.: 004-570-651 (667 Redington Ave). **(Bylaw 1642)**

6.36A.04 Lot Coverage

(1) Lot coverage of all buildings and structures may not exceed 35% unless the density bonus provisions of Subsection 6.36.03(2) have been met, in which case the lot coverage of all buildings and structures may not exceed 50 %. **(Bylaw 1230)**

(2) Lot coverage of all buildings and structures with heights of not less than 3-storeys located in the shaded area shown on Schedule “AE” may not exceed 75%. **(Bylaw 1399)**
(3) Notwithstanding any other part of this subsection, on lots located within the shaded area shown on Schedule "Al", the lot coverage may not exceed 85%. *(Bylaw 1476)*

### 6.36A.05 Height and Size of Principal Use Buildings

1. No apartment building may exceed a height of six (6) storeys. *(Bylaw 1531)*

2. No attached housing or townhouse may exceed a height of three storeys. *(Bylaw 1581)*

3. On the lot legally described as Lot 1, Section 109, Esquimalt District, Plan 15552 Except Part in Plan VIP71965, PID No.: 004-570-651 (667 Redington Ave) the maximum height for an apartment may be 5 storeys. *(Bylaw 1642)*

4. On the lot legally described as Common Property Plan VIS5695 (2691 Secretariat Way) the maximum height for an apartment may be 7 storeys. *(Bylaw 1853)*

### 6.36A.06 Setbacks

No building or structure may be located:

1. Within 7.5 m (25 ft) of any front lot line;
2. Within 3 m (10 ft) of any interior side lot line;
3. Within 7.5 m (25 ft) of any exterior side lot line;
4. Within 3 m (10 ft) of any rear lot line;
5. Within 7.5 m (25 ft) of any rear lot line, if that lot line abuts, or is separated only by a highway, from a lot that is zoned residential; or
6. Notwithstanding Articles (4) and (5), on lands legally described as Lot 7, Section 109, Esquimalt District, Plan 10426 (656 Strandlund Avenue); Lot 1, Section 109, Esquimalt District, Plan 28414 (660 Strandlund Avenue); and Lot 9, Section 109, Esquimalt District, Plan 10426 (664 Strandlund Avenue) the minimum setback to the Trans Canada Highway Lands is 4.6 m (15 ft). *(Bylaw 1366)*

### 6.36A.07 Landscape Screening

The relevant regulations of Section 3.21 of this Bylaw must apply.

### 6.36A.08 General

The relevant regulations of Part 3 of this Bylaw must apply.
Section 6.37 – Cluster Housing Residential (CH3) Zone

(Bylaw 382)

6.37.01 Permitted Uses

The following uses and no others are permitted in the Cluster Housing (CH3) Zone:

1) accessory buildings and uses;

2) home occupation in accordance with Section 3.09; (Bylaw 1146)

3) one-family dwelling;

4) temporary construction and real estate marketing offices; and (Bylaw 984)

5) uses permitted by Section 3.01 of this Bylaw.

6.37.02 Density of Development

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

6.37.03 Subdivision Lot Requirements

1) No lot having an area less than 9 ha (22.24 acres) may be created by subdivision in the Cluster Housing Residential (CH3) Zone.

2) Notwithstanding Section 6.37.03 (1), up to 17 new lots, none having an area of less than 1 500 m$^2$ (16 146 ft$^2$), may be subdivided from the property legally described as Lot 1, Section 26, Goldstream District, Plan 17841, Except Parts in Plans 24172, 43873, and VIP67119, if 5.7 ha (14 acres) of the land shown as Amenity on Schedule “G” is transferred to the City of Langford for park purposes.

6.37.04 Height and Size of Principal Use Buildings

No building or structure may exceed a height of 9 m (30 ft).

6.37.05 Setbacks

1) No building or structure may be located:

   a) within 7.5 m (25 ft) of any front or rear lot line; or

   b) within 1.5 m (5 ft) of any interior side lot line provided, however, that the sum of the setbacks from any two interior lot lines is not less than 4.5 m (15 ft); or

   c) within 6 m (20 ft) of any exterior side lot line.

6.37.06 Lot Coverage

Lot coverage of all buildings and structures may not exceed 35%.
6.37.07 Landscape Screening
The relevant regulations of Section 3.21 of this Bylaw must apply.

6.37.08 General
The relevant regulations of Part 3 of this Bylaw must apply.
Section 6.37A – Cluster Housing Residential 4 (CH4) Zone

(Bylaw 1370)

6.37A.01 Permitted Uses

The following uses and no others are permitted in the Cluster Housing Residential 4 (CH4) Zone:

1. accessory buildings and uses;
2. attached housing;
3. home occupation in accordance with Section 3.09;
4. one-family dwellings;
5. temporary construction and real estate marketing offices;
6. townhouses; and
7. uses permitted by Section 3.01 of this Bylaw;

6.37A.02 Subdivision Lot Requirements

1. No lot having an area less than 100 m² (1,076 ft²) may be created by subdivision in the Cluster Housing Residential 4 (CH4) Zone;
2. No lot may be created having a lot width of less than 5 m (16.4 ft);

6.37A.03 Density of Development

1. There may not be more than three residential dwellings in the Cluster Housing Residential 4 (CH4) Zone;
2. Notwithstanding Subsection 6.37A.03(1), on land whose legal description is set out in Table 1 of Schedule AD, there may be more than three residential dwellings in the Cluster Housing Residential 4 (CH4) Zone, if the owner of the land proposed to be developed:
   (a) pays to the City the amount specified in Column 4 of Table 1 of Schedule AD, prior to the issuance of a building permit for attached/townhouses uses or prior to subdivision approval for one-family uses;

6.37A.05 Lot Coverage

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

6.37A.06 Height and Size of Principal Use Buildings

No building or structure may exceed a height of three storeys.
6.37A.07 Setbacks

No building or structure may be located:

1) Within 3.0 m (9.8 ft) of any front lot line, except that no garage that faces a front lot line may be located within 5.5 m of the front lot line; (Bylaw 1581)

2) Within 0 m (0 ft) of interior lot lines within the Cluster Housing Residential 4 (CH4) Zone, nor within 1.2 m (4 ft) of interior lot lines abutting any zone other than the Cluster Housing Residential 4 (CH4) Zone;

3) Within 3.0 m (9.8 ft) of any exterior side lot line, except that no garage that faces an exterior side lot line may be located within 5.5 m of the exterior side lot line; (Bylaw 1581)

4) Within 3.0 m (9.8 ft) of any rear lot line;

6.37A.08 Landscape Screening

The relevant regulations of Section 3.21 of this Bylaw must apply.

6.37A.09 General

The relevant regulations of Part 3 of this Bylaw must apply.
Section 6.37B – Cluster Housing Residential 5 (CH5) Zone

(Bylaw 1675)

6.37B.01 Permitted Uses

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

1. Accessory Buildings and Structures, subject to Section 3.05;
2. Home Occupation, subject to Section 3.09;
3. One-Family Dwelling;
4. Two-Family Dwelling;
5. Secondary Suite in a One-Family Dwelling, subject to Section 3.08;
6. Townhouse;
7. The keeping of not more than two Boarders in a One-Family Dwelling;
8. Uses Accessory to a Principal Use permitted in this Zone; and
9. Uses permitted by Section 3.01 of this Bylaw.

6.37B.02 Subdivision Lot Requirements in the CH5 Zone

One-Family Residential Lots

1. No lot having an area less than 700.0 m² (7,534.7 ft²) may be created by subdivision in the CH5 Zone for a One-Family Dwelling.
2. No lot for a One-Family Dwelling may have a lot width less than 15.0 m (49.2 ft).
3. No lot for a One-Family Dwelling may have a building envelope width or depth less than 7.0 m (23.0 ft).

Two-Family Residential Lots

4. No lot having an area less than 835.0 m² (8,987.9 ft²) may be created by subdivision in the CH5 Zone for a Two-Family Dwelling.
5. No lot for a Two-Family Dwelling may have a lot width less than 18.0 m (59.1 ft).
6. No lot for a Two-Family Dwelling may have a building envelope width less than 14.0 m (45.9 ft).

Townhouse Lots

7. No lot having an area less than 600.0 m² (6,458.3 ft²) may be created by subdivision in the CH5 Zone for a Townhouse.
(8) No lot for a Townhouse may have a lot width less than 24.0 m (78.7 ft).

6.37B.03 Density of Development on Individual Lots

(1) There may not be more than one residential building on a One- or Two-Family residential lot.

(2) There may not be less than three dwelling units on a Townhouse lot.

(3) The maximum density of development on a Townhouse lot is one dwelling unit per 200.0 m² (2,152.8 ft²) of lot area.

6.37B.04 Density of Development in the CH5 Zone

(1) There may not be more than 10 dwelling units in the CH5 Zone.

(2) Despite subsection 6.37B.04(1), there may be more than 10 dwelling units in the CH5 Zone if the owner of the land to be built upon has provided to the City, prior to the issuance of a Building Permit for a Two-Family Dwelling or Townhouse and prior to subdivision approval for a One-Family Dwelling:

   (a) $1,000 per one-family lot towards the General Amenity Reserve Fund;

   (b) $660 per dwelling unit for a Two-Family Dwelling towards the General Amenity Reserve Fund;

   (c) $610 per Townhouse dwelling unit towards the General Amenity Reserve Fund;

   and

   (d) An area of land not less than 141,640 m² (35 acres) as open space.

(3) Provided that all of the requirements of subsection 6.37B.04(2) have been met, the maximum density of development in the CH5 Zone shall be 312 dwelling units, exclusive of Secondary Suites.

6.37B.05 Regulations for Two-Family Dwelling Use

(1) Two-Family Dwellings are prohibited on panhandle lots;

6.37B.06 Height and Size of Principal Use Buildings

(1) No One-Family Dwelling may exceed a height of 10.0 m (32.8 ft).

(2) No Two-Family Dwelling may exceed a height of 10.0 m (32.8 ft).

(3) No Townhouse building may exceed a height of three storeys.

6.37B.07 Setbacks

(1) No One-Family Dwelling may be located:

   (a) Within 6.0 m (19.8 ft) of any front lot line; or
(b) Within 6.0 m (19.8 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 that faces an exterior side lot line may be located within 5.5 m (18.0 ft) of the exterior side lot line.

(2) No Townhouse may be located:
(a) Within 3.0 m (9.8 ft) of any front lot line, except that no garage or carport that faces a front lot line may be located within 5.5 m (18.0 ft) of the front line; or
(b) Within 5.5 m (18.0 ft) of any rear lot line; or
(c) Within 3.0 m (9.8 ft) of any exterior side lot line, except that no garage or carport that faces an exterior side lot line may be located within 5.5 m (18.0 ft) of the exterior side lot line; or
(d) Within 1.2 m (3.9 ft) of any interior side lot line.

6.37B.08 Lot Coverage

(1) The lot coverage of all buildings and structures where the principal use building is less than two storeys above finished grade may not exceed 40%.

(2) The lot coverage of all buildings and structures where the principal use building is two storeys or greater may not exceed 35%.

6.37B.09 Landscape Screening

The relevant regulations of Section 3.21 of this Bylaw apply.

6.37B.10 General

The relevant regulations of Part 3 of this Bylaw apply.
Section 6.38 – Assisted Living Medium Density Apartment (RM8) Zone

6.38.01 Permitted Uses

The following uses and no other uses are permitted in the Assisted Living Medium Density Apartment (RM8) Zone:

1. accessory buildings and uses;
2. assisted living apartment;
3. temporary construction and real estate marketing offices; and 4. uses permitted by Section 3.01 of this Bylaw.

6.38.02 Subdivision Lot Requirements

No lot having an area less than 1 500 m² (0.37 acres) may be created by subdivision in the Assisted Living Medium Density Apartment (RM8) Zone.

6.38.03 Density of Development

Except as provided in Articles 6.38.3(2) buildings in the RM8 Zone shall not exceed a floor area ratio of 1.35.

6.38.04 Lot Coverage

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

6.38.05 Height and Size of Principal Use Buildings

No building or structure may exceed a height of six (6) storeys. (Bylaw 1531)

6.38.06 Setbacks

No building or structure may be located:

1. within 4.5 m (15 ft) of any front lot line;
2. within 7.5 m (25 ft) of any interior side lot line except that a setback from an interior side lot line that adjoins a lot in the RM8 zone, or a lot in an Institutional zone, may be reduced to 2.7 m (8.9 ft);
3. within 6 m (20 ft) of any exterior side lot line; and
4. within 7.5 m (25 ft) of any rear lot line.
6.38.07 Landscape Screening

In addition to the regulations contained in Section 3.21 of this Bylaw, the following regulations apply to landscape screening in the Assisted Living Medium Density Apartment (RM8) Zone:

1) A landscape and screening area not less than 1 m (3 ft) in width containing a solid decorative fence of not less than 1.8 m (6 ft) in height, together with appropriate decorative planting, will be provided along all lot lines separating the lot from any Residential zone; and

2) Despite article 6.38.07(1), and where a lot abuts a highway with residential uses across the street the solid decorative fence shall only be required if parking spaces are provided within the setback area between the principal use and the adjacent residential use.

6.38.08 General

The relevant regulations of Part 3 of this Bylaw must apply.
Section 6.39 – Medium-Density Apartment (RM9) Zone

(Bylaw 1083)

6.39.01 Permitted Uses

The following uses and no others shall be permitted in the Medium-Density Apartment (RM9) Zone.

(1) accessory buildings and uses
(2) apartments which may contain multi-family flex units; (Bylaw 1223)
(3) attached housing;
(4) home occupation in accordance with Section 3.09; (Bylaw 1146)
(5) temporary construction and real estate marketing offices;
(6) apartments; (Bylaw 1437) and
(7) uses permitted by Section 3.01 of this Bylaw.

6.39.02 Subdivision Lot Requirements

(1) No lot having an area less than 4 000 m² (1 acre) may be created by subdivision in the Medium-Density Apartment (RM9) Zone;
(2) No lot may be created having a lot width less than 20 m (66 ft); and
(3) No lot may be created having a lot depth less than 34 m (112 ft).

6.39.03 Density of Development

(1) Except as provided in Articles (2) and (3), buildings in the RM9 Zone shall not exceed a floor area ratio of 1.0;
(2) (Bylaw 1146, 1194; Deleted by Bylaw 1427)

Table 1 (Bylaw 1320; Deleted by Bylaw 1427)

3. Notwithstanding Subsection 6.39.03(1), on land whose legal description is set out in Table 1 of Schedule AD, the floor area ratio may be increased to 2.0, if the owner of the land proposed to be developed: (Bylaw 1320)
   a. pays to the City the amount specified in Column 4 of Table 1 of Schedule AD, prior to the issuance of a building permit; and
   b. provides to the City the amenity specified in Column 4 of Table 1 of Schedule AD, prior to the issuance of an occupancy permit.
(4) Notwithstanding the floor area ratio specified in Subsection 6.39.03(2) and (3), the floor area ratio may be increased to 2.25 if the owner provides 50% of the parking spaces required by this Bylaw in an underground or under building parking structure, and by an additional 0.02 to a maximum of 2.5 for every additional 5% of the parking spaces so provided, subject to compliance with the density bonus provisions specified in Subsection 6.39.03(2)(a)-(h). (Bylaw 1320)
(5) The floor area ratio may be increased to 2.5 on a lot located in the shaded area shown on Schedule AE. (Bylaw 1399)
6.39.04 Lot Coverage
(1) Lot coverage of all buildings and structures may not exceed 50%.
(2) Lot coverage of all buildings and structures with heights of not less than 3-storeys located in the shaded area shown on Schedule “AE” may not exceed 75%. (Bylaw 1399)

6.39.05 Height and Size of Principal Use Buildings
(1) No apartment building may exceed a height of six (6) storeys. (Bylaw 1531)
(2) No attached housing or townhouse may exceed a height of 9 m (30 ft).

6.39.06 Setbacks
No building or structure may be located:
(1) Within 7.5 m (25 ft) of any front lot line;
(2) Within 3 m (10 ft) of any interior side lot line;
(3) Within 7.5 m (25 ft) of any exterior side lot line; and
(4) Within 3 m (10 ft) of any rear lot line; or
(5) Within 7.5 m (25 ft) of any rear lot line, if that lot line abuts, or is separated only by a highway, from a lot that is zoned residential.

6.39.07 Landscape Screening
The relevant regulations of Section 3.21 of this Bylaw must apply.

6.39.08 General
The relevant regulations of Part 3 of this Bylaw must apply.
Section 6.40 – Neighbourhood Commercial (C1) Zone

6.40.01 Permitted Uses

The following uses and no others are permitted in the Neighbourhood Commercial (C1) Zone:

(1) accessory buildings and uses;

(2) bakery, not exceeding a total of 200 m² (2 150 ft²) of floor area;

(3) group day care in accordance with Section 3.26.02; (Bylaw 1146)

(4) offices;

(5) one dwelling unit in conjunction with and in addition to any of the above uses provided that:
   (a) if located on the same level as the commercial use it will be located behind the commercial use; and
   (b) it is fully separated from the commercial use with the main street access to the dwelling unit being entirely separate from that of the related commercial use;

(6) personal service establishments including, but without limiting the generality of the foregoing, barber shop, beauty parlour, launderette, optical or watch repair shop, photographic studio and shoe repair;

(7) post office;

(8) pre-school; (Bylaw 1146)

(9) restaurants, excluding drive-in and drive-thru restaurants;

(10) retail stores;

(11) on land legally described as Lot 1, Section 1, Range 3 West, Highland District, Plan 6726 a gasoline service station and car wash is a permitted use; (Bylaw 444)

(12) on land legally described as Lot 2, Section 112, Esquimalt District, Strata Plan VIS4692 and Lot 1, Section 112, Esquimalt District, Plan VIP70623 a Veterinary Practice is a permitted use; and (Bylaw 775)

(13) on land legally described as Lot 29, Section 1, Range 2 West, Highland District, Plan 13385 a group day care limited to a capacity of 41 children and a dance studio are permitted uses; (Bylaw 1649)

(14) temporary construction and real estate marketing offices; (Bylaw 984)

(15) uses permitted by Section 3.01 of this Bylaw.

6.40.02 Subdivision Lot Requirements

(1) No lot having an area less than 695 m² (7 480 ft²) may be created by subdivision in the Neighbourhood Commercial (C1) Zone.

(2) No lot may be created having a lot width less than 16 m (53 ft).

6.40.03 Regulations for Use

(1) Any goods produced on the premises will be sold at retail on the same premises.

(2) There may not be more than one dwelling unit on a lot.
6.40.04 Density of Development

(1) The floor area ratio may not exceed 0.5;

(2) The floor area ratio may be increased to 1.0 on a lot located in the shaded area shown on Schedule AE.  (Bylaw 1399)

6.40.05 Lot Coverage

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

(2) Lot coverage of all buildings and structures located in the shaded area shown on Schedule "AE" may not exceed 75%.  (Bylaw 1399)

6.40.06 Height and Size of Principal Use Buildings

No building or structure may exceed a height of 9 m (30 ft).

6.40.07 Setbacks

No building or structure may be located:

(1) within 2 m (6.5 ft) of any front lot line; or

(2) (Deleted by Bylaw 984)

(3) within 6 m (20 ft) of any interior side lot line if the interior side lot line adjoins a Residential Zone or a Multiple Family Residential Zone; or

(4) within 7.5 m (25 ft) of any exterior side lot line; or

(5) within 10 m (33 ft) of any rear lot line.

6.40.08 Landscape Screening

(1) In addition to the regulations contained in Section 3.21 of this Bylaw the following must apply to landscape screening in the Neighbourhood Commercial (C1) Zone.

(2) A continuous landscaping strip not less than 2 m (6.5 ft) wide will be provided along the developed portion of each side of the lot which abuts a highway.  This landscaping strip may be interrupted at boulevard crossings, or to provide necessary pedestrian access for entering a building or for viewing shop windows.

(3) Except in those portions where a building abuts a lot line, screen planting at least 1.8 m (6 ft) high in a strip at least 1.5 m (5 ft) wide, or a solid decorative fence at least 1.8 m (6 ft) high will be provided along all rear or side lot lines separating the developed portion of the lot from any Residential Zone or Multiple Family Residential Zone, whether such property be separated by a highway or not.

(4) Despite articles (2) and (3) where the lot abuts a highway with residential use across the street a 1.8 m (6 ft) high landscaping screen or solid decorative fence must be provided along the front lot line if parking is placed in front of the building.  If the parking is placed behind the building a 3 m (10 ft) continuous landscape strip will be sufficient.

6.40.09 General

The relevant regulations of Part 3 of this Bylaw must apply.
Section 6.41 – District Commercial (C3) Zone

6.41.01 Permitted Uses

The following uses and no others are permitted in the District Commercial (C3) Zone:

1. Accessory buildings and uses;
2. Animal hospitals in enclosed buildings;
3. Appliance repair;
4. Auction rooms;
5. (Deleted by Bylaw 1548);
6. Bakery;
7. Business colleges and trade schools;
8. Commercial nurseries and greenhouses;
9. Film production studios; (Bylaw 386)
10. Financial institutions;
11. Food catering facilities; (Bylaw 894)
12. Funeral parlours;
13. Gasoline service stations and car wash;
14. General industrial uses, limited to sheet metal cutting and fabrication, and restricted to one such use on the property legally described as LOT 1 SECTION 99 ESQUIMALT DISTRICT PLAN EPP19681; PID No.: 028-851-323 (1016 McCallum Rd) (Bylaw 1832)
15. Group daycare with a maximum capacity of 90 children on the lot legally described as LOT 1 SECTION 72 ESQUIMALT DISTRICT PLAN EPP24286 (2780 Veterans Memorial Parkway) (Bylaw 1667)
16. Health clubs;
17. Hotels;
18. (Bylaw 717; Deleted by Bylaw 1481)
19. A maximum one dwelling unit per lot that is accessory to any of the above uses provided that:
   (a) If located on the same level as the commercial use it will be located behind the commercial use; and
   (b) It is fully separated from the commercial use with the main street access to the dwelling unit being entirely separated from that of the related commercial use;
20. Liquor stores; (Bylaw 1685)
21. Library; (Bylaw 1570)
22. Offices;
23. Parking facilities;
24. Personal service establishments including, but without limiting the generality of the foregoing, barber shop, beauty parlour, launderette, optical or watch repair shop, photographic studio and shoe repair;
(25) post office;
(26) premises licensed pursuant to the Liquor Control and Licensing Act;
(27) printing, publishing and bookbinding;
(28) (Deleted by Bylaw 1570);
(29) public assembly and entertainment uses, including but without limiting the generality of the foregoing, auditoriums, billiard and pool halls, bowling alleys, catering establishments, gymnasiums, and indoor movie theatres; (Bylaw 445)
(30) public transportation depots;
(31) refund container return depots;
(32) restaurants, which may include drive-in an drive-thru restaurants except on lots that are directly adjacent to and abutting Goldstream Avenue; (Bylaw 1481)
(33) the retail sale of automobile, truck, boat, camper vehicle, farm machinery, and manufactured home parts and accessories; (Bylaw 717)
(34) retail stores;
(35) shopping centres;
(36) taxi office;
(37) temporary construction and real estate marketing offices; (Bylaw 984)
(38) on land legally described as Lot 2, Section 73, Esquimalt District, Plan 5988; a portion of Lot 2, Section 73, Esquimalt District, Plan 5988; a portion of Lot 2, Section 73, Esquimalt District, Plan 5039, except that part in Plan 7390; a portion of Lot B, Section 73, Esquimalt District, Plan 8234; and a portion of Lot 1, Section 73, Esquimalt District, Plan 7390 (as shown on the map attached to and forming part of this Bylaw as Schedule "I") (860 Attree Avenue), accessory automotive repair and servicing is permitted; (Bylaw 543)
(39) on land legally described as Lot 1, Section 80, Esquimalt District, Plan 29395 (2924 Jacklin Road); Lot A, except that part east of the centre line of Reference Plan 49711, Section 74, Esquimalt District, Plan 49712 (790 Kelly Road); and the portion of Lot B, Section 74, Esquimalt District, Plan 49710, lying west of the centre line of Reference Plan 49711 (2945 Jacklin Road, Westshore Town Centre), Accessory Automotive Repair and Servicing is permitted up to 20% of the gross floor area of the building in which it is located; (Bylaw 386)
(40) on land legally described as Lot 1, Section 73, Esquimalt District, Plan 10023, Except Parts in Plan VIP69580 (895 Station Avenue), extraction of groundwater and the processing of groundwater for commercial sale, and the packaging and warehousing of beverages, in conjunction with retail sales, are permitted; (Bylaw 751)
(41) on land legally described as Lot 47, Section 80, Esquimalt District, Plan 12203 (2988 Jacklin Road), Automotive Repair and Servicing is permitted; and (Bylaw 508)
(42) on land legally described as Lot A, except that part east of the centre line of Reference Plan 49711, Section 74, Esquimalt District, Plan 49712 (790 Kelly Road); and the portion of Lot B, Section 74, Esquimalt District, Plan 49710, lying west of the centre line of Reference Plan 49711 (2945 Jacklin Road, Westshore Town Centre), Accessory Automotive Repair and Servicing is permitted up to 20% of the gross floor area of the building in which it is located;
within that portion of the lands shown shaded on the map attached as Schedule S, the following uses are permitted: (Bylaw 919)

(a) automobile repair and body painting shops;
(b) retail sale, rental, and repair of small industrial equipment such as skid steer loaders; (Bylaw 1548)
(c) wholesale and storage buildings;
(d) storage buildings and screened yards for building, electrical, heating, ventilation and air conditioning, painting, plumbing, refrigeration, roofing, septic tank, sign contractors; and
(e) motor vehicle, trailer, boat, camper vehicles, mobile homes, and farm machinery and truck sales, rental, and repair;

unenclosed storage in accordance with Section 3.13 of this bylaw, and only as an accessory use to any permitted principal use; (Bylaw 637; Replaced by Bylaw 1481)

universities and schools; and (Bylaw 894)

uses permitted by Section 3.01 of this Bylaw.

6.41.02 Subdivision Lot Requirements
(1) No lot having an area less than 695 m² (7 480 ft²) may be created by subdivision in the District Commercial (C3) Zone.
(2) No lot may be created having a width less than 16 m (53 ft).

6.41.03 Density of Development
The floor area ratio may not exceed 4.5 (Bylaw 1481).

6.41.04 Lot Coverage
(1) Lot coverage of all buildings and structures may not exceed 75%;
(2) (Bylaw 1427; Deleted by Bylaw 1548)

6.41.05 Height and Size of Principal Use Buildings
No building or structure may exceed a height of six storeys.

6.41.06 Setbacks
(1) No building or structure may be located:
   (a) within 7.5 m (25 ft) of any front or exterior side lot line; or
   (b) deleted; (Bylaw 984)
   (c) within 6 m (20 ft) of any interior side lot line where the interior side lot line adjoins a Residential Zone or a Multiple Family Residential Zone; or
   (d) within 3 m (10 ft) of any rear lot line.
(2) If the area between the building line and the front and exterior side lot lines exclusive of access driveways is landscaped, the setbacks in respect of the front and exterior side lot lines may be reduced to 4.5 m (15 ft).
(3) If the rear lot line adjoins a Residential Zone or a Multiple Family Residential Zone, the setback in respect of the rear lot line must be increased to 6 m (20 ft).
6.41.07 Landscape Screening

(1) In addition to the regulations contained in Section 3.21 of this Bylaw the following regulations must apply to landscape screening in the District Commercial (C3) Zone.

(2) A continuous landscaping strip not less than 3 m (10 ft) wide must be provided along the developed portion of each side of the lot which abuts a highway. This landscaping may be interrupted at boulevard crossings, or to provide necessary pedestrian access for entering a building or for viewing shop windows.

(3) Except in those portions where a building abuts a lot line, screen planting at least 1.8 m (6 ft) high in a strip at least 1.5 m (5 ft) wide, or a solid decorative fence at least 1.8 m (6 ft) high will be provided along all rear or side lot lines separating the developed portion of the lot from any Residential Zone or Multiple Family Residential Zone, whether such property be separated by a highway or not.

(4) Despite articles (2) and (3) where the lot abuts a highway with residential across the street a 1.8 m (6 ft) high landscaping screen or solid decorative fence will be provided along the lot line if parking is placed in front of the building. If the parking is placed behind the building a 3 m (10 ft) continuous landscape strip will be sufficient.

6.41.08 General

The relevant regulations of Part 3 of this Bylaw must apply.
Section 6.42 – Office Commercial (C5) Zone

6.42.01 Permitted Uses
The following uses and no others are permitted in the Office Commercial (C5) Zone:
(1) accessory buildings and uses;
(2) film production studios; (Bylaw 386)
(3) financial institution;
(4) group day care in accordance with Section 3.26.02; (Bylaw 1146)
(5) medical clinics and accessory related commercial uses;
(6) offices;
(7) one dwelling unit for a caretaker in conjunction with and in addition to any of the other principal use permitted in this subsection; (Bylaw 790)
(8) preschool; (Bylaw 1146)
(9) private hospitals and nursing homes;
(10) temporary construction and real estate marketing offices; and (Bylaw 984)
(11) uses permitted by Section 3.01 of this Bylaw.

6.42.02 Subdivision Lot Requirements
(1) No lot having an area less than 695 m² (7,480 ft²) may be created by subdivision in the Office Commercial (C5) Zone.
(2) No lot may be created having a lot width less than 16 m (52.5 ft).

6.42.03 Density of Development
(1) The floor area ratio may not exceed 1.0;
(2) The floor area ratio may be increased to 1.5 on a lot located in the shaded area shown on Schedule AE. (Bylaw 1399)

6.42.04 Lot Coverage
(1) Lot coverage of all buildings and structures may not exceed 50%;
(2) (Deleted by Bylaw 1548)
(3) Lot coverage of all buildings and structures located in the shaded area shown on Schedule “AE” may not exceed 75%. (Bylaw 1399)

6.42.05 Height and Size of Principal Use Buildings
No building or structure may exceed a height of 12 m (39 ft) or three storeys.
6.42.06 Setbacks
   (1) No building or structure may be located:
       (a) within 7.5 m (25 ft) of any front or exterior side lot line; or
       (b) deleted; **(Bylaw 984)**
       (c) within 6 m (20 ft) of any interior side lot line where the interior side lot line
           adjoins a Residential Zone or a Multiple Family Residential Zone; or
       (d) within 3 m (10 ft) of any rear lot line.
   (2) If the area between the building line and the front and exterior side lot lines
       exclusive of access driveways is landscaped, the setbacks in respect of the front
       and exterior side lot lines may be reduced to 4.5 m (15 ft).
   (3) If the rear lot line adjoins a Residential Zone or a Multiple Family Residential Zone,
       the setback in respect of the rear lot line must be increased to 6 m (20 ft).

6.42.07 Landscape Screening
   (1) In addition to the regulations contained in Section 3.21 of this Bylaw the following
       regulations must apply to landscape screening in the Office Commercial (C5) Zone.
   (2) A continuous landscaping strip not less than 3 m (10 ft) wide will be provided along
       the developed portion of each side of the lot which abuts a highway. This
       landscaping may be interrupted at boulevard crossings, or to provide necessary
       pedestrian access for entering a building or for viewing shop windows.
   (3) Except in those portions where a building abuts a lot line, screen planting at least
       1.8 m (6 ft) high in a strip at least 1.5 m (5 ft) wide, or a solid decorative fence at
       least 1.8 m (6 ft) high will be provided along all rear or side lot lines separating the
       developed portion of the lot from any Residential Zone or Multiple Family
       Residential Zone, whether such property be separated by a highway or not.
   (4) Despite articles (2) and (3) where the lot abuts a highway with residential across
       the street a 1.8 m (6 ft) high landscaping screen or solid decorative fence will be
       provided along the lot line if parking is placed in front of the building. If the parking
       is placed behind the building a 3 m (10 ft) continuous landscape strip will be
       sufficient.

6.42.08 General
   The relevant regulations of Part 3 of this Bylaw must apply.
Section 6.43 – Neighbourhood Public House (C6) Zone

6.43.01 Permitted Uses

The following uses and no others are permitted in the Neighbourhood Public House (C6) Zone:

1. accessory buildings and uses;
2. film production studios; (Bylaw 386)
3. food catering facilities; (Bylaw 894)
4. licensed neighbourhood public house with a maximum seating capacity of 120 interior seats and 100 exterior patio seats; (Bylaw 623)
5. liquor store; (Bylaw 717)
6. one dwelling unit for a caretaker in conjunction with and in addition to any of the other principal uses permitted in this subsection; (Bylaw 790)
7. restaurants;
8. temporary construction and real estate marketing offices; and (Bylaw 984)
9. uses permitted by Section 3.01 of this Bylaw.

6.43.02 Subdivision Lot Requirements

1. No lot having an area less than 3 000 m² (.74 acres) may be created by subdivision in the Neighbourhood Public House (C6) Zone.
2. No lot may be created having a lot width less than 18 m (59 ft).

6.43.03 Lot Coverage

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

6.43.04 Height and Size of Principal Use Buildings

No building or structure may exceed a height of 6 m (20 ft) or one storey.

6.43.05 Setbacks

No building or structure may be located:

1. within 7.5 m (25 ft) of any front or rear lot line; or
2. within 7.5 m (25 ft) of any interior side lot line; or
3. within 10 m (33 ft) of any exterior side lot line.

6.43.06 Landscape Screening

1. In addition to the regulations contains in Section 3.21 of this Bylaw the following must apply to landscape screening in the Neighbourhood Public House (C6) Zone.
2. A continuous 1.5 m (5 ft) landscape and screening area must be provided along all side and rear lot lines.
3. Where the lot adjoins a Residential Zone a solid decorative fence at least 1.8 m (6 ft) in height will be provided within the landscape and screening area in article (2).
(4) Those areas of the lot fronting any highways will be landscaped to a minimum depth of 3 m (10 ft) and may be interrupted for pedestrian or vehicular access. Parking will be prohibited within the 3 m (10 ft) landscaped strip.

6.43.07 A liquor store is not a permitted use if the property on which it is located is less than 800m (2625 ft) from another liquor store or retail wine store use. *(Bylaw 1685)*

6.43.08 General

The relevant regulations of Part 3 of this Bylaw must apply.
Section 6.43A – Neighbourhood Mixed Use (C6A) Zone

(Bylaw 1333)

The intent of the Neighbourhood Mixed Use zone is to provide a mix of residential and commercial uses to create a vibrant transition with pedestrian orientation between the mixed use residential and commercial nodes and nearby residential uses.

6.43A.01 Permitted Uses

The following uses and no other uses are permitted in the Neighbourhood Mixed Use (C6A) Zone:

1. accessory buildings and uses;
2. apartments; *(Bylaw 1498)*
3. business service establishments including but without limiting the generality of the foregoing: post office, desktop publishing, printing and photocopying;
4. film production studios;
5. food catering facilities;
6. financial institutions;
7. group day care in accordance with Section 3.26.02;
8. health clubs;
9. home office home occupation in apartments in accordance with Section 3.09;
10. licensed neighbourhood public house;
11. liquor store;
12. live/work studios;
13. offices;
14. one-family dwelling; *(Bylaw 1498)*
15. personal service establishments;
16. preschool;
17. places of indoor recreation, assembly and entertainment including but without limiting the generality of the foregoing, gymnasiums, health clubs, health establishments, fitness and dance studios, billiard and pool halls, and bowling alleys;
(18) restaurants and cafes, excluding drive-in and drive-thru restaurants;
(19) retail stores;
(20) temporary construction and real estate marketing offices;
(21) townhouses;
(22) veterinary practices;
(23) uses permitted by Section 3.01 of this Bylaw.

6.43A.02 Subdivision Lot Requirements

1. No lot having an area less than 700 m$^2$ (7 535 ft$^2$) may be created by subdivision in the C6A Zone.
2. No lot may be created having a lot width less than 15 m (49 ft);
3. Notwithstanding Subsection 6.43A.02(1) a lot for one-family dwelling may be created by subdivision having an area less than 700 m$^2$, provided that the lot area is not less than 220 m$^2$ (2368ft$^2$); Bylaw 1498

6.43A.03 Regulations for Use

1. All principal ground floor uses must be oriented to pedestrian needs and be so located and designed as to avoid vehicular interference with pedestrian movement.
2. The storage and display of all goods and products must be completely enclosed within a building, except for outside seating.
3. Except in live/work studios, non-residential uses are prohibited above the ground floor and no floor may contain a mix of residential and non-residential uses. Live/work studios are permitted on the ground or second storeys or both.
4. All accessory uses must be located to the rear of the building accommodating the principal use. In no case may they exceed a height of 4 m (13 ft) or cover a total of more than 10% of the lot area.
5. A liquor store is not a permitted use if the property on which it is located is less than 800m (2625 ft) from another liquor store or retail wine store use. (Bylaw 1685)

6.43A.04 Density of Development

1. Except as provided in articles (2) and (3), the total commercial floorspace may not exceed 0.3 FSR and the residential density may not exceed one dwelling unit per 550m2 of lot area EXCEPT on land legally described as LOT 8, SECTION 1, RANGE 3 WEST, HIGHLAND DISTRICT, PLAN 8530 (691 Hoylake Ave) and LOT 1, SECTION 1, RANGE 3 WEST, HIGHLAND DISTRICT, PLAN 25339 (697 Hoylake Ave) where the residential density may not exceed one (1) one-family dwelling unit per lot;
2. Notwithstanding Subsection 6.43A.04(1), on land whose legal description is set out
in Table 1 of Schedule AD the floor area ratio may increase to a maximum floor area ratio of 2.0, if the owner of the land proposed to be developed:

(a) Pays to the City the amount specified in Column 4 of Table 1 of Schedule AD prior to issuance of a building permit;

(3) Notwithstanding Subsection 6.43A.01(a), on land whose legal description is set out in Table 1 of Schedule AD the density of residential development may increase to a maximum of 36 one-family dwellings or townhouses, or a floor area ratio of 2.0 for apartments. (Bylaw 1498)

6.43A.05 Lot Coverage
Lot coverage of all buildings and structures may not exceed 70%.

6.43A.06 Height and Size of Principal Use Buildings

(1) No building or structure may exceed a height of four storeys.

(2) Notwithstanding Subsection 6.43A.06(1) a building or structure may exceed a height of four storeys, but may not exceed a height of six storeys if the storeys above the ground floor are residential. (Bylaw 1498)

6.43A.07 Setbacks (Replaced by Bylaw 1498)

(1) No building or structure may be located:

   (a) Within 3 m (10 ft) of any front or exterior lot line; AND

   (b) Despite article (a), no garage or carport that faces a highway may be located within 5.5 m of the lot line that adjoins the highway; (Bylaw 1581)

   (c) For any building or structure greater than four storeys within 13.5 m (44 ft) of any interior side lot line or rear lot line, except where the lot line abuts another lot in the C6A Zone, a commercial zone or a multi-family residential or mixed use zone it shall be 0 m (0 ft); or

   (d) For any building or structure less than five storeys within 3 m (10 ft) of any interior side lot line and 6 m (20 ft) of any rear lot line, except where the lot line abuts another lot in the C6A Zone, a commercial zone, a multi-family residential or mixed use zone it shall be 0m (0ft).

6.43A.08 Landscape Screening

(1) In addition to the regulations contained in Section 3.2.1 of the Bylaw the following regulations must apply to landscape screening in the Mixed Use Residential Commercial (C6A) Zone.

(2) A landscape and screening area not less than 1 m (3 ft) in width containing a decorative fence of not less than 1.8 m (6 ft) in height, together with decorative planting, will be provided along all lot lines separating the lot from any Residential or Multiple Residential Zone.

(3) Despite article (2) where the lot abuts a highway with residential uses across the street a 1.2 m (4 ft) high landscaping screen or solid decorative fence must be provided along the lot line if parking is placed in front of the building.
6.43A.09  General

The relevant regulations of Part 3 of this Bylaw must apply.
Section 6.43B – Neighbourhood Mixed Use (C6B) Zone

(Bylaw 1335)

The intent of the Neighbourhood Mixed Use zone is to provide a mix of residential and commercial uses to create a vibrant transition with pedestrian orientation between the mixed use residential and commercial nodes and nearby residential uses.

6.43B.01 Permitted Uses

1. The following uses and no others are permitted in the Neighbourhood Mixed Use (C6B) zone:
   (a) accessory buildings and uses;
   (b) animal hospitals in enclosed buildings;
   (c) apartments above the ground floor;
   (d) apartments on land shown as Area 1 in Schedule AL (Bylaw 1580)
   (e) car wash;
   (f) computer technology sales, service and manufacturing;
   (g) financial institutions, including drive-thru;
   (h) gymnasiums, health establishments, and dance studios;
   (i) home occupation in accordance with Section 3.09;
   (j) offices;
   (k) post office;
   (l) printing, publishing and book binding;
   (m) repair of automobiles and parts and accessories thereof, as an accessory use to the retail sale of automobile parts and accessories;
   (n) restaurants;
   (o) retail stores;
   (p) temporary construction and real estate marketing offices; and
   (q) theatres.

6.43B.02 Subdivision Lot Requirements

(1) No lot having an area less than 2 000 m² (0.5 acres) may be created by subdivision in the Neighbourhood Mixed Use (C6B) zone;
(2) No lot may be created having a lot width less than 25 m (82 ft); and
(3) No land shall be subdivided within the Neighbourhood Mixed Use (C6B) zone unless the gross floor area and lot coverage limits established by this bylaw are distributed among the lots being created, such that the limits for the zone as a whole will not be exceeded if each lot being created by subdivision is developed to its full potential, and the limits are made applicable to each lot by amendment of this bylaw or by covenant under s.219 of the Land Title Act.
6.43B.03 Lot Coverage

(1) The lot coverage of all buildings and structures within the Neighbourhood Mixed Use (C6B) zone as a whole shall not exceed 75%.

6.43B.04 Height and Size of Principal Use Buildings

(1) No building or structure for a commercial use may exceed a height of 3 storeys; and (Bylaw 1580)

(2) No building or structure for a building containing apartments or a mix of apartment and commercial uses may exceed a height of 7 storeys. (Bylaw 1580)

6.43B.05 Density of Development

(1) The floor area ratio of all commercial buildings within the Neighbourhood Mixed Use (C6B) zone as a whole shall not exceed 0.8;

(2) The Floor Area Ratio of all residential or mixed use buildings containing apartments or a mix of apartments and commercial uses within the Neighbourhood Mixed Use (C6B) Zone shall not exceed 1.7; (Bylaw 1580)

(3) The maximum number of apartment units in the Neighbourhood Mixed Use (C6B) zone as a whole shall not exceed 1;

(4) Notwithstanding Subsection 6.66.05(2), the number of apartment units in the Neighbourhood Mixed Use (C6B) zone as a whole may be increased, if the owner of the land proposed to be developed:

a) pays to the City the amount specified in Column 4 of Table 1 of Schedule AD, prior to the issuance of a building permit;

6.43B.06 Setbacks

(1) No building or structure may be located:

(a) within 3 m (10 ft) of Millstream Road or Treanor Avenue;

(b) within 0 m (0 ft) of any lot line, if that lot line abuts a lot that is zoned commercial or industrial; and

(c) within 7.5 m (25 ft) of the westerly boundary of the Neighbourhood Mixed Use (C6B) zone;

(2) Notwithstanding the foregoing, any part of a building or structure for a non-residential use located entirely below the natural grade of the adjacent property to the west may have a zero setback to the westerly boundary of the Neighbourhood Mixed Use (C6B) zone;

6.43B.07 Landscape Screening

(1) In addition to the regulations contained in Section 3.21 of this Bylaw the following regulations apply to landscape screening in the Neighbourhood Mixed Use (C6B) zone.

(2) A continuous landscape and screening area not less than 3 m (10 ft) wide must be provided along the developed portion of each lot that abuts a highway. This landscape and screening area may be interrupted at boulevard crossings, or to provide necessary pedestrian access for entering a building or for viewing shop windows.
6.43B.08 General

The relevant regulations of Part 3 of this Bylaw apply.
Section 6.43C – Neighbourhood Mixed-Use McCallum (C6C)
(Bylaw 1554)

6.43C.01 Permitted Uses
(1) The following uses and no others are permitted in the Neighbourhood Mixed-Use McCallum (C6C) Zone:
   (a) accessory buildings and uses;
   (b) apartments, including apartments for senior citizens;
   (c) assisted living apartments;
   (d) attached housing;
   (e) assembly and entertainment uses;
   (f) bakery, not exceeding a total of 350m2 of gross floor area;
   (g) community care facility;
   (h) film production studios;
   (i) financial institutions, including drive-thru financial institutions;
   (j) food catering facilities;
   (k) group day care in accordance with Section 3.26.02;
   (l) gymnasiums, health establishments, and dance studios;
   (m) home occupation in accordance with Section 3.09;
   (n) hotels;
   (o) medical clinics;
   (p) offices;
   (q) places of indoor or outdoor recreation;
   (r) personal service establishments;
   (s) premises licensed pursuant to the Liquor Control and Licensing Act;
   (t) preschool;
   (u) private club and fraternal lodges;
   (v) restaurants;
   (w) retail stores;
   (x) scientific or technological research facility;
   (y) shopping centres;
   (z) temporary construction and real estate marketing offices;
   (aa) theatres, excluding drive-ins;
   (bb) townhouses;
   (cc) universities and schools;
   (dd) veterinary practices in enclosed buildings; and
   (ee) uses permitted by Section 3.01 of this Bylaw.

6.43C.02 Subdivision Lot Requirements
(1) No lot having an area less than 695 m² may be created by subdivision in the Neighbourhood Mixed-Use McCallum (C6C) Zone;

(2) No lot may be created having a lot width less than 16 m; and

(3) Despite Sections 6.43C.02(1) and (2), a lot with an area no less than 500 m² and a width no less than 10m may be created by subdivision in the Neighbourhood Mixed-Use McCallum (C6C) Zone for a townhouse use;
6.43C.03 Density of Development

(1) There may not be more than 10 residential dwelling units in the Neighbourhood Mixed-Use McCallum (C6C) Zone;

(2) Despite Section 6.43C.03(1), there may be more than 10 residential dwelling units in the Neighbourhood Mixed-Use McCallum (C6C) Zone on land whose legal description is set out in Table 1 of Schedule AD if the owner of the land proposed to be built upon:

(a) Pays to the City the amount calculated pursuant to Schedule AD prior to issuance of a building permit;

(3) The floor area ratio may not exceed 6.0;

6.43C.04 Lot Coverage

(1) Lot coverage of all buildings and structures may not exceed 75%;

(2) Despite Section 6.43C.04(1), the lot coverage of all buildings and structures may exceed 75% to a maximum of 90% if at least 75% of the required off-street parking is provided underground;

(3) Despite Section 6.43C.04(1), the lot coverage of all buildings and structures on lots containing townhouse or attached housing uses may not exceed 60%;

6.43C.05 Height and Size of Principal Use Buildings

(1) No building or structure may exceed a height of six storeys;

(2) Despite Section 6.43C.05(1), the height of a building or structure may exceed six storeys, provided that the following conditions have been met:

(a) The owner has provided a traffic impact study to the satisfaction of the Director of Engineering which examines the impact that the traffic generated by the increased height will have on the internal and external road network;

(b) The owner has completed any on- and off-site road improvements recommended in the traffic impact study; and

(c) The density bonus provisions of Section 6.43C.03 have been met and the maximum allowable floor area ratio of 6.0 is not exceeded;

(3) Despite Section 6.43C.05(1) and (2), no townhouse or attached housing building may exceed a height of three storeys;

6.43C.06 Setbacks

(1) No building or structure may be located:

a) Within 2.0 m of any lot line that adjoins a highway;

b) Within 5.5 m of any lot line that adjoins Strata Plan VIS5695;

c) Despite Section 6.43C.06(1)(a), no garage or carport that faces a highway may be located within 5.5 m of the lot line that adjoins the highway;
6.43C.07 Regulations of Use

(1) Despite, Section 6.43C.01, the use of any lot adjoining Strata Plan VIS5695 is restricted to those specified in clauses 6.43C.01(1)(a), (d), (m) and (bb);

6.43C.08 Landscape Screening

(1) In addition to the regulations contained in Section 3.21 of this Bylaw, the following regulations shall apply to landscape screening in the Neighbourhood Mixed-Use McCallum (C6C) Zone:

(2) A landscape and screening area not less than 1 m (3 ft) in width containing a decorative fence together with decorative planting of not less than 1.8 m (6 ft) in height will be provided along all lot lines separating the lot from any Residential or Multiple Residential Zone; and

6.43C.09 General

(1) The relevant regulations of Part 3 of this Bylaw shall apply.
Section 6.44 – Community Town Centre Pedestrian (C8) Zone

The intent of this Zone is to provide for all types of retail and general business uses customarily associated with the central business districts of urban areas in an environment oriented to pedestrian needs, and to exclude commercial and other uses, other than parking facilities, which do not make intensive use of site, which create breaks in business frontage, which constitute a nuisance, or which are in any way incompatible with the intensive development of a retail and general business area.

6.44.01 Permitted Uses

The following uses and no others are permitted in the Community Town Centre Pedestrian (C8) Zone:

(1) accessory buildings and uses;
(2) apartments; (Bylaw 984)
(3) (Deleted by Bylaw 1570);
(4) film production studios; (Bylaw 386)
(5) financial institutions;
(6) food catering facilities; (Bylaw 894)
(7) group day care in accordance with Section 3.26.02; (Bylaw 1146)
(8) health clubs;
(9) home occupation in accordance with Section 3.09; (Bylaw 1146)
(10) hotels;
(11) (Bylaw 717; Deleted by Bylaw 1481)
(12) (Bylaw 409; Deleted by Bylaw 1437)
(13) Library; (Bylaw 1570)
(14) Liquor stores; (Bylaw 1685)
(15) minor repair shops (excluding petroleum-powered engines);
(16) offices;
(17) on land legally described as Lot 11, Section 5, Esquimalt District, Plan 7165, the repair and retail sale of motorcycles and parts; (Bylaw 425)
(18) personal service establishments;
(19) premises licensed pursuant to the Liquor Control and Licencing Act;
(20) preschool; (Bylaw 1146)
(21) (Deleted by Bylaw 1570);
(22) public assembly and entertainment uses;
(23) (Deleted by Bylaw 1548);
(24) deleted; (Bylaw 932, 984)
(25) restaurants and cafes, explicitly excluding drive-in and drive-thru restaurants;
(26) schools, not exceeding 200 m² (2 150 ft²) of gross floor area, and not in conjunction with any other residential use; (Bylaw 860)
(27) retail stores;
(28) shopping centres;
(29) temporary construction and real estate marketing offices; (Bylaw 984)
(30) theatres, excluding drive-ins;
(31) universities and schools; (Bylaw 894)
(32) veterinary practices; and
(33) uses permitted by Section 3.01 of this Bylaw.

6.44.02 Subdivision Lot Requirements
(1) No lot having an area less than 695 m$^2$ (7 480 ft$^2$) may be created by subdivision in the Community Town Centre Pedestrian (C8) Zone, except that lots abutting Goldstream Avenue, between Jacklin and Millstream Streets, must be no less than 4 000 m$^2$ (1 acre) in area.
(2) No lot may be created having a lot width less than 15.2 m (50 ft).
(3) No lot may be created having a lot depth less than 34 m (112 ft).

6.44.03 Regulations for Use
(1) All principal uses must be oriented to pedestrian needs and be so located and designed as to avoid vehicular interference with pedestrian movement.
(2) The storage and display of all goods and products must be completely enclosed within a building, except for outside seating and the display of goods for sale at retail.
(3) Deleted. (Bylaw 622, 932, 984)
(4) Assisted living apartments are permitted on the ground level of any building located on property legally described as Lot 3, Section 5, Esquimalt District, Plan 1776; Lot A, Section 5, Esquimalt District, Plan 12888; and Lot 7, Section 5, Esquimalt District, Plan 1776, and residential uses are permitted on the ground level of any building that is not within 30 m (100 ft) of a public road, and having direct public access to that road. (Bylaw 409)
(5) Deleted. (Bylaw 817, 932)
(6) Deleted. (Bylaw 932)
(7) All accessory uses must be located to the rear of the building accommodating the principal use. In no case may they exceed a height of 4 m (13 ft) or cover a total of more than 10% of the lot area.

6.44.04 Density of Development
(1) Except as provided in articles (2), (3) and (4) the floor area ratio may not exceed 2.0 and in no case may it exceed 2.5.
(2) The floor area ratio may be increased to 2.25 if the owner provides 50% of the parking spaces required by this Bylaw in an underground parking structure, and by an additional 0.02 to a maximum of 2.5 for every additional 5% of the parking spaces so provided.
(3) The floor area ratio may be increased by an additional 0.10 if the owner provides residential dwelling units on the third storey and an additional 0.15 if residential dwelling units are also provided on the fourth storey.
(4) The floor area ratio may be increased by up to 0.25 if the owner provides on site community amenities. This increase will be provided according to the following:

(a) 0.10 for provision of a community amenity building area of more than 65 m² (700 ft²) floor area located on the ground floor or 100 m² (1 075 ft²) located on the second storey. The use of these areas shall be limited by the registration of a covenant on the title of the property.

(b) Up to 0.15 for the provision and maintenance of urban plazas which are exclusively devoted to public use at a rate of a 0.01 increase in floor area ratio for each 2% of the gross floor area of the ground floor of every building on the lot that is developed as urban plaza. For example development of an urban plaza of 300 m² (3 230 ft²) or 30% of a 1 000 m² (10 700 ft²) building would result in an increase in floor area ratio of 0.15.

6.44.05 Lot Coverage
(1) Lot coverage of all buildings and structures may not exceed 90%;
(2) Lot coverage of all buildings and structures may not be less than 40%. (Bylaw 1427, 1570)

6.44.06 Height and Size of Principal Use Buildings
(1) No building or structure may exceed a height of six (6) storeys; (Bylaw 828, 968, 1531)
(2) (Deleted by Bylaw 1531)
(3) (Deleted by Bylaw 1531)

6.44.07 Setbacks
(1) No building or structure may be located:
   a) within 2 m (6.5 ft) of any front lot line; or
   b) within 6 m (20 ft) of any interior side lot line where the interior side lot line adjoins an area designated Residential or Multiple Residential in the Official Community Plan; or
   c) within 2 m (6.5 ft) of an exterior side lot line; or
   d) within 7.5 m (25 ft) of any rear lot line; or
   e) notwithstanding any other regulation in this section, a building or structure may be located within 7.5 m (25 ft), but not within 3 m (10 ft) of any rear lot line of the property legally described as Lot 12, Section 5, Esquimalt District, Plan 7165; (Bylaw 817)
   f) notwithstanding any other regulation in this section, a building or structure may be located within 6 m (20 ft), but not within 1 m (3 ft) of any interior side lot line of the property legally described as Lot A, Section 72, Esquimalt District, Plan 8099, Except that Part in Plan VIP69759 (2705 Millstream Road); Lot 4, Section 72, Esquimalt District, Plan 5920, Except that Part in Plan VIP69759 (2717 Millstream Road); Lot 5, Section 72, Esquimalt District, Plan 5920, Except that Part in Plan VIP69759 (2725 Millstream Road); Lot 6, Section 72, Esquimalt District, Plan 5920, Except that Part in Plan VIP69759 (2737 Millstream Road); Lot 14, Section 72, Esquimalt District, Plan 6981 (2748 Winster Road); Lot B, Section 72, Esquimalt District, Plan 8099 (685 Wagar Avenue); That Part of Lot 7, Section 72, Esquimalt District, Plan 5920, Lying to the East of a Boundary Parallel to the Easterly Boundary of Said Lot and Extending From a Point on the Southerly Boundary of Said Lot Distant
76 Feet From the South Easterly Corner of Said Lot, Except Part in Plan VIP69791 (690 Hoffman Avenue); and That Part of Lot 7, Section 72, Esquimalt District, Plan 5920, Lying to the West of a Boundary Parallel to the Easterly Boundary of Said Lot and Extending from a Point on the Southerly Boundary of Said Lot Distant 76 Feet from the South Easterly Corner of Said Lot Except Part in VIP69791 (2745 Millstream Road); (Bylaw 932)

g) notwithstanding any other regulation in this section, a building or structure may be located within 2 m (6.5 ft), but not within .3 m (1 ft) of any exterior side lot line of the property legally described as Lot A, Section 72, Esquimalt District, Plan 8099, Except that Part in Plan VIP69759 (2705 Millstream Road); Lot 4, Section 72, Esquimalt District, Plan 5920, Except that Part in Plan VIP69759 (2717 Millstream Road); Lot 5, Section 72, Esquimalt District, Plan 5920, Except that Part in Plan VIP69759 (2725 Millstream Road); Lot 6, Section 72, Esquimalt District, Plan 5920, Except that Part in Plan VIP69759 (2737 Millstream Road); Lot 14, Section 72, Esquimalt District, Plan 6981 (2748 Winster Road); Lot B, Section 72, Esquimalt District, Plan 8099 (685 Wagar Avenue); That Part of Lot 7, Section 72, Esquimalt District, Plan 5920, Lying to the East of a Boundary Parallel to the Easterly Boundary of Said Lot and Extending From a Point on the Southerly Boundary of Said Lot Distant 76 Feet From the South Easterly Corner of Said Lot, Except Part in Plan VIP69791 (690 Hoffman Avenue); and That Part of Lot 7, Section 72, Esquimalt District, Plan 5920, Lying to the West of a Boundary Parallel to the Easterly Boundary of Said Lot and Extending from a Point on the Southerly Boundary of Said Lot Distant 76 Feet from the South Easterly Corner of Said Lot Except Part in Plan VIP69791 (2745 Millstream Road); and (Bylaw 932)

h) notwithstanding any other regulation in this section, a building or structure may be located within 7.5 m (25 ft), but not within 3 m (10 ft) of any rear lot line of the property legally described as Lot A, Section 72, Esquimalt District, Plan 8099, Except that Part in Plan VIP69759 (2705 Millstream Road); Lot 4, Section 72, Esquimalt District, Plan 5920, Except that Part in Plan VIP69759 (2717 Millstream Road); Lot 5, Section 72, Esquimalt District, Plan 5920, Except that Part in Plan VIP69759 (2725 Millstream Road); Lot 6, Section 72, Esquimalt District, Plan 5920, Except that Part in Plan VIP69759 (2737 Millstream Road); Lot 14, Section 72, Esquimalt District, Plan 6981 (2748 Winster Road); Lot B, Section 72, Esquimalt District, Plan 8099 (685 Wagar Avenue); That Part of Lot 7, Section 72, Esquimalt District, Plan 5920, Lying to the East of a Boundary Parallel to the Easterly Boundary of Said Lot and Extending From a Point on the Southerly Boundary of Said Lot Distant 76 Feet From the South Easterly Corner of Said Lot, Except Part in Plan VIP69791 (690 Hoffman Avenue); and That Part of Lot 7, Section 72, Esquimalt District, Plan 5920, Lying to the West of a Boundary Parallel to the Easterly Boundary of Said Lot and Extending from a Point on the Southerly Boundary of Said Lot Distant 76 Feet from the South Easterly Corner of Said Lot Except Part in Plan VIP69791 (2745 Millstream Road). (Bylaw 932)

(2) (Deleted by Bylaw 717)

(3) In addition to the other articles in this subsection the building, parking and landscaping must be designed and sited in accordance with an approved development permit.

6.44.08 Landscape Screening

(1) In addition to the regulations contained in Section 3.21 of this Bylaw the following regulations must apply to landscape screening in the Community Town Centre Pedestrian (C8) Zone.
(2) A landscape and screening area not less than 1 m (3 ft) in width containing a decorative fence together with decorative planting of not less than 1.8 m (6 ft) in height will be provided along all lot lines separating the lot from any Residential or Multiple Residential Zone.

(3) Despite article (2) where the lot abuts a highway with residential across the street a 1.8 m (6 ft) high landscaping screen or solid decorative fence will be provided along the lot line if parking is placed in front of the building.

(4) Notwithstanding Article (2), the landscaping and screening area may be reduced to zero along interior side lot lines, where the interior side lot line adjoins an area designated as Pedestrian Commercial in the Official Community Plan. (Bylaw 1146)

6.44.09 Parking

(1) In addition to the regulations contained in Part 4 of this Bylaw the following regulations apply to parking and loading in the Community Town Centre Pedestrian (C8) Zone. (Bylaw 860)

(2) All parking and loading facilities must be located to the rear of the building accommodating the principal use or underground.

(3) (Deleted by Bylaw 1531)

6.44.10 General

The relevant regulations of Part 3 of this Bylaw must apply.
Section 6.44A – Community Town Centre Pedestrian A (C8A) Zone

(Bylaw 1077)

The intent of this Zone is to provide for all types of retail and general business uses customarily associated with the central business districts of urban areas in an environment oriented to pedestrian needs, and to exclude commercial and other uses, other than parking facilities, which do not make intensive use of site, which create breaks in business frontage, which constitute a nuisance, or which are in any way incompatible with the intensive development of a retail and general business area.

6.44A.01 Permitted Uses

The following uses and no others are permitted in the Community Town Centre Pedestrian A (C8A) Zone:

1. accessory buildings and uses; (Bylaw 1756)
2. animal hospital in an enclosed building; (Bylaw 1756)
3. apartments; (Bylaw 1437)
4. apartments which may contain multi-family flex units; (Bylaw 1223)
5. appliance repair; (Bylaw 1756)
6. auction room; (Bylaw 1756)
7. automobile glass repair, on the land legally described as Strata Lot 1, Section 72, Esquimalt District, Strata Plan VIS5806 Together With an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form V, PID No. 026-326-752 (721 Station Avenue); (Bylaw 1756)
8. bakery; (Bylaw 1756)
9. business college and trade school; (Bylaw 1756)
10. (Deleted by Bylaw 1570);
11. film production studios;
12. financial institutions;
13. food catering facilities;
14. funeral parlour; (Bylaw 1756)
15. group day care in accordance with Section 3.26.02; (Bylaw 1146)
16. health clubs;
17. home occupation in accordance with Section 3.09; (Bylaw 1146)
18. hotels;
19. (Deleted by Bylaw 1481);
20. (Bylaw 1223; Deleted by Bylaw 1437)
21. library; (Bylaw 1570)
22. liquor store; (Bylaw 1756)
23. minor repair shops (excluding petroleum-powered engines);
24. offices;
(25) parking facility; *(Bylaw 1756)*
(26) personal service establishments;
(27) premises licensed pursuant to the *Liquor Control and Licensing Act*;
(28) preschool; *(Bylaw 1146)*
(29) printing, publishing and bookbinding; *(Bylaw 1756)*
(30) *(Deleted by Bylaw 1570)*;
(31) public assembly and entertainment uses;
(32) *(Deleted by Bylaw 1548)*;
(33) restaurants and cafes, explicitly excluding drive-in and drive-thru restaurants;
(34) schools, not exceeding 200 m² (2 150 ft²) of gross floor area, and not in conjunction with any other residential use;
(35) retail stores;
(36) shopping centres;
(37) temporary construction and real estate marketing offices;
(38) the retail sale of parts and accessories for automobiles, trucks, boats, camper vehicles, farm machinery and manufactures homes; *(Bylaw 1756)*
(39) theatres, excluding drive-ins;
(40) universities and schools;
(41) veterinary practices; and
(42) uses permitted by Section 3.01 of this Bylaw.

**6.44A.02 Subdivision Lot Requirements**

(1) No lot having an area less than 695 m² (7 480 ft²) may be created by subdivision in the Community Town Centre Pedestrian A (C8A) Zone, except that lots abutting Goldstream Avenue, between Jacklin and Millstream Streets, must be no less than 4 000 m² (1 acre) in area.

(2) No lot may be created having a lot width less than 15.2 m (50 ft).

(5) No lot may be created having a lot depth less than 34 m (112 ft).

**6.44A.03 Regulations for Use**

(1) All principal uses must be oriented to pedestrian needs and be so located and designed as to avoid vehicular interference with pedestrian movement.

(2) The storage and display of all goods and products must be completely enclosed within a building, except for outside seating and the display of goods for sale at retail.

(3) All accessory uses must be located to the rear of the building accommodating the principal use. In no case may they exceed a height of 4 m (13 ft) or cover a total of more than 10% of the lot area.

**6.44A.04 Density of Development**

(1) Except as provided in articles (2), (3), (4), (5) and (6), the floor area ratio may not exceed 1.0. *(Bylaw 1756)*
(2) The floor area ratio may be increased by 0.25 if the owner provides 50% of the parking spaces required by this Bylaw in an underground parking structure, and by an additional 0.02 to a maximum of 1.5 for every additional 5% of the parking spaces so provided.

(3) The floor area ratio may be increased by an additional 0.10 if the owner provides residential dwelling units on the third storey and an additional 0.15 if residential dwelling units are also provided on the fourth storey.

(4) The floor area ratio may be increased by up to 0.25 if the owner provides on site community amenities. This increase will be provided according to the following:

(a) 0.10 for provision of a community amenity building area of more than 65 m² (700 ft²) floor area located on the ground floor or 100 m² (1 075 ft²) located on the second storey. The use of these areas shall be limited by the registration of a covenant on the title of the property.

(b) Up to 0.15 for the provision and maintenance of urban plazas which are exclusively devoted to public use at a rate of a 0.01 increase in floor area ratio for each 2% of the gross floor area of the ground floor of every building on the lot that is developed as urban plaza. For example development of an urban plaza of 300 m² (3 230 ft²) or 30% of a 1 000 m² (10 700 ft²) building would result in an increase in floor area ratio of 0.15.

(Table 1 Deleted by Bylaw 1320)

(5) Notwithstanding section 6.44.04(1), on land whose legal description is set out in Table 1 of Schedule AD, the floor area ratio may increase by no more than 1.0 to a maximum floor area ratio of 2.5, if the owner of the land proposed to be developed: (Bylaw 1320)

(a) pays to the City the amount specified in Column 4 of Table 1 of Schedule AD, prior to the issuance of a building permit; and

(b) provides to the City the amenity specified in Column 4 of Table 1 of Schedule AD, prior to the issuance of an occupancy permit.

(6) Notwithstanding Subsection 6.44A.04(1), the floor area ratio may be increased to 5.0, on the land legally described as Strata Lot 1, Section 72, Esquimalt District, Strata Plan VIS5806 Together With an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form V, PID No. 026-326-752 (721 Station Avenue), if the owner provides: (Bylaw 1756)

(a) A minimum of 75% of the parking spaces required by this Bylaw in an underground parking structure; (Bylaw 1756)

(b) The amenity contributions set out in Table 1 of Schedule AD, prior to the issuance of a Building Permit for development with a maximum floor area over 1.0; and (Bylaw 1756)

(c) Residential dwelling units on any storey above the ground floor. (Bylaw 1756)

6.44A.05 Lot Coverage

(1) Lot coverage of all buildings and structures may not exceed 90%;

(2) Lot coverage of all buildings and structures may not be less than 40%. (Bylaw 1427, 1570)

6.44A.06 Height and Size of Principal Use Buildings

(1) No building or structure may exceed a height of six (6) storeys. (Bylaw 1531)
(2) On land legally described as Strata Lot 1, Section 72, Esquimalt District, Strata Plan VIS5806 Together With an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form V, PID No. 026-326-752 (721 Station Avenue), the maximum height of buildings and structures shall be governed by the provisions of Subsection 6.44A.04(6) and not 6.44A.06(1) above. (Bylaw 1756)

6.44A.07 Setbacks

(1) No building or structure may be located:
   (a) within 2 m (6.5 ft) of any front lot line; or
   (b) within 6 m (20 ft) of any interior side lot line where the interior side lot line adjoins an area designated Residential or Multiple Residential in the Official Community Plan; or
   (c) within 2 m (6.5 ft) of an exterior side lot line; or
   (d) within 7.5 m (25 ft) of any rear lot line; or

(2) In addition to the other articles in this subsection the building, parking and landscaping must be designed and sited in accordance with an approved development permit.

6.44A.08 Landscape Screening

(1) In addition to the regulations contained in Section 3.21 of this Bylaw the following regulations must apply to landscape screening in the Community Town Centre Pedestrian A (C8A) Zone.

(2) A landscape and screening area not less than 1 m (3 ft) in width containing a decorative fence together with decorative planting of not less than 1.8 m (6 ft) in height will be provided along all lot lines separating the lot from any Residential or Multiple Residential Zone.

(3) Despite article (2) where the lot abuts a highway with residential across the street a 1.8 m (6 ft) high landscaping screen or solid decorative fence will be provided along the lot line if parking is placed in front of the building.

(4) Notwithstanding Article (2), the landscaping and screening area may be reduced to zero along interior side lot lines, where the interior side lot line adjoins an area designated as Pedestrian Commercial in the Official Community Plan. (Bylaw 1146)

6.44A.09 Parking

(1) In addition to the regulations contained in Part 4 of this Bylaw the following regulations apply to parking and loading in the Community Town Centre Pedestrian A (C8A) Zone.

(2) All parking and loading facilities must be located to the rear of the building accommodating the principal use or underground.

(3) Other than access to an underground parking structure, parking is prohibited on the ground level of any building.

6.44A.10 General

The relevant regulations of Part 3 of this Bylaw must apply.
Section 6.44B – Community Town Centre Pedestrian 9 (C9) Zone
(Bylaw 1767; Replaced by Bylaw 1750)

The intent of this Zone is to provide for all types of retail and general business uses customarily associated with the central business districts of urban areas in an environment oriented to pedestrian needs, and to exclude commercial and other uses, other than parking facilities, which do not make intensive use of site, which create breaks in business frontage, which constitute a nuisance, or which are in any way incompatible with the intensive development of a retail and general business area.

6.44B.01 Permitted Uses

The following uses and no others are permitted in the Community Town Centre Pedestrian 9 (C9) Zone:

1. accessory buildings and uses;
2. apartments;
3. apartments which may contain multi-family flex units;
4. film production studios;
5. financial institutions;
6. food catering facilities;
7. group day care in accordance with Section 3.26.02;
8. health clubs;
9. home occupation in accordance with Section 3.09;
10. hotels
11. library;
12. minor repair shops (excluding petroleum-powered engines);
13. offices;
14. personal service establishments;
15. premises licensed pursuant to the Liquor Control and Licensing Act;
16. preschool;
17. public assembly and entertainment uses;
18. restaurants, bakeries, and cafes, explicitly excluding drive-in and drive-thru restaurants;
19. schools, not exceeding 200 m² (2 150 ft²) of gross floor area, and not in conjunction with any other residential use;
20. retail stores;
21. shopping centres;
22. temporary construction and real estate marketing offices;
23. theatres, excluding drive-ins;
24. universities and schools;
25. veterinary practices;
26. dog and cat grooming;
27. churches and places of worship;
28. assisted living;
29. hospice; and
30. uses permitted by Section 3.01 of this Bylaw.

6.44B.02 Subdivision Lot Requirements

1. No lot having an area less than 695 m² (7 480 ft²) may be created by subdivision in the Community Town Centre Pedestrian 9 (C9) Zone,
2. No lot may be created having a lot width less than 15.2 m (50 ft).
3. No lot may be created having a lot depth less than 34 m (112 ft).

6.44B.03 Regulations for Use

1. All principal uses must be oriented to pedestrian needs and be so located and designed as to avoid vehicular interference with pedestrian movement.
(2) The storage and display of all goods and products must be completely enclosed within a building, except for outside seating and the display of goods for sale at retail.

(3) All accessory uses must be located to the rear of the building accommodating the principal use. In no case may they exceed a height of 4 m (13 ft) or cover a total of more than 10% of the lot area.

6.44B.04 Density of Development

(1) Except as provided in article (2) the floor area ratio may not exceed 0.5
(2) Notwithstanding section 6.44B.04(1), on land whose legal description is set out in Table 1 of Schedule AD, the floor area ratio may be increased to a maximum floor area ratio of 6.0, if the owner of the land proposed to be developed:
   a) pays to the City the amount specified in Column 4 of Table 1 of Schedule AD, prior to the issuance of a building permit; and

6.44B.05 Lot Coverage

(1) Lot coverage of all buildings and structures may not exceed 90%;
(2) Lot coverage of all buildings and structures may not be less than 40%.

6.44B.06 Setbacks

(1) No building or structure may be located:
   a) within 2 m (6.5 ft) of any front lot line; or
   b) within 2 m (6.5 ft) of any interior side lot line where the interior side lot line adjoins an area designated Residential or Multiple Residential in the Official Community Plan; or
   c) within 2 m (6.5 ft) of an exterior side lot line; or
   d) within 2 m (6.5 ft) of any rear lot line; or
(2) In addition to the other articles in this subsection the building, parking and landscaping must be designed and sited in accordance with an approved development permit.

6.44B.07 Landscape Screening

(1) In addition to the regulations contained in Section 3.21 of this Bylaw the following regulations must apply to landscape screening in the Community Town Centre Pedestrian 9 (C9) Zone.
(2) A landscape and screening area not less than 1 m (3 ft) in width containing a decorative fence together with decorative planting of not less than 1.8 m (6 ft) in height will be provided along all lot lines separating the lot from any Residential or Multiple Residential Zone.
(3) Despite Article (2) where the lot abuts a highway with residential across the street a 1.8 m (6 ft) high landscaping screen or solid decorative fence will be provided along the lot line if parking is placed in front of the building.
(4) Notwithstanding Article (2), the landscaping and screening area may be reduced to zero along interior side lot lines, where the interior side lot line adjoins an area designated as Pedestrian Commercial in the Official Community Plan.

6.44B.08 Parking

(1) In addition to the regulations contained in Part 4 of this Bylaw the following regulations apply to parking and loading in the Community Town Centre Pedestrian 9 (C9) Zone.
(2) All parking and loading facilities must be located to the rear of the building accommodating the principal use or underground.
(3) Other than access to an underground parking structure, parking is prohibited on the ground level of any building.

6.44A.9 General

The relevant regulations of Part 3 of this Bylaw must apply.
Section 6.45 – Service Commercial (CS1) Zone

6.45.01 Permitted Uses

The following uses and no others are permitted in the Service Commercial (CS1) Zone:

1. accessory buildings and uses;
2. accessory unenclosed storage;
3. animal hospitals in enclosed buildings;
4. auction rooms;
5. automobile repair and body painting shops;
6. car wash establishments and drive-in businesses;
7. commercial nurseries and greenhouses;
8. feed and seed supply;
9. film production studios; (Bylaw 386)
10. food catering facilities; (Bylaw 894)
11. gasoline service stations;
12. health clubs;
13. indoor facilities for playing recreational paintball; (Bylaw 717)
14. office; (Bylaw 1749)
15. offices and storage buildings for: (Bylaw 968)
   a. building, electrical, heating, ventilating and air conditioning, painting, plumbing, refrigeration, roofing, septic tank and sign contractors;
   b. towing companies;
16. one dwelling unit for a caretaker in conjunction with and in addition to any of the other principal use permitted in this subsection; (Bylaw 790)
17. parking facilities;
18. personal service establishments, not exceeding 200 m² (2 150 ft²) in gross floor area, including, but without limiting the generality of the foregoing, barber shop, beauty parlour, launderette, optical or watch repair shop, photographic studio and shoe repair;
19. pet day care; (Bylaw 790)
20. printing, publishing and bookbinding;
21. public transportation depots;
22. recycling depots;
23. repair of household furnishings;
24. restaurants, including drive-in and drive-thru restaurants;
25. retail lumber and building supply establishments;
26. retail sale, rental and repair of tools and small equipment such as chainsaws, hand and edge tools, lawn mowers, motorbikes, roto tillers and outboard motors;
(27) retail sale and rental of automobiles, trucks, boats, camper vehicles, manufactured homes and farm machinery and parts and accessories thereof;  (Bylaw 445)

(28) retail sale, rental, and repair of small industrial equipment such as skid steer loaders; (Bylaw 364, 1548)

(29) retail stores not exceeding 200 m² (2 150 ft²) in gross floor area;

(30) schools, not exceeding 280 m² (3 014 ft²) of gross floor area;  (Bylaw 1308, 1481)

(31) temporary construction and real estate marketing offices; and  (Bylaw 984)

(32) uses permitted by Subsection 3.01 of this Bylaw.

6.45.02 Further Use Regulations  (Bylaw 801)

(1) Notwithstanding any other part of Section 6.45, the following uses are expressly prohibited on those lands shown outlined in heavy black line as CS1 (Service Commercial) on the map attached to this Bylaw as Schedule "J":

(a) Yards for contractors;

(b) Public transportation depots;

(c) Recycling depots; and

(d) Retail lumber and building supply establishments.

(2)  (Bylaw 1638; Deleted by Bylaw 1746)

6.45.03 Subdivision Lot Requirements

(1) No lot having an area less than 695 m² (7 480 ft²) may be created by subdivision in the Service Commercial (CS1) Zone.

(2) No lot may be created having a lot width less than 16 m (53 ft).

6.45.04 Additional Site Specific Uses

In addition to the uses permitted by Section 6.47.02, offices are permitted on the land legally described as Lot 1, Section 72, Esquimalt District, Plan 9354.

6.45.05 Lot Coverage

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

(2)  (Bylaw 1427; Deleted by Bylaw 1548)

(3) Lot coverage of all buildings and structures located in the shaded area shown on Schedule “AE” may not exceed 75%.  (Bylaw 1399)

6.45.06 Density of Development

(1) The floor area ratio is limited to 1.0;

(2) The floor area ratio may be increased to 1.5 on a lot located in the shaded area shown on Schedule AE.  (Bylaw 1399)

6.45.07 Height and Size of Principal Use Buildings

No building or structure may exceed a height of 12 m (39 ft) or three storeys.
6.45.08 Setbacks

(1) No building or structure may be located:

(a) within 7.5 m (25 ft) of any front or exterior side lot line; or

(b) deleted; (Bylaw 984)

(c) within 6 m (20 ft) of any interior side lot line where the interior side lot line adjoins an Agricultural Zone, Residential Zone, Rural Residential Zone, Multiple Residential Zone or Institutional Zone; (Bylaw 1481) or

(d) within 3 m (10 ft) of any rear lot line.

(2) If the rear lot line adjoins an Agricultural Zone, Residential Zone, Rural Residential Zone, Multiple Residential Zone or Institutional Zone the setback in respect of that lot line required by clause (d) must be increased to 6 m (20 ft) (Bylaw 1481).

6.45.09 Landscape Screening

(1) In addition to the regulations contained in Section 3.21 of this Bylaw the following must apply to landscape screening in the Service Commercial (CS1) Zone.

(2) A continuous landscaping strip not less than 3 m (10 ft) wide will be provided along the developed portion of each side of the lot which abuts a highway. This landscaping may be interrupted at boulevard crossings, or to provide necessary pedestrian access for entering a building.

(3) Except in those portions where a building abuts a lot line, screen planting at least 1.8 m (6 ft) high in a strip at least 1.5 m (5 ft) wide, or a solid decorative fence at least 1.8 m (6 ft) high will be provided along all lot lines separating the developed portion of the lot from any Residential Zone or Multiple Residential Zone or Institutional Zone whether such property be separated by a highway or not.

6.45.10 General

The relevant regulations of Part 3 of this Bylaw must apply.
Section 6.46 – Commercial Industrial (CS3) Zone

6.46.01 Permitted Uses

The following uses and no others are permitted in the Commercial Industrial (CS3) Zone:

1. accessory buildings and uses;
2. accessory unenclosed storage;
3. animal hospitals in enclosed buildings;
4. auction rooms;
5. automobile repair, body and painting shops;
6. car wash establishments and drive-in businesses;
7. carpentry shops;
8. commercial nurseries and greenhouses;
9. (Deleted by Bylaw 1142)
10. electrical, plumbing, roofing, sheet metal, heating and paint establishments having not more than 500 m² (5 380 ft²) of gross floor area;
11. film production studios; (Bylaw 386)
12. gasoline service stations;
13. machine shops with not more than 100 m² (1 075 ft²) of gross floor area;
14. offices and storage buildings for: (Bylaw 968)
   a. building, electrical, heating, ventilating and air conditioning, painting, plumbing, refrigeration, roofing, septic tank, and sign contractors;
   b. towing companies;
15. one dwelling unit in conjunction with and in addition to any of the other uses permitted in this subsection;
16. parking facilities;
17. pet daycare; (Bylaw 1570)
18. personal service establishments, not exceeding 200 m² (2 150 ft²) in gross floor area, including, but without limiting the generality of the foregoing, barber shop, beauty parlour, launderette, optical or watch repair shop, photographic studio and shoe repair;
19. printing, publishing and book binding;
20. public transportation depots;
21. recycling depots;
22. refund container return depots;
23. repair of household furnishings;
24. restaurants, including drive-in and drive-thru restaurants;
25. retail lumber and buildings supply establishments;
26. retail sale, rental, and repair of tools and small equipment such as chain saws, hand and edge tools, lawn mowers, motorbikes, roto tillers, and outboard motors;
(27) retail stores not exceeding 200 m$^2$ (2,150 ft$^2$) in gross floor area;
(28) sale and rental of automobiles, trucks, boats, camper vehicles, manufactured homes, motorized machinery and farm and industrial machinery and parts and accessories thereof; (Bylaw 445)
(29) temporary construction and real estate marketing offices; (Bylaw 984)
(30) welding shops;
(31) wholesale and storage buildings having not more than 900 m$^2$ (.2 acres) of gross floor area; and
(32) uses permitted by Section 3.01 of this Bylaw.

6.46.02 Subdivision Lot Requirements
(1) No lot having an area less than 695 m$^2$ (7,480 ft$^2$) may be created by subdivision in the Commercial Industrial (CS3) Zone.
(2) No lot may be created having a lot width less than 16 m (53 ft).

6.46.03 Lot Coverage
(1) Lot coverage of all buildings and structures may not exceed 50%;
(2) Lot coverage of all buildings and structures located in the shaded area shown on Schedule “AE” may not exceed 75%. (Bylaw 1399)

6.46.04 Density of Development
(c) The floor area ratio may not exceed 1.0;
(d) The floor area ratio may be increased to 1.5 on a lot located in the shaded area shown on Schedule AE. (Bylaw 1399)

6.46.05 Height and Size of Principal Use Buildings
No building or structure may exceed a height of 12 m (39 ft) or three storeys.

6.46.06 Setbacks
(1) No building or structure may be located:
   (a) within 7.5 m (25 ft) of any front or exterior side lot line; or
   (b) deleted; (Bylaw 984)
   (c) within 6 m (20 ft) of any interior side lot line where the interior side lot line adjoins an Agricultural Zone, Residential Zone, Rural Residential Zone, Multiple Residential Zone or Institutional Zone; (Bylaw 1481) or
   (d) within 3 m (10 ft) of any rear lot line.
(2) If the rear lot line adjoins an Agricultural Zone, Residential Zone, Rural Residential Zone, Multiple Residential Zone or Institutional Zone the setback in respect of that lot line required by clause (d) must be increased to 6 m (20 ft) (Bylaw 1481).

6.46.07 Landscape Screening
(1) In addition to the regulations contained in Section 3.21 of this Bylaw the following must apply to landscape screening in the Commercial Industrial (CS3) Zone.

6.46.02 Subdivision Lot Requirements
(1) No lot having an area less than 695 m$^2$ (7,480 ft$^2$) may be created by subdivision in the Commercial Industrial (CS3) Zone.
(2) No lot may be created having a lot width less than 16 m (53 ft).

6.46.03 Lot Coverage
(1) Lot coverage of all buildings and structures may not exceed 50%;
(2) Lot coverage of all buildings and structures located in the shaded area shown on Schedule “AE” may not exceed 75%. (Bylaw 1399)

6.46.04 Density of Development
(c) The floor area ratio may not exceed 1.0;
(d) The floor area ratio may be increased to 1.5 on a lot located in the shaded area shown on Schedule AE. (Bylaw 1399)

6.46.05 Height and Size of Principal Use Buildings
No building or structure may exceed a height of 12 m (39 ft) or three storeys.

6.46.06 Setbacks
(1) No building or structure may be located:
   (a) within 7.5 m (25 ft) of any front or exterior side lot line; or
   (b) deleted; (Bylaw 984)
   (c) within 6 m (20 ft) of any interior side lot line where the interior side lot line adjoins an Agricultural Zone, Residential Zone, Rural Residential Zone, Multiple Residential Zone or Institutional Zone; (Bylaw 1481) or
   (d) within 3 m (10 ft) of any rear lot line.
(2) If the rear lot line adjoins an Agricultural Zone, Residential Zone, Rural Residential Zone, Multiple Residential Zone or Institutional Zone the setback in respect of that lot line required by clause (d) must be increased to 6 m (20 ft) (Bylaw 1481).

6.46.07 Landscape Screening
(1) In addition to the regulations contained in Section 3.21 of this Bylaw the following must apply to landscape screening in the Commercial Industrial (CS3) Zone.
(2) A continuous landscaping strip not less than 3 m (10 ft) wide will be provided along the developed portion of each side of the lot which abuts a highway. This
landscaping strip may be interrupted at boulevard crossings, or to provide necessary pedestrian access for entering a building.

(3) Except in those portions where a building abuts a lot line, screen planting at least 1.8 m (6 ft) high in a strip at least 1.5 m (5 ft) wide, or a solid decorative fence at least 1.8 m (6 ft) high will be provided along all lot lines separating the developed portion of the lot from any Residential Zone or Multiple Residential Zone or Institutional Zone whether such property be separated by a highway or not.

6.46.08 General

The relevant regulations of Part 3 of this Bylaw must apply.
Section 6.47 – Tourist Commercial – Motel (CT1) Zone

6.47.01 Permitted Uses
The following uses and no others are permitted in the Tourist Commercial – Motel (CT1) Zone:

1. accessory buildings and uses;
2. campsite;
3. film production studios; (Bylaw 386)
4. miniature golf courses;
5. motel;
6. one one-family dwelling in conjunction with and in addition to any of the other uses permitted in this subsection;
7. temporary construction and real estate marketing offices; and (Bylaw 984)
8. uses permitted by Section 3.01 of this Bylaw.

6.47.02 Subdivision Lot Requirements
1. No lot having an area less than 1,800 m$^2$ (.44 acres) may be created by subdivision in the Tourist Commercial – Motel (CT1) Zone.
2. No lot may be created having a lot width less than 18 m (59 ft).

6.47.03 Regulations for Use for a Campsite Use
No campsite space may be used as a permanent place of dwelling. Occupancy for a total of six months or more in any 12-month period will be deemed to be permanent occupancy.

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

6.47.05 Height and Size of Principal Use Buildings
No building or structure may exceed a height of 12 m (39 ft) or three storeys.

6.47.06 Setbacks
No building or structure may be located:
1. within 7.5 m (25 ft) of any front lot line; or
2. within 6 m (20 ft) of any interior side lot line; or
3. within 7.5 m (25 ft) of any exterior side lot line; or
4. within 10 m (33 ft) of any rear lot line.

6.47.07 Landscape Screening
1. In addition to the regulations contained in Section 3.21 of this Bylaw the following must apply to landscape screening in the Tourist Commercial – Motel (CT1) Zone.
(2) Except in those portions where a building abuts a lot line, screen planting at least 1.8 m (6 ft) high in a strip at least 1.5 m (5 ft) wide, or a solid decorative fence at least 1.8 m (6 ft) high will be provided along all lot lines separating the developed portion of the lot from any Residential Zone or Multiple Residential Zone or Institutional Zone whether such property be separated by a highway or not.

6.47.08 General

The relevant regulations of Part 3 of this Bylaw must apply.
Section 6.48 – Tourist Commercial – Campsite (CT2) Zone

6.48.01 Permitted Uses
The following uses and no others are permitted in the Tourist Commercial – Campsite (CT2) Zone:

(1) accessory buildings and uses;
(2) campsite;
(3) film production studios; (Bylaw 386)
(4) golf courses, driving ranges and miniature golf courses;
(5) one one-family dwelling in conjunction with and in addition to any of the other uses permitted in this subsection;
(6) temporary construction and real estate marketing offices; and (Bylaw 984)
(7) uses permitted by Section 3.01 of this Bylaw.

6.48.02 Subdivision Lot Requirements
No lot having an area less than 4 ha (10 acres) may be created by subdivision in the Tourist Commercial – Campsite (CT2) Zone.

6.48.03 Regulations for Use for a Campsite Use
No campsite space may be used as a permanent place of dwelling. Occupancy for a total of six months or more in any 12-month period will be deemed to be permanent occupancy.

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

6.48.05 Density of Development
The floor area ratio may not exceed 0.4.

6.48.06 Height and Size of Principal Use Buildings
No building or structure may exceed a height of 12 m (39 ft) or three storeys.

6.48.07 Setbacks
No building or structure may be located:

(1) within 7.5 m (25 ft) of any front lot line; or
(2) within 6 m (20 ft) of any interior side lot line; or
(3) within 7.5 m (25 ft) of any exterior side lot line; or
(4) within 10 m (33 ft) of any rear lot line.

6.48.08 Landscape Screening

(1) In addition to the regulations contained in Section 3.21 of this Bylaw the following must apply to landscape screening in the Tourist Commercial – Campsite (CT2) Zone.
Except in those portions where a building abuts a lot line, screen planting at least 1.8 m (6 ft) high in a strip at least 1.5 m (5 ft) wide, or a solid decorative fence at least 1.8 m (6 ft) high will be provided along all lot lines separating the developed portion of the lot from any Residential Zone or Multiple Residential Zone or Institutional Zone whether such property be separated by a highway or not.

6.48.09 General

The relevant regulations of Part 3 of this Bylaw must apply.
Section 6.49 – Commercial Recreation (CR1) Zone

6.49.01 Permitted Uses
The following uses and no others are permitted in the Commercial Recreation (CR1) Zone:

(1) accessory buildings and uses;
(2) campsite;
(3) drive-in theatre;
(4) film production studios; (Bylaw 386)
(5) grandstand facilities;
(6) one one-family or one two-family dwelling in conjunction with and in addition to any of the other uses permitted in this subsection;
(7) places of indoor recreation including, but without limiting the generality of the foregoing, a bowling alley or curling rink;
(8) place of outdoor recreation including, but without limiting the generality of the foregoing, an automobile and motorcycle racing, go-kart racing, or dog racing facility;
(9) restaurants, including drive-in and drive-thru restaurants;
(10) temporary construction and real estate marketing offices; and (Bylaw 984)
(11) on the property legally described as Lot A, Sections 2 and 3, Range 3 West, Highland District, Plan VIP53467 (2207 Millstream Rd), church and group day care are permitted uses; and (Bylaw 1576)
(12) uses permitted by Section 3.01 of this Bylaw.

6.49.02 Subdivision Lot Requirements
No lot having an area less than 2 ha (5 acres) may be created by subdivision in the Commercial Recreation (CR1) Zone.

6.49.03 Regulations for Use for a Campsite Use
No campsite space may be used as a permanent place of dwelling. Occupancy for a total of six months or more in any 12 month period will be deemed to be permanent occupancy.

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

6.49.05 Density of Development
The floor area ratio may not exceed 0.4.

6.49.06 Height and Size of Principal Use Buildings
(1) No building or structure may exceed a height of 12 m (39 ft) or three storeys.
(2) Drive-in theatre projection screens will not be subject to the requirement in article (1).
6.49.07 Setbacks

No building or structure may be located:

(1) within 7.5 m (25 ft) of any front lot line; or
(2) within 6 m (20 ft) of any interior side lot line; or
(3) within 7.5 m (25 ft) of any exterior side lot line; or
(4) within 7.5 m (25 ft) of any rear lot line.

6.49.08 Landscape Screening

(1) In addition to the regulations contained in Section 3.21 of this Bylaw the following must apply to landscape screening in the Commercial Recreation (CR1) Zone.

(2) Except in those portions where a building abuts a lot line, screen planting at least 1.8 m (6 ft) high in a strip at least 1.5 m (5 ft) wide, or a solid decorative fence at least 1.8 m (6 ft) high will be provided along all lot lines separating the developed portion of the lot from any Residential Zone or Multiple Residential Zone or Institutional Zone whether such property be separated by a highway or not.

6.49.09 General

The relevant regulations of Part 3 of this Bylaw must apply.
Section 6.50 – Marina Commercial (CR2) Zone

6.50.01 Permitted Uses

The following uses and no others are permitted in the Marina Commercial (CR2) Zone:

(1) accessory buildings and uses;
(2) film production studios; *(Bylaw 386)*
(3) marinas;
(4) one one-family or one two-family dwelling in conjunction with and in addition to any of the other uses permitted in this subsection;
(5) *(Deleted by Bylaw 1570)*;
(6) restaurants, including drive-in and drive-thru restaurants;
(7) retail sale, rental and repair of boats, boat engines, marine supplies and fishing equipment;
(8) temporary construction and real estate marketing offices; and *(Bylaw 984)*
(9) uses permitted by Section 3.01 of this Bylaw.

6.50.02 Subdivision Lot Requirements

No lot having an area less than 4 ha (10 acres) may be created by subdivision in the Marina Commercial (CR2) Zone.

6.50.03 Lot Coverage

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

6.50.04 Height and Size of Principal Use Buildings

No building or structure may exceed a height of 12 m (39 ft) or three storeys.

6.50.05 Setbacks

No building or structure may be located:

(1) within 7.5 m (25 ft) of any front lot line; or
(2) within 6 m (20 ft) of any interior side lot line; or
(3) within 7.5 m (25 ft) of any exterior side lot line; or
(4) within 7.5 m (25 ft) of any rear lot line.

6.50.06 Landscape Screening

(1) In addition to the regulations contained in Section 3.21 of this Bylaw the following must apply to landscape screening in the Marina Commercial (CR2) Zone.

(2) Except in those portions where a building abuts a lot line, screen planting at least 1.8 m (6 ft) high in a strip at least 1.5 m (5 ft) wide, or a solid decorative fence at least 1.8 m (6 ft) high will be provided along all lot lines separating the developed portion of the lot from any Residential Zone or Multiple Residential Zone or Institutional Zone whether such property be separated by a highway or not.
6.50.07 General

The relevant regulations of Part 3 of this Bylaw must apply.
Section 6.51 – Mixed Use Residential Commercial (MU1) Zone

(Created by Bylaw 516)

The intent of the Mixed Use Residential Commercial zone is to provide a mix of residential and commercial uses to create a vibrant transition between the Core Downtown Commercial Area and other nearby uses.

6.51.01 Permitted Uses

The following uses and no other uses are permitted in the Mixed Use Residential Commercial (MU1) Zone:

1. accessory buildings and uses;
2. townhouses; (Bylaw 1549)
3. apartments; (Bylaw 739)
4. apartments above the ground floor;
5. business service establishments located at the ground floor only and including but without limiting the generality of the foregoing: post office, desktop publishing, printing and photocopying;
6. financial institutions located at the ground floor only;
7. group day care in accordance with Section 3.26.02; (Bylaw 1146)
8. home office home occupation in apartments in accordance with Section 3.09; (Bylaw 1146)
9. (Deleted by Bylaw 1437);
10. office located at the ground floor only;
11. personal service establishments located at the ground floor only and including, but without limiting the generality of the foregoing: barber shop, beauty parlour, launderette, optical or watch repair shop, photographic studio, and shoe repair;
12. preschool; (Bylaw 1146)
13. restaurant, excluding drive-in and drive-thru restaurants, located at the ground floor only;
14. retail store located at the ground floor only;
15. schools, not exceeding 200 m² (2 150 ft²) of gross floor area, and not in conjunction with any other residential use; (Bylaw 860)
16. temporary construction and real estate marketing offices; and (Bylaw 984)
17. uses permitted by Section 3.01 of this Bylaw.

6.51.02 Subdivision Lot Requirements

1. No lot having an area less than 700 m² (7 535 ft²) may be created by subdivision in the MU1 Zone.
2. No lot may be created having a lot width less than 15 m (49 ft).

6.51.03 Regulations for Use

1. All principal ground floor uses must be oriented to pedestrian needs and be so located and designed as to avoid vehicular interference with pedestrian movement.
(2) The storage and display of all goods and products must be completely enclosed within a building, except for outside seating.

(3) Non-residential uses are prohibited above the ground floor and no floor may contain a mix of residential and non-residential uses. (Bylaw 1437)

(4) The above ground residential units must be provided with a separate entrance from the ground level, except where the building consists of all residential units.

(5) All accessory uses must be located to the rear of the building accommodating the principal use. In no case may they exceed a height of 4 m (13 ft) or cover a total of more than 10% of the lot area.

6.51.04 Density of Development

(1) Except as provided in article (2), the floor area ratio may not exceed 2.0;

(2) The floor area ratio may be increased to 2.25 if the owner provides 50% of the parking spaces required by this Bylaw in an underground parking structure, and by an additional 0.02 to a maximum of 2.5 for every additional 5% of the parking spaces so provided.

6.51.05 Lot Coverage

(1) Lot coverage of all buildings and structures may not exceed 90%;

(2) Lot coverage of all buildings and structures may not be less than 50%. (Bylaw 1427)

(3) Despite article (2), the lot coverage of all buildings and structures on a lot containing a townhouse use may not be less than 40%. (Bylaw 1548)

6.51.06 Height and Size of Principal Use Buildings

No building or structure may exceed a height of six (6) storeys. (Bylaw 900, 997, 1531)

6.51.07 Setbacks

(1) No building or structure may be located:
   (a) Within 2 m (6.5 ft) of any front lot line; or
   (b) Within 2 m (6.5 ft) of any exterior side lot line; or
   (c) Within 7.5 m (25 ft) of any rear lot line.

(2) (Deleted by Bylaw 790)

6.51.08 Landscape Screening

(1) In addition to the regulations contained in Section 3.21 of the Bylaw the following regulations must apply to landscape screening in the Mixed Use Residential Commercial (MU1) Zone.

(2) A landscape and screening area not less than 1 m (3 ft) in width containing a decorative fence of not less than 1.8 m (6 ft) in height, together with decorative planting, will be provided along all lot lines separating the lot from any Residential or Multiple Residential Zone.

(3) Despite article (2) where the lot abuts a highway with residential uses across the street a 1.8 m (6 ft) high landscaping screen or solid decorative fence must be provided along the lot line if parking is placed in front of the building.

(4) Notwithstanding Article (2), the landscaping and screening area may be reduced
to zero along interior side lot lines, where the interior side lot line adjoins an area designated as Pedestrian Commercial in the Official Community Plan.  (Bylaw 1146)

6.51.09 Parking

(1) In addition to the regulations contained in Part 4 of this Bylaw the following regulations apply to parking and loading in the Mixed Use Residential Commercial (MU1) Zone.  (Bylaw 860)

(2) All parking and loading facilities must be located to the rear of the building accommodating the principal use, or underground.

6.51.10 General

The relevant regulations of Part 3 of this Bylaw must apply.
Section 6.51A – Mixed Use Residential Commercial (MU1A) Zone

(Bylaw 1124)

The intent of the Mixed Use Residential Commercial A zone is to provide a mix of residential and commercial uses to create a vibrant transition between the Core Downtown Commercial Area and other nearby uses.

6.51A.01 Permitted Uses

The following uses and no other uses are permitted in the Mixed Use Residential Commercial (MU1A) Zone:

(1) accessory buildings and uses;
(2) apartments; (Bylaw 1223, 1437)
(3) (Bylaw 1223; Deleted by Bylaw 1437)
(4) business service establishments located at the ground floor only and including but without limiting the generality of the foregoing: post office, desktop publishing, printing and photocopying;
(5) financial institutions located at the ground floor only;
(6) group day care in accordance with Section 3.26.02; (Bylaw 1146)
(7) home office home occupation in apartments in accordance with Sec. 3.09, and on land legally described as Lot A, Section 72, Esquimalt District, Plan 12506, Except Part in Plan 36622 (685 Fairway Avenue) a home occupation may include the following:

(a) Bed and breakfast limited to two rental rooms;
(b) Carpentry shops;
(c) Craft studios, including but without limiting the generality of the foregoing: painting, printing, photography, pottery and ceramics, sculpture, carvings, ornamental or art glass, and excluding boat building and auto refurbishing;
(d) Dance school and/or recital area;
(e) Day care providing care to not more than seven children at a time;
(f) Educational tutoring;
(g) Garment making and the manufacture of small leather goods, but excluding the tanning or curing of leather;
(h) Jewelry manufacturing;
(i) Minor repair shops, excluding petroleum-powered engines.
(j) Musical training and recording studios;
(k) Offices, including offices for a denturist;
(l) Personal service establishments including, but without limiting the generality of the foregoing: barber shop, beauty parlour, launderette, optical or watch repair shop, photographic studio and shoe repair;
(m) Post office;
(n) Printing, publishing, desktop publishing and bookbinding;
(o) Professional office;
(p) Repair of household furnishings, including computers; and
(q) Retail sale of goods manufactured within the dwelling unit.; (Bylaw 1146; Replaced all (7) by Bylaw 1437)
(8) live/work studios which may contain multi-family flex units and on land legally described as Lot A, Section 72, Esquimalt District, Plan 12506, Except Part in Plan 36622 (685 Fairway Avenue) may include offices for a denturist; (Bylaw 188, 1223)
(9) office located at the ground floor only;
(10) personal service establishments located at the ground floor only and including, but without limiting the generality of the foregoing; barber shop, beauty parlour, launderette, optical or watch repair shop, photographic studio, and shoe repair;
(11) preschool; (Bylaw 1146)
(12) restaurant, excluding drive-in and drive-thru restaurants, located at the ground floor only;
(13) retail store located at the ground floor only;
(14) schools, not exceeding 200 m² (2 150 ft²) of gross floor area, and not in conjunction with any other residential use;
(15) temporary construction and real estate marketing offices;
(16) townhouses; (Bylaw 1157, 1364, 1392)
(17) uses permitted by Section 3.01 of this Bylaw.

6.51A.02 Subdivision Lot Requirements

(1) No lot having an area less than 700 m² (7 535 ft²) may be created by subdivision in the MU1A Zone.
(2) No lot may be created having a lot width less than 15 m (49 ft).
(3) Notwithstanding Article (1), on lands legally described as Lot C, Section 5, Esquimalt District, Plan 28421, Except Part in Plan VIP62970 (972/974 Preston Way) no lot having an area less than 356.9 m² may be created by subdivision. (Bylaw 1248)
(4) Notwithstanding Article (2), on lands legally described as Lot C, Section 5, Esquimalt District, Plan 28421, Except Part in Plan VIP62970 (972/974 Preston Way) no lot may be created having a lot width less than 8.1 m (26.5 ft). (Bylaw 1248)

6.51A.03 Regulations for Use

(1) All principal ground floor uses must be oriented to pedestrian needs and be so located and designed as to avoid vehicular interference with pedestrian movement.
(2) The storage and display of all goods and products must be completely enclosed within a building, except for outside seating.
(3) Non-residential uses are prohibited above the ground floor and no floor may contain a mix of residential and non-residential uses. (Bylaw 1437)
(4) The above ground residential units must be provided with a separate entrance from the ground level, except where the building consists of all residential units.
(5) All accessory uses must be located to the rear of the building accommodating the
principal use. In no case may they exceed a height of 4 m (13 ft) or cover a total of more than 10% of the lot area.

(6) On the property legally described as LOT 2, SECTION 5, ESQUIMALT DISTRICT, PLAN 26285, Group Day Cares shall be permitted on any floor of a structure built before 2012. (Bylaw 1393)

6.51A.04 Density of Development

(1) Except as provided in article (2), not more than one dwelling unit per 550 m$^2$ of lot area may be constructed on any lot, and the floor area ratio for all uses may not exceed 0.3; (Bylaw 1157, 1188)

(2) Notwithstanding Subsection 6.51A.04(1), on land whose legal description is set out in Table 1 of Schedule AD, the density of development shall be regulated by floor area ratio only and the maximum floor area ratio is 2.0, if the owner of the land proposed to be developed: (Bylaw 1157, 1188: Replaced by Bylaw 1320)

(a) Pays to the City the amount specified in Column 4 of Table 1 of Schedule AD, prior to the issuance of a building permit.

(3) The floor area ratio may then be further increased to 2.25 if the owner provides 50% of the parking spaces required by this Bylaw in an enclosed parking structure, which can be further increased by increments of 0.25 for every additional 5% of parking spaces so provided, to a maximum FAR of 4.0. (Bylaw 1320, 1393, 1774, 1793)

(4) The maximum floor area ratio on land legally described as Lot A, Section 72, Esquimalt District, Plan 12506. Except Part in Plan 36622 (685 Fairway Avenue) may not exceed 0.3 unless the owner of the land proposed to be developed pays to the City, at the time of building permit, the amount of $500 per unit towards the General Amenity Reserve Fund in addition to any amounts required by Section 6.51A.04(2). Notwithstanding Subsection 6.51A.04(1), on land legally described as Lot 2, Section 5, Esquimalt District, Plan 26285, the density of development shall be one Group Day Care. Any change of density shall require a traffic study to the satisfaction of the City Engineer. (Bylaw 1188, 1320, 1393)

(5) Notwithstanding Section 6.51A.04(2)(a), the owner may provide a reduced amenity contribution from that specified in Table 1 of Schedule AD in accordance with Table 1 below where the owner enters into an agreement with the City prior to Building Permit issuance, under which agreement the owner agrees to achieve a minimum Level 1 Rating defined by the Green Development Checklist Policy. (Bylaw 1412)

Table 1 – Amenity Contribution Reductions (Bylaw 1412)

<table>
<thead>
<tr>
<th>Overall Green Development Checklist Project Rating</th>
<th>% Reduction to the Required Contributions Specified in Table 1</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Level 1</strong></td>
<td>10%</td>
</tr>
<tr>
<td><strong>Level 2</strong></td>
<td>15%</td>
</tr>
<tr>
<td><strong>Level 3</strong></td>
<td>25%</td>
</tr>
<tr>
<td><strong>Level 4</strong></td>
<td>50%</td>
</tr>
</tbody>
</table>

(6) Notwithstanding Subsection 6.51A.04(1), on land legally described as Lot 2, Section 5, Esquimalt District, Plan 26285, the density of development shall be one Group Day Care. Any change of density shall require a traffic study to the satisfaction of the City Engineer. (Bylaw 1393)
Table 1 (Deleted by Bylaw 1320)

6.51A.05 Lot Coverage

1. Lot coverage of all buildings and structures may not exceed 90%;

2. Lot coverage of all buildings and structures may not be less than 50%. \textbf{(Bylaw 1427)}

3. Despite article (2), the lot coverage of all buildings and structures on a lot containing a townhouse use may not be less than 40%; \textbf{(Bylaw 1548)}

4. \textbf{(Bylaw 1638; Deleted by Bylaw 1748)} Despite article (2), the lot coverage of all buildings and structures on the properties legally described as Lots 1 and 2, Section 72, Esquimalt District, Plan 15185 (720 and 724 Meaford Avenue), Lot A, Section 72, Esquimalt District, Plan EPP61132 (732 Meaford Avenue) and Lot 3, district Lot 72, Esquimalt District, Plan 27017 (2844 Millstream Rd) may not be less than 35%. \textbf{(Bylaw 1748)}

5. \textbf{(Bylaw 1721; Deleted by Bylaw 1748)}

6. Despite article (2), the lot coverage of all buildings and structures on the property legally described as LOT A, SECTION 72, ESQUIMALT DISTRICT, PLAN 44443, PID 005-500-907, (731 Station Avenue) may be less than 50%. \textbf{(Bylaw 1702)}

7. Despite Article (2), the lot coverage of all buildings and structures shown shaded on Schedule AK, attached to and forming part of this Bylaw, may not be less than 20%. \textbf{(Bylaw 1725)}

8. Despite article (2), the lot coverage of all buildings and structures on the properties legally described as Lot A, Sections 79 and 99, Esquimalt District, Plan 12587; and That Part of Lot 1, Section 79, Esquimalt District, Plan 4284, Lying Northerly of a Boundary Parallel and Perpendicularly Distant 100 Feet from the Southerly Boundary of Said Lot; and That Part of Section 99, Esquimalt District, Lying South of the Island Highway and West of Plan 4284 may not be less than 29%. \textbf{(Bylaw 1747)}

6.51A.06 Height and Size of Principal Use Buildings

1. No building or structure may exceed a height of seven (7) storeys. \textbf{(Bylaw 1531, 1793)}

2. \textbf{(Deleted by Bylaw 1531)}

6.51A.07 Setbacks

1. No building or structure may be located:
   (a) Within 2 m (6.5 ft) of any front lot line; or
   (b) Within 2 m (6.5 ft) of any exterior side lot line; or
   (c) Within 7.5 m (25 ft) of any rear lot line.

2. \textbf{(Bylaw 1214; Deleted by Bylaw 1746)}

3. Notwithstanding Article (1), on lands legally described as Lot C, Section 5, Esquimalt District, Plan 28421, Except Part in Plan VIP62970 (972/974 Preston Way) the minimum setback to the rear lot line is 6.0 m (19.7 ft) for Unit “A” and 3.7 m (12.1 ft) for Unit “B” as shown on the site plan attached to this Bylaw as Schedule “K”. \textbf{(Bylaw 1248)}

6.51A.08 Landscape Screening

1. In addition to the regulations contained in Section 3.2.1 of the Bylaw the following regulations must apply to landscape screening in the Mixed Use Residential Commercial (MU1A) Zone.
(2) A landscape and screening area not less than 1 m (3 ft) in width containing a decorative fence of not less than 1.8 m (6 ft) in height, together with decorative planting, will be provided along all lot lines separating the lot from any Residential or Multiple Residential Zone.

(3) Despite article (2) where the lot abuts a highway with residential uses across the street a 1.8 m (6 ft) high landscaping screen or solid decorative fence must be provided along the lot line if parking is placed in front of the building.

(4) Notwithstanding Article (2), the landscaping and screening area may be reduced to zero along interior side lot lines, where the interior side lot line adjoins an area designated as Pedestrian Commercial in the Official Community Plan. **(Bylaw 1146)**

(5) **(Bylaw 1214; Deleted by Bylaw 1746)**

6.51A.09 Parking

(1) In addition to the regulations contained in Part 4 of this Bylaw the following regulations apply to parking and loading in the Mixed Use Residential Commercial (MU1A) Zone.

(2) All parking and loading facilities must be located to the rear of the building accommodating the principal use, or underground.

(3) Despite the regulations contained in Part 4 of this Bylaw, on land whose legal description is set out in the following table, the minimum number of off-street parking spaces required shall be:

<table>
<thead>
<tr>
<th>Legal Description</th>
<th>Minimum Number of Off-Street Parking Spaces</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot A, Section 5, Esquimalt District, Plan 19712 (2871 Jacklin Road)</td>
<td>1 parking space per 30 m$^2$ of commercial gross floor area</td>
</tr>
</tbody>
</table>

(4) Notwithstanding the regulations contained in Part 4 of this Bylaw, the City Planner may vary off-street parking by up to 10% of the required off-street parking if the owner of the above described property provides five secure bicycle storage or bicycle parking spaces for each off-street vehicle parking space waived.

6.51A.10 General

The relevant regulations of Part 3 of this Bylaw must apply.
Section 6.52 – Tourist Commercial – Hotel (CT3) Zone

(Byalw 832)

6.52.01 Permitted Uses

The following uses and no others are permitted in the Tourist Commercial – Hotel (CT3) Zone:

(1) accessory uses, limited to the following:
   (a) conference and meeting facilities;
   (b) health clubs;
   (c) parking facilities;
   (d) personal service establishments;
   (e) premises licensed pursuant to the Liquor Control and Licensing Act;
   (f) public assembly and entertainment uses;
   (g) restaurants and cafes, excluding drive-in and drive-thru restaurants;
   (h) retail stores not exceeding a total gross floor area of 465 m² (5000 ft²) within the entire Tourist Commercial – Hotel (CT3) zone;

(2) community care facility;

(3) hotel;

(4) residential hotel;

(5) temporary construction and real estate marketing offices; and (Bylaw 984)

(6) uses permitted by Section 3.01 of this Bylaw.

6.52.02 Subdivision Lot Requirements

No lot having an area less than 8000 m² (2 acres) may be created by subdivision in the Tourist Commercial – Hotel (CT3) zone.

6.52.03 Lot Coverage

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

6.52.04 Density of Development

The floor area ratio of a building for a hotel use or a residential hotel use may not exceed 2.0.

6.52.05 Height and Size of Principal Use Buildings

No building or structure may exceed a height of four storeys.

6.52.06 Setbacks

No building may be located:

(1) within 2 m (6.5 ft) of any front or exterior side lot line;

(2) within 6 m (20 ft) of any interior side lot line where the interior side lot line adjoins a lot with a wholly residential use; or

(3) within 7.5 m (25 ft) of any rear lot line.
6.52.07 Landscape Screening

I. The relevant regulations of Section 3.21 of this Bylaw apply.

II. Parking areas shall be screened from any abutting residential or commercial use by a landscape screen not less than 3 m (9.8 ft) in width and 1.8 m (6 ft) in height, measured at the time of planting.

III. A continuous landscape screen not less than 1.5 m (5 ft) wide including a solid decorative fence of 1.8 m (6 ft) high shall be provided along all commercial or park property lot lines that abut a residential use. The landscape screen will be provided on the commercial or park side of the property line by the developer of the commercial or park property.

6.52.08 General

The relevant regulations of Part 3 of this Bylaw apply.
Section 6.53 – Mixed-Use Employment 1 (MUE1) Zone

6.53.01 Permitted Uses

(1) The following uses and no others are permitted in Areas A and Area B of the Mixed Use Employment 1 (MUE1) Zone as shown shaded on the MUE1 Zone Map attached as Schedule “AJ”. (Bylaw 1661)

Restaurant, Retail and Other Service Commercial Uses (Bylaw 1661)

(a) All of the uses permitted in the CS1 (Service Commercial 1) zone;

(b) Financial institutions, including drive-thru;

(c) Hotels;

(d) Parking facilities, specifically excluding vehicle storage;

(e) Premises licensed pursuant to the Liquor Control and Licensing Act;

(f) Restaurants, excluding drive-in and drive-thru, limited to 1,858 m$^2$ of gross floor area;

(g) Retail stores, limited to 1,858 m$^2$ of gross floor area;

General Uses

(h) underground vehicle storage; (Bylaw 1809)

(i) underground mini-storage; (Bylaw 1809)

(j) Health Services; (Bylaw 1809)

(k) accessory buildings and uses;

(l) public transportation depots including, but not limited to the generality of the forgoing: bus stations, bus transfer sites, aerial tram stations, mass transit stations;

(m) temporary construction and real estate marketing offices;

(n) uses permitted by Section 3.01 of this Bylaw.

Business and Technology Uses

(o) biomedical, scientific or technological research facility;

(p) commercial kitchens and facilities for food catering;

(q) electronics manufacturing;

(r) film production studios;

(s) light industrial uses in enclosed buildings which are not noxious or offensive by reason of permitting odors, dust, smoke, gas or noise, and specifically excluding the following:
i. any use specified in the *Health Act* as an offensive trade;
ii. auto wrecking;
iii. refuse and garbage dumps; and
iv. the burning of motor vehicles and other things for salvage purposes.

(t) light manufacturing and assembly in enclosed buildings including food processing but excluding the primary processing of meat, poultry and fish;

(u) offices and professional offices;

(v) printing, publishing and book binding;

(w) repair and rental of goods, equipment, tools and small equipment relating directly to any other permitted use in this zone;

Educational, Cultural and Recreational Uses

(x) assembly and entertainment uses, including but not limited to the generality of the foregoing: art gallery; auditorium; concert hall; exhibition hall; performing arts centre, and theatres;

(y) community care facilities;

(z) group daycare in accordance with Section 3.26.02;

(aa) gymnasiums, health clubs and places of recreation, including but without limiting the generality of the foregoing: arena, bowling (indoor or outdoor)’ community centre; courts for racquet sports (indoor or outdoor); athletic training facilities (indoor or outdoor); ballet schools; martial arts schools; swimming pools;

(bb) places of indoor and outdoor recreation;

(cc) schools, including universities, colleges, business colleges and trade schools;

Accessory and Transition Residential Uses

(dd) dormitories;

(ee) one dwelling unit for a proprietor or caretaker in conjunction with and forming part of any other permitted use;

(ff) one-family dwellings built prior to July 1, 2014;

(gg) temporary housing for construction workers in accordance with Section 3.06;

(2) (Deleted by Bylaw 1661)

(3) In addition to those uses permitted in accordance with Section 6.53.01(1), the following uses are permitted in Area B of the Mixed-Use Employment 1 (MUE1) Zone as shown shaded on the MUE1 Zone Map attached as Schedule "AJ": *(Bylaw 1661)*

Residential Uses

(h) apartments;
(i) assisted living apartments;
(j) townhouses;

6.53.02 Setbacks

(1) No building or structure may be located:

(a) Within 2.0 m of any lot line that adjoins a highway, except where the building is flanked by a sidewalk with a width of at least 2m in which case the setback may be reduced to nil;
(b) within 6.0 m of any lot line that adjoins a lot in a Residential or Multiple Residential Zone;

6.53.03 Density of Development (Replaced by Bylaw 1661)

(1) There may not be any development on any parcel of land that does not have access to a highway, and where a parcel of land has access to a highway there may not be more than three residential dwelling units or more than 150 m² of non-residential gross floor area in the Mixed-Use Employment 1 (MUE1) Zone;

(2) Despite subsection 6.53.03(1), there may be more than three residential dwelling units and more than 150 m² of non-residential gross floor area in the Mixed-Use Employment 1 (MUE1) Zone, but not more than 92,900 m² (1,000,000 ft²) of gross floor area in Area A and not more than 204,386 m² (2,200,000 ft²) of gross floor area in Area B if the owner of the land proposed to be built upon has: (Bylaw 1809)

(a) Consolidated the lands that are within the Mixed Use Employment 1 (MUE1) Zone to the satisfaction of the Approving Officer and the Director of Planning;
(b) entered into an agreement with the City of Langford, to the satisfaction of Council, to provide to the City;
   i. $1,000,000 towards the City's General Amenity reserve fund; OR
   ii. An alternate amenity with a demonstrable value equivalent to $1,000,000; OR
   iii. A transfer of 15% of the lands located within Mixed-Use Employment 1 (MUE1) Zone to the City of Langford; OR
   iv. Some equivalent combination of a(i) and/or a(ii) and/or a(iii)

AND

(c) Provided a traffic impact study that analyzes the impact of the proposed development on the surrounding road network, and has entered into an agreement with the City of Langford with regards to required road dedication and off-site traffic improvements recommended by the traffic impact study, as well as full frontage improvements to Subdivision and Development Servicing Bylaw No. 1000 standards, all to the satisfaction of the Director of Engineering.

(3) Despite subsections 6.53.03(1) and (2), there may be more than 92,900 m² (1,000,000 ft²) of gross floor area in Area A and more than 204,386 m² (2,200,000 ft²) of gross floor area in Area B, if the owner of the land proposed to be built upon has provided an additional traffic impact study that analyzes the impact of development beyond this level on the surrounding road network, and has entered into an agreement with the City of Langford with regards to required road dedication and off-site traffic improvements recommended by the traffic impact study, as well as full frontage improvements to Subdivision and
Development Servicing Bylaw No. 1000 standards, all to the satisfaction of the Director of Engineering; (Bylaw 1809)

(4) Despite subsections 6.53.03(1), (2), and (3), under no circumstances may the gross floor area of non-residential uses in Area B exceed 9,290 m² (100,000 ft²); (Bylaw 1809)

(5) Under no circumstances may the density of development within the MUE1 zone exceed a floor area ratio of 2.5:1;

(6) By adding the map attached to and forming Appendix “1” of this bylaw as Schedule “AJ”;

(7) A maximum of 200 units of Assisted Living are permitted in Area A. (Bylaw 1809)

6.53.04 Landscape Screening

(1) In addition to the regulations contained in Section 3.21 of this Bylaw the following regulations apply to landscape screening in the Mixed-Use Employment 1 (MUE1) Zone.

(2) A continuous landscape and screening area not less than 2.0 m wide shall be provided along the developed portion of each lot which abuts a highway. The landscaping shall have a height of not less than 1.5 m and may include a decorative fence.

(3) A continuous landscape and screening area not less than 2.5 m wide containing a decorative fence not less than 1.8 m in height together with decorative planting must be provided along the developed portion of each lot which abuts a property in a Residential or Multiple Residential Zone, except where the boundary between the two lots is separated by a highway. This landscape and screening area may be interrupted at boulevard crossings, or to provide necessary pedestrian access for entering a building or for viewing shop windows.

6.53.05 General

The relevant regulations of Part 3 of this Bylaw apply.
Section 6.53A – Community Town Centre Pedestrian 9 (C9A) Zone

(Deleted by Bylaw 1615)
Section 6.53B – Mixed-Use Employment 2 (MUE2) Zone
(Bylaw 1749)

6.53B.01 Permitted Uses

(1) The following uses and no others are permitted in the Mixed Use Employment 2 (MUE2):

**Restaurant, Retail and Other Service Commercial Uses**
(a) Financial institutions, excluding drive-thru;
(b) Gasoline Service Station; *(Bylaw 1833)*
(c) Hotels;
(d) Parking facilities, excluding vehicle storage;
(e) Premises licensed pursuant to the Liquor Control and Licensing Act;
(f) Restaurants, excluding drive-in and drive-thru, limited to 1,858 m² of gross floor area;
(g) Retail stores, limited to 5,574 m² of gross floor area;

**General Uses**
(h) accessory buildings and uses;
(i) public transportation depots including, but not limited to the generality of the foregoing: bus stations, bus transfer sites, aerial tram stations, mass transit stations;
(j) temporary construction and real estate marketing offices;
(k) uses permitted by Section 3.01 of this Bylaw.

**Business and Technology Uses**
(l) biomedical, scientific or technological research and/or manufacturing within an enclosed building;
(m) commercial kitchens and facilities for food catering;
(n) electronics manufacturing;
(o) film production studios;
(p) offices and professional offices;
(q) printing, publishing and book binding;
(r) repair and rental of goods, equipment, tools and small equipment relating directly to any other permitted use in this zone;

**Educational, Cultural and Recreational Uses**
(s) assembly and entertainment uses, including but not limited to the generality of the foregoing: art gallery; auditorium; concert hall; exhibition hall; performing arts centre, and theatres;
(t) community care facilities;
(u) group daycare in accordance with Section 3.26.02;
(v) gymnasiums, health clubs and places of recreation, including but without limiting the generality of the foregoing: arena, bowling (indoor or outdoor) community centre; courts for racquet sports (indoor or outdoor); athletic training facilities (indoor or outdoor); ballet schools; martial arts schools; swimming pools;
(w) places of indoor and outdoor recreation;
(x) schools, including universities, colleges, business colleges and trade schools;

**Residential Uses**

(y) apartments;

(z) assisted living apartments;

(aa) townhouses;

**6.53B.02 Height of Principal Use Buildings**

No townhouse may exceed a height of three storeys.

**6.53B.03 Setbacks**

(1) No building or structure may be located:

(a) Within 2.0 m of any lot line that adjoins a highway;

(b) Within 6.0 m of any lot line that adjoins a lot in a Residential or Multiple Residential Zone;

(1) Notwithstanding subsection 6.53B.03(1), townhouses may be located:

(a) Within 3.0m (9.8 ft) of any front lot line, but not within 5.5m (18 ft) of a portion of a building comprising of an attached garage;

(b) Within 5.5m (18 ft) of any rear lot line;

(c) Within 1.2m (4 ft) of an interior side lot line;

(d) Within 3.5m (11.5 ft) of any exterior side lot line.

**6.53B.04 Density of Development**

(1) There may not be any development on any parcel of land that does not have access to a highway, and where a parcel of land has access to a highway there may not be more than one residential dwelling unit or more than 150m² of non-residential gross floor area in the Mixed-Use Employment 2 (MUE2) Zone;

(2) Notwithstanding subsection 6.53B.04(1), there may be more than one residential dwelling unit, but not more than 300 residential units, and more than 150m² of non-residential gross floor area but not more than 14,000m² of non-residential gross floor area in the Mixed-Use Employment 2 (MUE2) Zone, if the owner of the land proposed to be built upon has:

(a) entered into an agreement with the City of Langford, to the satisfaction of Council, to provide to the City;

i. 16,200m² of land in a block form and location to the satisfaction of the Director of Planning; and either

ii. $1,500,000 towards the City’s General Amenity Reserve Fund for this site; OR

iii. An amenity building on this site to the satisfaction of the Director of Planning, with a certified construction value of $1,000,000 and $500,000 towards the City’s General Amenity Reserve Fund; and either

iv. $500,000 toward the City’s General Amenity Reserve Fund for this site; OR

v. Arts and Cultural structure(s) on this site to the satisfaction of the Director of Planning with a certified construction value of $500,000.
(3) Notwithstanding subsections 6.53B.04(1) and (2) there may be more than 300 residential units or more than 14,000m² of non-residential gross floor area in the Mixed-Use Employment 2 (MUE2) Zone, if the owner of the land proposed to be built upon provides to the City a traffic impact assessment that analyzes the impact of development proposed beyond 300 residential units and 14,000m² of non-residential gross floor area on the surrounding road network, and has entered into an agreement with the City of Langford with regards to required road dedication and off-site traffic improvements recommended by the traffic impact assessment, as well as full frontage improvements to Subdivision and Development Servicing Bylaw No. 1000 standards, all to the satisfaction of the Director of Engineering;

(4) Under no circumstances may the density of development within the MUE2 zone exceed a floor area ratio of 6:1;

6.53B.05 General

The relevant regulations of Part 3 of this Bylaw apply.
Section 6.54 – Belmont Market and Residences (C10) Zone

(Bylaw 1829)

6.54.01 Permitted Uses

(1) The following uses and no others are permitted in the Belmont Market and Residences (C10) Zone: (Bylaw 1829)

(a) accessory buildings and uses;
(b) apartments, including apartments for senior citizens;
(c) assisted living apartments;
(d) assembly and entertainment uses;
(e) bakery, not exceeding a total of 350m² of gross floor area;
(f) community care facility;
(g) film production studios;
(h) financial institutions, including drive-thru financial institutions;
(i) food catering facilities;
(j) gasoline service stations and car wash (Bylaw 1571)
(k) group day care in accordance with Section 3.26.02;
(l) group day care with a maximum capacity of 100 children on the property legally described as Lot 1, Section 75., Esquimalt District, Plan EPP75724, PID No. 030-357-951 (3030 Merchant Way) (Bylaw 1804)
(m) gymnasiums, health establishments, and dance studios;
(n) home occupation in accordance with Section 3.09;
(o) hotels;
(p) medical clinics;
(q) offices;
(r) places of indoor or outdoor recreation
(s) personal service establishments;
(t) premises licensed pursuant to the Liquor Control and Licensing Act;
(u) preschool;
(v) (Deleted by Bylaw 1570);
(w) restaurants;
(x) retail stores;
(y) scientific or technological research facility;
(z) shopping centres;
(aa) temporary construction and real estate marketing offices;
(bb) theatres, excluding drive-ins;
(cc) townhouses;
(dd) universities and schools;
(ee) veterinary practices in enclosed buildings; and
(ff) uses permitted by Section 3.01 of this Bylaw.
6.54.02 Subdivision Lot Requirements

(1) No lot having an area less than 695 m\(^2\) may be created by subdivision in the Belmont Market and Residences (C10) Zone; (Bylaw 1829)

(2) No lot may be created having a lot width less than 15.2 m or a lot depth less than 34 m; and

(3) Despite Sections 6.54.02(1) and (2), a lot with an area no less than 100 m\(^2\) and a width no less than 5m may be created by subdivision in the Belmont Market and Residences (C10) Zone for a townhouse use; (Bylaw 1829)

6.54.03 Density of Development

(1) There may not be more than 92.9 m\(^2\) (1,000 ft\(^2\)) of commercial gross floor area or more than 3 residential units in the Belmont Market and Residences (C10) Zone; (Bylaw 1829)

(2) Despite Section 6.54.03(1), there may be more than 92.9 m\(^2\) (1,000 ft\(^2\)) of commercial gross floor area and more than 3 residential units in the Belmont Market and Residences (C10) Zone, (Deleted by Bylaw 1571; Bylaw 1829) if the owner of the land proposed to be built upon has:

(a) Provided to the City of Langford a contribution of $2,500,000 towards the General Amenity Reserve Fund;

(b) Entered into an agreement with the City of Langford with regards to required road dedication, off-site traffic improvements, and development servicing requirements, including the construction of full frontage improvements to Bylaw No. 1000 standards, to the satisfaction of the Director of Engineering;

(c) Entered into a reciprocal access agreement to allow vehicles and pedestrians to move between those adjacent properties legally described as Lot A, Section 75, Esquimalt District, Plan VIP77807 (3061 Jacklin Rd) and Lot 1, Sections 75 and 76, Esquimalt District, Plan EPP37564 (3143 Jacklin Rd).

(3) Provided that the provisions of Section 6.54.03(2) have been met, the maximum density permitted in the Belmont Market and Residences (C10) Zone is as follows: (Bylaw 1571, 1829)

(a) On lots with an area greater than 30,000 m\(^2\), the floor area ratio may not exceed 1.0;

(b) On lots with an area of 30,000 m\(^2\) or less, the floor area ratio may not exceed 5.0.

6.54.04 Lot Coverage

(1) Lot coverage of all buildings and structures may not exceed 90%.

6.54.05 Height and Size of Principal Use Buildings

(1) No building or structure may exceed a height of ten storeys.

6.54.06 Setbacks

(1) No building or structure may be located:

   a) Within 2.0m of any lot line where the lot line adjoins a highway;
b) Within 6 m (20 ft) of any lot line where the lot line adjoins the Galloping Goose Trail;

6.54.07 Landscape Screening

(1) In addition to the regulations contained in Section 3.21 of this Bylaw, the following regulations shall apply to landscape screening in the Belmont Market and Residences (C10) Zone: (Bylaw 1829)

(2) A landscape and screening area not less than 1 m (3 ft) in width containing a decorative fence together with decorative planting of not less than 1.8 m (6 ft) in height will be provided along all lot lines separating the lot from any Residential or Multiple Residential Zone; and

(3) Notwithstanding Article (1)(a) above, the landscaping and screening area may be reduced to zero along interior side lot lines, where the interior side lot line adjoins a lot within the Belmont Market and Residences (C10) Zone. (Bylaw 1829)

6.54.08 General

The relevant regulations of Part 3 of this Bylaw shall apply.
Section 6.56 – Mixed-Use Residential Commercial Zone (MU2) Zone

The intent of the Mixed Use Residential Commercial zone is to provide a mix of residential and commercial uses to create a vibrant transition between the Core Downtown Commercial Area and other nearby uses.

6.56.01 Permitted Uses

(1) The following uses and no others are permitted in the Mixed-Use Residential Commercial Zone (MU2) Zone:

(a) accessory buildings and uses;
(b) apartments;
(c) civic uses;
(d) community garden;
(e) film production studios;
(f) financial institutions, explicitly excluding drive-in and drive-thru financial institutions;
(g) food catering facilities;
(h) group day care in accordance with Section 3.26.02;
(i) health clubs;
(j) home occupation in accordance with Section 3.09;
(k) hotels;
(l) liquor store;
(m) offices;
(n) parks;
(o) personal service establishments;
(p) premises licensed pursuant to the Liquor Control and Licencing Act;
(q) preschool;
(r) private club and fraternal lodges;
(s) public assembly and entertainment uses;
(t) restaurants and cafes, explicitly excluding drive-in and drive-thru restaurants;
(u) retail stores;
(v) schools, and not in conjunction with any other residential use;
(w) shopping centres;
(x) temporary construction and real estate marketing offices;
(y) theatres, excluding drive-ins;
(z) universities;
(aa) veterinary practices; and
(bb) uses permitted by section 3.01 of this Bylaw

6.56.02 Subdivision Lot Requirements

(1) No lot having an area less than 695 m$^2$ (7 480 ft$^2$) may be created by subdivision in the Mixed-Use Residential Commercial (MU2) Zone, except that lots abutting Goldstream Avenue, between Jacklin and Millstream Streets, must be no less than 4 000 m$^2$ (1 acre) in area.

(2) No lot may be created having a lot width less than 15.2 m (50 ft).

(3) No lot may be created having a lot depth less than 34 m (112 ft).

6.56.03 Regulations for use

(1) All principal uses must be oriented to pedestrian needs and be located and designed as to avoid vehicular interference with pedestrian movement.

(2) The storage and display of all goods and products must be completely enclosed within a building, except for outside seating and the display of goods for sale at retail.

(3) Except for the ground floor, no floor may contain a mix of residential and non-residential uses.

(4) All above-ground level dwelling units must be provided with a separate entrance at ground level.

(5) All accessory buildings and uses must be located to the rear of the building accommodating the principal use. In no case may they exceed a height of 4 m (13 ft) or cover a total of more than 10% of the lot area.

(6) A liquor store is not a permitted use if the property on which it is located is less than 800 m (2625 ft) from another liquor store or retail wine store use. (Bylaw 1685)

6.56.04 Density of Development

(1) Except as provided in subsections (2) and (3) below, the floor area ratio may not exceed 0.3, and in no case may it exceed 5. (Bylaw 1681)
(2) The floor area ratio may exceed 0.3 and in no case may it exceed 5 if the owner provides 75% of the parking spaces required by this Bylaw in an underground or completely enclosed parking structure, in addition to meeting the requirements in subsection (3) below. *(Bylaw 1681)*

(3) Notwithstanding Section 6.56.04(1), on land whose legal description is set out in Table AD, the density of development may exceed a floor space ratio of 0.3 to a maximum floor area ratio of 5 if the owner of the land proposed to be developed:

*(Bylaw 1681)*

(a) pays to the City the amount specified in Column 4 of Table 1 of Schedule AD, prior to the issuance of a building permit. *(Bylaw 1681)*

### 6.56.05 Lot Coverage

(1) Lot coverage of all buildings and structures may not exceed 90%.

(2) Where a rooftop garden or terrace is provided, the lot coverage of all buildings and structures may be increased to 100%.

### 6.56.06 Height and Size of Principal Use Buildings

(1) No building or structure may have a height less than two storeys or exceed a height of twelve stories. *(Bylaw 1681; 1839)*

(2) *(Deleted by Bylaw 1839)*

### 6.56.07 Setbacks

(1) No building or structure may be located:

(i) Within 1.2 m (4 ft) of any front lot line;

(ii) Within 6 m (20 ft) of any interior side lot line where the interior side lot line adjoins an area designated Neighbourhood in the Official Community Plan;

(iii) Within 1.2 m (4 ft) of an exterior side lot line; or

(iv) Within 7.5 m (25 ft) of any rear lot line where the interior side lot line adjoins an area designated Neighbourhood in the Official Community Plan.

### 6.56.08 Landscape Screening

(1) In addition to the regulations contained in Section 3.21 of this Bylaw, the following regulations shall apply to landscape screening in the Mixed-Use Residential Commercial (MU2) Zone:

(a) A landscape and screening area not less than 1 m (3 ft) in width containing a decorative fence together with decorative planting of not less than 1.8 m (6 ft) in height will be provided along all lot lines separating the lot from any Residential or Multiple Residential Zone; and

(b) Notwithstanding Article (1)(a) above, the landscaping and screening area may be reduced to zero along interior side lot lines, where the interior side lot line adjoins a lot from any Mixed-Use Residential Commercial (MU2).
6.56.09 Parking

(1) In addition to and despite the regulations contained in Part 4 of this Bylaw, the following regulations apply to parking and loading in the Mixed-Use Residential Commercial (MU2) Zone:

(a) Seventy-five percent (75%) of all required residential parking spaces shall be provided as underground parking or enclosed within the building envelope; and

(b) Other than access to a parking structure, parking is only permitted on the ground level of any building provided that building area extends along the length of the front and exterior side yard setbacks and the parking is set behind these portions of the building.

6.56.10 General

(1) The relevant regulations of Part 3 of this Bylaw shall apply.
Section 6.60 – Business Park 1 (BP1 – Millstream Road West) Zone

The intent of this Zone is to provide for light industrial/service commercial uses with retail limited to being ancillary to the industrial component.

6.60.01 Permitted Uses

The following uses and no others are permitted in the Business Park 1 (BP1 – Millstream Road West) Zone: *(Bylaw 628)*

1. accessory buildings and uses;
2. animal hospitals in enclosed buildings;
3. auction rooms;
4. business colleges and trade schools;
5. carpentry shops;
6. commercial bakeries;
7. commercial nurseries and greenhouses;
8. computer technology sales, service and manufacturing;
9. electronics manufacturing;
10. feed and seed supply;
11. film production studios; *(Bylaw 386)*
12. funeral parlours;
13. gymnasiums, health establishments, and dance studios;
14. indoor sports and recreational facilities with a minimum floor area of 1 395 m\(^2\) (15 000 ft\(^2\));
15. light industrial uses which are not noxious or offensive by reason of permitting odours, dust, smoke, gas or noise, including but without limiting the generality of the foregoing establishments for the following trade contractors: building, electrical, heating and air conditioning, painting, plumbing, refrigeration, roofing, septic tank and signs. The following uses are specifically excluded:
   a. any use specified in the *Health Act* as an offensive trade;
   b. auto wrecking;
   c. gravel processing;
   d. refuse and garbage dumps; and
   e. the burning of motor vehicles and other things for salvage purposes.
16. light manufacturing and assembly and food processing (excluding the primary processing of meat, poultry and fish);
17. lumber and building supply establishments;
18. machine shops;
19. mini-storage;
(20) offices;
(21) offices, storage buildings and screened yard for: building, electrical, heating, ventilating and air conditioning, painting, plumbing, refrigeration, roofing, septic tank, and sign contractors;
(22) one dwelling unit used as a caretaker suite in conjunction with other permitted uses;
(23) pet daycare; (Bylaw 1570)
(24) printing, publishing and book binding;
(25) recycling depots;
(26) refund container return depots;
(27) rental and repair of tools and small equipment such as chain saws, hand and edge tools, lawn mowers, roto tillers and outboard motors;
(28) rental of goods and equipment;
(29) repair of household furnishing;
(30) repair of motor vehicles and parts and accessories thereof;
(31) restaurants, including drive-in and drive-thru restaurants, limited to 200 m² (2150 ft²);
(32) retail sale as an accessory use limited to 20% of floor area occupied by a business;
(33) retail sales and rental and repair of automobile parts and accessories and repairs, motor vehicles (excluding passenger vehicle sales or rental), trailers, boats, camper vehicles, manufactured homes, and farm machinery and trucks; (Bylaw 445)
(34) scientific or technological research facility;
(35) temporary construction and real estate marketing offices; (Bylaw 984)
(36) unenclosed storage; (Bylaw 637)
(37) wholesale and storage warehouse buildings; and
(38) uses permitted by Section 3.01 of this Bylaw.
### 6.60.02 Further Use Regulations (Bylaw 559)

1. On land legally described as Lot 12, Sections 111 and 112, Esquimalt District, Plan 6252, except part in Plan VIP62067 Road Only; Lot E, Sections 111 and 112, Esquimalt District, Plan VIP67382, except Plan VIP67385; Amended Lot 13 (DD 226266-I), Sections 111 and 112, Esquimalt District, Plan 6252, except part in Plan VIP65946; and Amended Lot 14 (DD 226267-I), Sections 111 and 112, Esquimalt District, Plan 6252, except part in Plan VIP65946 the following uses, in addition to those described in Subsection 6.60.01, are permitted:

   a. financial institutions;
   b. hotel;
   c. medical clinics and accessory related commercial uses;
   d. personal service establishments—ancillary to a hotel or multi-level care facility;
   e. post office;
   f. premises licensed pursuant to the Liquor Control and Licensing Act;
   g. private hospital and nursing home including a multi-level care facility;
   h. public assembly and entertainment uses;
   i. restaurants not exceeding 465 m² (5 000 ft²);
   j. retail sale of furniture and home furnishings with a minimum floor area of 465 m² (5 000 ft²);
   k. retail stores with a minimum floor area of 697 m² (7 500 ft²); and
   l. theatres.

2. Notwithstanding any other part of Section 6.60, the uses referred to in s.6.60.01(15), (18), (29), (32), and (35) are expressly prohibited on land legally described as Lot 12, Sections 111 and 112, Esquimalt District, Plan 6252, except part in Plan VIP62067 Road Only; Lot E, Sections 111 and 112, Esquimalt District, Plan VIP67382, except Plan VIP67385; Amended Lot 13 (DD 226266-I), Sections 111 and 112, Esquimalt District, Plan 6252, except part in Plan VIP65946; and Amended Lot 14 (DD 226267-I), Sections 111 and 112, Esquimalt District, Plan 6252, except part in Plan VIP65946.

### 6.60.03 Subdivision Lot Requirements

1. No lot having an area less than 2 000 m² (21 530 ft²) may be created by subdivision in the Business Park 1 (BP1 – Millstream Road West) Zone. **(Bylaw 628)**

2. No lot may be created having a lot width less than 25 m (82 ft).

### 6.60.04 Lot Coverage

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

### 6.60.05 Height and Size of Principal Use Buildings

1. No building or structure may exceed a height of 12 m (39 ft).

2. On land legally described as Amended Lot 13 (DD 226266-I), Sections 111 and 112, Esquimalt District, Plan 6252, except part in Plan VIP65946; and Amended Lot 14 (DD 226267-I), Sections 111 and 112, Esquimalt District, Plan 6252,
except part in Plan VIP65946 the height of principal use buildings shall be limited to the lesser of 15 m (49 ft), or four storeys. (Bylaw 505)

(3) On land legally described as Lot 12, Sections 111 and 112, Esquimalt District, Plan 6252, except part in Plan VIP62067 Road Only; Lot E, Sections 111 and 112, Esquimalt District, Plan VIP67382, except Plan VIP67385; the height of principal use buildings shall be limited to the lesser of 15 m (49 ft), or four storeys. (Bylaw 559)

6.60.06 Setbacks

No building or structure may be located:

(1) within 7.5 m (25 ft) of any front lot line; or

(2) within 6 m (20 ft) of an interior side lot line that does not adjoin a lot in the Commercial Zone, Industrial Zone, or Business Park Zone; or

(3) within 6 m (20 ft) of any interior side lot line that does not adjoins a lot in a Commercial, Industrial, or Business Park Zone, or an area in a Comprehensive Development Zone where the principal use permitted is commercial, business park or industrial; (Bylaw 1437) or

(4) within 7.5 m (25 ft) of any rear lot line except that the setback from a rear lot line that adjoins a lot in the Commercial Zone, Industrial Zone, or Business Park Zone may be reduced to nil; or

(5) within 6 m (20 ft) of any exterior side lot line. (Bylaw 386)

6.60.07 Landscape Screening

(1) In addition to the regulations contained in Section 3.21 of this Bylaw the following regulations must apply to landscape screening in the Business Park 1 (BP1 – Millstream Road West) Zone. (Bylaw 628)

(2) A continuous landscape and screening area not less than 3 m (10 ft) wide must be provided along the developed portion of each lot which abuts a highway. This landscape and screening area may be interrupted at boulevard crossings, or to provide necessary pedestrian access for entering a building or for viewing shop windows. (Bylaw 637)

(3) Except in those portions where a building abuts a lot line a continuous landscape and screening area not less than 2.5 m (8 ft) in width containing a decorative fence not less than 1.8 m (6 ft) in height together with decorative planting must be provided along all lot lines which do not adjoin a lot in a Commercial, Business Park or Industrial Zone.

6.60.08 General

The relevant regulations of Part 3 of this Bylaw must apply.
Section 6.61 – Special Wholesale (W1) Zone

6.61.01 Permitted Uses
The following uses and no others are permitted in the Special Wholesale (W1) Zone:
(1) accessory office;
(2) financial institution;
(3) gas station and service station (with accessory retail);
(4) special wholesale;
(5) temporary construction and real estate marketing offices; (Bylaw 984)
(6) warehouse with accessory retail and storage buildings; and
(7) one accessory residence.

6.61.02 Floor Area Limitations
(1) Accessory office area may not exceed 20% of the gross floor area of the building in which it is located.
(2) Accessory retail area may not exceed 30% of the gross floor area of the building in which it is located.

6.61.03 Height and Size of Principal Use Buildings
The maximum height of any building shall be 12 m (39 ft).

6.61.04 Minimum Parcel Requirement
The minimum area of any parcel created by subdivision shall be 2.0 ha (5 acres), except for Lot D as shown on Schedule “C” in which case the minimum area shall be 0.93 ha (2.3 acres).

6.61.05 Setbacks
No building or structure may be located:
(1) less than 7.5 m (25 ft) from any front lot line; or
(2) less than 7.5 m (25 ft) from any rear lot line or a distance equivalent to the height of the closest building on the lot, whichever is greater; or
(3) less than 3 m (10 ft) from any side lot line.

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

6.61.07 Landscaping
(1) The relevant regulations of Section 3.21 of this Bylaw must apply.
(2) A landscaped area as identified on the plan labelled as Schedule “D” (which is attached to and forming part of this Bylaw), shall be provided of not less than 5 m (16 ft) from all abutting residentially designated lands including a minimum 1.8 m (6 ft) high solid fence for reducing sound; or
(3) A continuous landscaping strip not less than 2 m (6.5 ft) wide shall be provided along the developed portion of each side of the lot which abuts a highway. The landscaping shall have a height of not less than 1.5 m (5 ft) and may include a decorative fence.
Section 6.62 – Large Format Business (W2) Zone

6.62.01 Permitted Uses
The following uses and no others are permitted in the Large Format Business (W2) Zone:

(1) accessory office; and
(2) office supply store with a minimum floor area of 1 858 m² (20 000 ft²);
(3) temporary construction and real estate marketing offices; and (Bylaw 984)
(4) uses permitted by Section 3.01 of this Bylaw.

6.62.02 Floor Area Limitations
Accessory office area may not exceed 20% of the gross floor area of the building in which it is located.

6.62.03 Height and Size of Principal Use Buildings
No building or structure may exceed a height of 12 m (39 ft).

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

6.62.05 Setbacks
No building or structure may be located:

(1) within 7.5 m (25 ft) of any front lot line; or
(2) within 3 m (9.8 ft) of any side lot line; or
(3) within 7.5 m (25 ft) or any rear lot line or a distance equivalent to the height of the closest building on the lot, whichever is greater.

6.62.06 Landscape Screening

(1) A continuous landscaping strip of not less than 4 m (13 ft) shall be provided along the developed portion of each side of the lot that abuts a highway. The landscaping shall have a height of not less than 1.5 m (4.9 ft) and may include a decorative fence.

(2) The relevant regulations of Section 3.21 of this bylaw must apply.

6.62.07 General
The relevant regulations of Part 3 of this Bylaw must apply.
Section 6.63 – Business Park 2 (BP2 – Sooke Road) Zone

(Bylaw 498)

6.63.01 Permitted Uses

The following uses and no others are permitted in the Business Park (BP2 – Sooke Road) Zone:

(1) accessory unenclosed storage;
(2) heavy equipment and truck repair;
(3) light manufacturing and assembly and food processing (excluding the primary processing of meat, poultry, and fish);
(4) lumber and building supply establishments;
(5) mini-storage;
(6) offices;
(7) recycling depots;
(8) rental and repair of tools and small equipment such as chain saws, hand and edge tool, lawn mowers, roto tillers, and outboard motors;
(9) rental of goods and equipment;
(10) temporary construction and real estate marketing offices; and (Bylaw 984)
(11) wholesale and storage warehouse buildings.

6.63.02 Subdivision Lot Requirements

(1) No lot having an area less than 2 000 m² (21 530 ft²) may be created by subdivision in the Business Park (BP2 – Sooke Road) Zone.
(2) No lot may be created having a lot width less than 25 m (82 ft).

6.63.03 Lot Coverage

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

6.63.04 Height and Size of Principal Use Buildings

No building or structure may exceed a height of 12 m (39 ft).

6.63.05 Setbacks

No building or structure may be located:

(1) within 7.5 m (25 ft) of any front lot line; or
(2) within 6 m (20 ft) of an interior side lot line that does not adjoin a lot in the commercial zone, industrial zone, or business park zone; or
(3) within 6 m (20 ft) of any interior side lot line that does not adjoin a lot in a Commercial, Industrial, or Business Park Zone, or an area in a Comprehensive Development Zone where the principal use permitted is commercial, business park or industrial; (Bylaw 1437) or

(4) within 10 m (32.8 ft) of any rear lot line except that the setback from a rear lot line that adjoins a lot in the commercial zone, industrial zone, or business park zone may be reduced to nil; or

(5) within 6 m (20 ft) of any exterior side lot line.

6.63.06 Landscape Screening

(1) In addition to the regulations contained in Section 3.21 of this Bylaw the following regulations must apply to landscape screening in the Business Park (BP2 – Sooke Road) Zone.

(2) A continuous landscape and screening area not less than 3 m (10 ft) wide, or a continuous landscape and screening area not less than 2.5 m (8 ft) in width containing a decorative fence not less than 1.8 m (6 ft) in height together with decorative planting, must be provided along the developed portion of each lot which abuts a highway or a property in an agricultural, residential, or institutional zone. This landscape and screening area may be interrupted at boulevard crossings, or to provide necessary pedestrian access for entering a building or for viewing shop windows.

6.63.07 General

The relevant regulations of Park 3 of this Bylaw must apply.
Section 6.63A – Business Park 2A (BP2A – Sooke Road West) Zone

(Bylaw 1446)

6.63A.01 Permitted Uses

The following uses and no others are permitted in the Business Park 2A (BP2A – Sooke Road West) Zone:

(1) Accessory buildings, uses and unenclosed storage;
(2) Animal hospitals and veterinary clinics in enclosed buildings;
(3) Building and lumber supply establishments;
(4) Car wash;
(5) Carpentry shops;
(6) Coffee shops;
(7) Commercial nurseries and greenhouses;
(8) Commercial bakeries;
(9) Concrete and concrete products manufacturing and sale;
(10) Crematorium; (Bylaw 1746)
(11) Facilities for green energy and heat production;
(12) Feed and seed supply;
(13) Film production studios;
(14) Financial institutions, including drive-thru;
(15) Food catering facilities;
(16) Gasoline service station;
(17) General industrial uses including truck terminal facilities, metal fiberglass or wood manufacturing or fabrication, wholesale, warehouse and storage buildings;
(18) Gravel and aggregate processing and sale;
(19) Group day care in accordance with Section 3.26.02;
(20) Gymnasiums, health establishments and dance studios;
(21) Light manufacturing and assembly in enclosed buildings, including but not limited to: food and drink processing, computer technology service and manufacturing, electronics manufacturing, and green technology manufacturing;
(22) Light industrial uses for offices and storage buildings for: machine shops, general contracting, electrical, air conditioning, plumbing, roofing, sheet metal, HVAC, paint, building, refrigeration, septic tank and sign contractors, which are not noxious of offensive by reason of permitting odours, dust, smoke, gas or noise;
(23) Medical laboratories and services;
(24) Mini-storage;
(25) Offices;
(26) One dwelling unit used as a caretaker suite in conjunction with other permitted uses;
(27) Post Office;
(28) Premises licensed pursuant to the Liquor Control and Licensing Act;
(29) Printing, publishing and book binding;
(30) Recycling depots;
(31) Refund container return depots;
(32) Rental of goods and equipment;
(33) Repair of household furnishings;
(34) Restaurants, including drive-ins and drive thru;
(35) Retail sales, limited to 25% of the gross floor area of a building;
(36) Retail garden supply centre
(37) Retail sale, rental and repair of tools and small equipment such as chain, saws, hand and edge tools, lawn mowers, motorbikes, rotor tillers and outboard motors;
(38) Retail sale, rental and repair of motorcycles, automobiles, trucks, boats, recreational vehicles, manufactured homes, farm machinery, small industrial equipment such as skid steer loaders and heavy industrial equipment (e.g.: loaders, excavators) and heavy trucks (i.e.: greater than 2700 kg GVW) and parts and accessories thereof; (Bylaw 1548)
(39) Scientific, medical or technological research facility;
(40) Temporary construction and real estate marketing offices;
(41) Towing companies and parking facilities for towing companies;
(42) Wholesale and storage warehouse buildings;
(43) On lands shown as “Business Park 2A – Sooke Road West” on the BP2A zone map attached as Schedule “SW”, the following uses, in addition to those listed above, are permitted: (Bylaw 1670, 1742)
  a) Schools; and
  b) Retail stores;

6.63A.02 Further Use Regulations (Bylaw 1670, 1742)

  (1) Notwithstanding any other part of Section 6.63A, the following uses are expressly prohibited on those lands shown as “Business Park 2A – Sooke Road West” on the BP2A zone map attached as Schedule “SW”:

  a) Gravel and aggregate processing and sale; and

  b) Retail sale, rental and repair of motorcycles, automobiles, trucks, boats, recreational vehicles, manufactured homes, farm machinery, and small industrial equipment such as skid steer loaders and heavy industrial equipment and heavy trucks (i.e. Greater than 2700 gf of GVW) and parts and accessories thereof.

6.63A.03 Subdivision Lot Requirements

  (1) No lot having an area less than 1,000m² (0.25 ac) may be created by subdivision in the Business Park 2A (BP2A – Sooke Road West) Zone;
  (2) No lot may be created having a lot width less than 7 m (23 ft)

6.63A.04 Density of Development

  (1) The maximum lot size for any lot containing buildings and structures that comprise less than 10% lot coverage shall be 1,000m² (0.25 ac).

6.63A.05 Lot Coverage

  (1) Lot coverage of all buildings and structures may not exceed 60%.

6.63A.06 Height and Size of Principal Use Buildings

  (1) No building may exceed four (4) stories in height;
  (2) No structure may exceed a height of 15m (49.2ft).
6.63A.07 Setbacks

No building or structure may be located:

(1) Within 4.5m (14.8ft) of any lot line that abuts Sooke Road;

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

6.63A.08 Landscape Screening

(1) In addition to the regulations contained in Section 3.21 of this Bylaw the following regulations must apply to landscape screening in the Business Park 2A (BP2A – Sooke Road West) Zone.

(2) A continuous landscape and screening area not less than 3 m (10 ft) wide, or a continuous landscape and screening area not less than 2.5 m (8 ft) in width containing a fence not less than 1.8 m (6 ft) in height together with decorative planting, must be provided along the developed portion of each lot which abuts a highway or a property in an agricultural, residential, or institutional zone. This landscape and screening area may be interrupted at boulevard crossings, or to provide necessary pedestrian access for entering a building or for viewing shop windows.

6.63A.09 General

The relevant regulations of Part 3 of this Bylaw must apply.
Section 6.64 – Business Park 1A (BP1A – Millstream Road East) Zone

(Bylaw 628, 812, 828; Replaced by Bylaw 946)

The intent of this Zone is to provide for a mix of multi-family residential, small lot residential and business park commercial uses, with commercial uses limited to an aggregate total gross floor area of 27,870 m² (300,000 ft²) within the zone as a whole, and with smaller retail stores (less than 697 m² (7500 ft²)) and restaurants being limited as part of this aggregate total commercial floor space.

6.64.01 Permitted Uses

(1) The following uses and no others are permitted within that portion of the Business Park 1A (BP1A – Millstream Road East) Zone identified as “Area A – Commercial”, “Area C – Commercial and/or Multi-Family Residential” and “Area E – Amenity” on the BP1A (Business Park 1A – Millstream Road East) map attached as Schedule “T”:

(a) accessory buildings and uses;
(b) animal hospitals in enclosed buildings;
(c) car wash;
(d) computer technology sales, service and manufacturing;
(e) electronics manufacturing, which shall be considered a commercial use for the purposes of the regulations in this Section 6.64;
(f) financial institutions, including drive-thru;
(g) gymnasiums, health establishments, and dance studios;
(h) home occupation together with and in conjunction with the principal use permitted in Clause I below and in accordance with Section 3.09; (Bylaw 1146)
(i) offices;
(j) personal service establishments; (Bylaw 1676)
(k) post office;
(l) printing, publishing and book binding;
(m) repair of automobiles and parts and accessories thereof, as an accessory use to the retail sale of automobile parts and accessories;
(n) restaurants, including drive-in and drive-thru;
(o) on land legally described as Lot 10, Section 111 and 112, Esquimalt District, Plan VIP79770 (2401 Millstream Road) retail sales of wine is permitted; (Bylaw 1010)
(p) retail stores;
(q) temporary construction and real estate marketing offices; (Bylaw 984)
(r) theatres; and
(s) in addition to the foregoing uses, apartment uses are also permitted within that portion of the Business Park 1A (BP1A – Millstream Road East) Zone identified as “Area C – Commercial and/or Multi-Family Residential” on the BP1A (Business Park 1A – Millstream Road East) map attached as Schedule “T”.

(2) The following uses and no others are permitted within that portion of the Business Park 1A (BP1A – Millstream Road East) Zone identified as “Area B – Multi-Family Residential”, “Area C – Commercial and/or Multi-Family Residential” and “Area E – Amenity” on the BP1A (Business Park 1A – Millstream Road East) map attached as Schedule “T”:

(a) accessory buildings and uses;
(b) apartment;
(c) attached housing;
(d) home occupation in accordance with Section 3.09; (Bylaw 1146)
(e) one-family dwelling;
(f) temporary construction and real estate marking offices; (Bylaw 984)
(g) townhouses.

(3) The following uses and no others are permitted within that portion of the Business Park 1A (BP1A – Millstream Road East) Zone identified as “Area D – Single Family Residential” and “Area E – Amenity” on the BP1A (Business Park 1A – Millstream Road East) map attached as Schedule “T”:

(a) accessory buildings and uses;
(b) home occupation in accordance with Section 3.09; (Bylaw 1146)
(c) one-family dwelling; and
(d) temporary construction and real estate marking offices. (Bylaw 984)

(4) mini-storage on land that are not subject to Schedule “T” (Bylaw 1642, 1531)

6.64.02 Subdivision Lot Requirements

(1) No lot having an area less than 2 000 m² (0.5 acres) may be created by subdivision in the Business Park 1A – Millstream Road East (BP1A) Zone;

(2) No lot may be created having a lot width less than 25 m (82 ft); and

(3) No land shall be subdivided within the BP1A (Business Park 1A – Millstream Road East) zone unless the gross floor area and site coverage limits established by this bylaw are distributed among the lots being created, such that the limits for the zone as a whole will not be exceeded if each lot being created by subdivision is developed to its full potential, and the limits are made applicable to each lot by amendment of this bylaw or by covenant under s.219 of the Land Title Act.
6.64.03 Lot Coverage

(1) The lot coverage of all buildings and structures within that portion of the BP1A (Business Park 1A – Millstream Road East) zone identified as Schedule “T” as a whole shall not exceed 50%; (Bylaw 1642)

(2) The lot coverage of all buildings and structures on an individual lot may not exceed 75%; and

(3) The lot coverage of all buildings and structures within that portion of the BP1A zone legally described as Lot 1, Section 109, Esquimalt District, Plan 15552 Except Part in Plan VIP71965 (667 Redington Ave), shall not exceed 75%. (Bylaw 1642)

6.64.04 Height and Size of Principal Use Buildings

(1) No building or structure for a commercial use may exceed a height of 13.7 m (45 ft); and

(2) No building or structure for a multi-family residential use, or a mixed commercial and multi-family residential use may exceed a height of 18.3 m (60 ft).

6.64.05 Density of Development

(1) The total combined gross floor area of all commercial buildings within that portion of the BP1A (Business Park 1A – Millstream Road East) zone identified of Schedule “T”, shall not exceed 27,870m$^2$ (300,000 ft$^2$); (Bylaw 1642)

(2) The total combined gross floor area of retail stores with a floor area less than 464.5 m$^2$ (5 000 ft$^2$) is limited to a total of 7432 m$^2$ (80 000 ft$^2$) for the entire BP1A (Business Park 1A – Millstream Road East) zone as a whole; (Bylaw 1010)

(3) Restaurants shall not exceed a total combined gross floor area of 2 787 m$^2$ (30 000 ft$^2$) in the BP1A (Business Park 1A – Millstream Road East) zone as a whole;

(4) Offices shall not exceed a total combined gross floor area of 2 230 m$^2$ (24 000 ft$^2$) in the BP1A (Business Park 1A – Millstream Road East) zone as a whole; and

(5) The floor area ratio of any multi-family residential use is limited to 1.5.

(6) The total gross floor area of all buildings on that portion of the BP1A Zone legally described as Lot 1, Section 109, Esquimalt District, Plan 15552 Except Part in Plan VIP71965 (667 Redington Ave) shall not exceed 8500m$^2$. (Bylaw 1642)

(7) The gross floor area of a personal service establishment shall not exceed 186 m$^2$ (2000 ft$^2$) within a single unit; and (Bylaw 1676)

(8) Personal services establishments shall not exceed a total combined gross floor area of 743 m$^2$ (8000 ft$^2$) in the BP1A (Business Park 1A – Millstream Road East) zone as a whole. (Bylaw 1676)

6.64.06 Setbacks

(1) No building or structure may be located:

(a) within 3 m (10 ft) of Millstream Road, McCallum Road and any residential lot accessed off Redington Ave or Skedans Rd; and

(b) within 4.5 m (15 ft) of Sunshine Terrace or Treanor Avenue, except that this setback may be reduced to 3 m (10 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 and
(2) Notwithstanding any other regulation in this section, no building or structure on a lot less than 550 m² may be located:
   (a) within 1.2 m (4 ft) of any interior side lot line;
   (b) within 3 m (10 ft) of any exterior side lot line;
   (c) within 6 m (20 ft) of any rear lot line; and
   (d) within 1.5 m (5 ft) of any statutory right-of-way registered in favour of the City of Langford paralleling Millstream Road; (Bylaw 1039)

(3) Notwithstanding any other regulation in this section, no building or structure containing a multi-family residential use may be located:
   (a) within 3 m (10 ft) of any interior side lot line;
   (b) within 7.5 m (25 ft) of any exterior side lot line; and
   (c) within 3 m (10 ft) of any rear lot line.

6.64.07 Landscape Screening

(1) In addition to the regulations contained in Section 3.21 of this Bylaw the following regulations apply to landscape screening in the Business Park 1A (BP1A – Millstream Road East) Zone.

(2) A continuous landscape and screening area not less than 3 m (10 ft) wide must be provided along the developed portion of each lot that abuts a highway except that on lots developed with residential uses only, the landscape and screening area shall be not less than 1 m (3 ft) in width. This landscape and screening area may be interrupted at boulevard crossings, or to provide necessary pedestrian access for entering a building or for viewing shop windows.

(3) Except in those portions where a building abuts a lot line, a continuous landscape and screening area not less than 2.5 m (8 ft) in width containing a decorative fence not less than 1.8 m (6 ft) in height together with decorative planting must be provided along all lot lines adjoining a lot that is not in a Commercial, Business Park or Industrial Zone.

6.64.08 “Retail sales of wine” is not a permitted use if the property on which it is located is less than 800 m (2625 ft) from another liquor store or retail wine store use. (Bylaw 1685)

6.64.09 General

The relevant regulations of Part 3 of this Bylaw apply.
Section 6.65 – Business Park 3 (BP3 – Amy Road) Zone

(Bylaw 1313)

6.65.01 Permitted Uses

The following uses and no others are permitted in the Business Park (BP3 – Amy Road) Zone:

(1) accessory buildings and uses;
(2) bus terminals; (Bylaw 1533)
(3) carpentry shops;
(4) commercial bakeries;
(5) computer technology sales, service and manufacturing;
(6) electronics manufacturing;
(7) film production studios;
(8) funeral parlours;
(9) light industrial uses which are not noxious or offensive by reason of permitting odours, dust, smoke, gas or noise, including but without limiting the generality of the foregoing establishments for the following trade contractors: building, electrical, heating and air conditioning, painting, plumbing, refrigeration, roofing, septic tank and signs. The following uses are specifically excluded:
   (a) any use specified in the Health Act as an offensive trade;
   (b) auto wrecking;
   (c) gravel processing;
   (d) refuse and garbage dumps; and
   (e) the burning of motor vehicles and other things for salvage purposes.
(10) light manufacturing and assembly and food processing (excluding the primary processing of meat, poultry and fish);
(11) building supply establishments;
(12) machine shops;
(13) medical clinics and accessory related commercial uses;
(14) mini-storage;
(15) offices, storage buildings and screened yard for: building, electrical, heating, ventilating and air conditioning, painting, plumbing, refrigeration, roofing, septic tank, and sign contractors;
(16) one dwelling unit used as a caretaker suite in conjunction with and accessory to another permitted use;
(17) post office;
(18) premises licensed pursuant to the Liquor Control and Licensing Act;
(19) printing, publishing and book binding;
(20) recycling depots;
(21) refund container return depots;
(22) rental and repair of tools and small equipment such as chain saws, hand and edge tools, lawn mowers, roto tillers and outboard motors;
(23) rental of goods and equipment;
(24) repair of household furnishing;
(25) restaurants not exceeding 200 m² (2150 ft²) per lot;
(26) retail sale as an accessory use limited to 20% of floor area occupied by a business;
(27) retail sale, rental and repair of parts and accessories from automobiles, trailers, boats, camper vehicles, manufactured homes, farm machinery and trucks;
(28) scientific or technological research facility;
(29) temporary construction and real estate marketing offices;
(30) unenclosed storage;
(31) wholesale and storage warehouse buildings; and
(32) uses permitted by Section 3.01 of this Bylaw.

6.65.02 Subdivision Lot Requirements

(1) No lot having an area less than 1 500 m² (16 146 ft²) may be created by subdivision in the Business Park (BP3 – Amy Road) Zone.
(2) No lot may be created having a lot width less than 25 m (82 ft).

6.65.03 Lot Coverage

(1) Lot coverage of all buildings and structures may not exceed 60%.

6.65.04 Height and Size of Principal Use Buildings

No building or structure may exceed a height of 2 storeys.

6.65.05 Setbacks

No building or structure may be located:
(1) within 7.5 m (25 ft) of any front lot line; or
(2) within 6 m (20 ft) of any interior side lot line that does not adjoin a lot in a Commercial, Industrial, or Business Park Zone, or an area in a Comprehensive Development Zone where the principal use permitted is commercial, business park or industrial; (Bylaw 1437) or
(3) within 10 m (33 ft) of any rear lot line except that the setback from a rear lot line that adjoins a lot in the commercial zone, industrial zone, or business park zone may be reduced to nil; or
(4) within 6 m (20 ft) of any exterior side lot line.

6.65.06 Landscape Screening

(1) In addition to the regulations contained in Section 3.21 of this Bylaw the following regulations must apply to landscape screening in the Business Park 3 (BP3 – Amy Road) Zone.
(2) Where the setback is 1 m (3.3 ft) or more, a continuous landscape and screening area not less than 1 m (3.3 ft) wide containing a decorative fence not less than 1.8 m (6 ft) in
height together with decorative planting, must be provided along the developed portion of each lot which abuts a property in an agricultural, residential, or institutional zone. This landscape and screening area may be interrupted at boulevard crossings, or to provide necessary pedestrian access for entering a building or for viewing shop windows.

6.65.07 General

The relevant regulations of Part 3 of this Bylaw must apply.
Section 6.66 – Business Park 4 – Millstream Road North (BP4) Zone

(Bylaw 1337)

6.66.01 Permitted Uses

(1) The following uses and no others are permitted within the Business Park 4 (Millstream Road North) Zone:

(a) accessory buildings and uses;
(b) accessory unenclosed storage;
(c) asphalt processing, manufacturing and sale;
(d) carpentry shops;
(e) coffee shops;
(f) commercial nurseries and greenhouses;
(g) concrete and concrete products manufacturing and sale;
(h) crematorium; (Bylaw 1746)
(i) feed and feed supply;
(j) film production studios;
(k) general industrial uses including truck terminal facilities, food and drink processing, metal fiberglass or wood manufacturing or fabrication, wholesale and storage buildings;
(l) gravel and aggregate processing and sale;
(m) home occupation in a one-family dwelling;
(n) machine shops;
(o) mini-storage;
(p) offices and storage buildings/yards for: general contracting, electrical, plumbing, roofing, sheet metal, HVAC, paint, building refrigeration, roofing, septic tank and sign contractors
(q) offices;
(r) one dwelling unit used as a caretaker suite in conjunction with other permitted uses;
(s) one family dwelling;
(t) recycling depot;
(u) repair of household furnishings
(v) retail lumber and building supply establishments
(w) retail sale, rental and repair of tools and small equipment such as chain saws, hand and edge tools, lawn mowers, roto-tillers and outboard motors and parts and accessories thereof;
(x) retail sale, rental and repair of motorcycles automobiles, trucks, boats, camper vehicles, manufactured homes farm machinery, small industrial equipment such as skid steer loaders and heavy industrial equipment (e.g.: loaders, excavators) and
heavy trucks (i.e.: greater than 2700 kg GVW); and parts and accessories thereof; (Bylaw 1548)

(y) temporary construction and real estate marketing offices; and  
(z) towing companies and parking facilities for towing companies.

6.66.02 Subdivision Lot Requirements  
(1) No lot having an area less than 2 000 m² (0.5 acres) may be created by subdivision in the Business Park 4 (Millstream Road North) Zone;  
(2) Notwithstanding subsection 6.66.02(1) a lot having an area of not less than 300 m² (5 920 ft²) and not more than 599 m² (11,830 ft²) may be created by subdivision if the parcel being created fronts onto Millstream Road;  
(3) No lot for a one-family residential use may be created having a lot width less than 16 m (52.5 ft).

6.66.03 Lot Coverage  
(1) The lot coverage of all buildings and structures within the Business Park 4 (Millstream Road North) zone as a whole shall not exceed 50%.

6.66.04 Height and Size of Principal Use Buildings  
(1) No building for a commercial, business park or industrial use may exceed a height of 3 storeys;  
(2) No one-family residential dwelling may exceed a height of 9 m (30 ft).

6.66.05 Density of Development  
(1) The floor area ratio for all business park uses shall not exceed 1.0;  
(2) Under no circumstance may there be more than one one-family residential dwelling on a lot, nor a combination of a one-family dwelling and any other permitted use other than home occupation;

6.66.06 Setbacks  
(1) No building or structure may be located:  
(a) within 3 m (10 ft) of Millstream Road;  
(b) within 0 m (0 ft) of any lot line, if that lot line abuts a lot that is zoned commercial or industrial.

6.66.07 Landscape Screening  
(1) In addition to the regulations contained in Section 3.21 of this Bylaw the following regulations apply to landscape screening in the Business Park 4 (Millstream Road North) Zone.  
(2) A continuous landscape and screening area not less than 3 m (10 ft) wide must be provided along the developed portion of each lot that abuts a highway. This landscape and screening area may be interrupted at boulevard crossings, or to provide necessary pedestrian access for entering a building or for viewing shop windows.
6.66.08 General

The relevant regulations of Part 3 of this Bylaw apply.
Section 6.67 – Langford Business and Technology Park (BT1) Zone

The intent of this zone is to provide for predominantly technology related business and industry in a business park setting for the purpose of maximizing job creation and business development opportunities.

6.67.01 Permitted Uses

The following uses and no others are permitted in the Langford Business and Technology Park (BT1) Zone:

1. accessory buildings and uses;
2. apartment on the lots legally described as LOT G SECTION 99 ESQUIMALT DISTRICT PLAN EPP20282 (2757 Leigh Rd) and LOT F SECTION 99 ESQUIMALT DISTRICT PLAN EPP20282 (2763 Leigh Rd); *(Bylaw 1531)*
3. film production studios;
4. group daycare in accordance with Section 3.26.02;
5. gymnasiums and health establishments;
6. light industrial uses in enclosed buildings which are not noxious or offensive by reason of permitting odors, dust, smoke, gas or noise, and specifically excluding the following:
   a. any use specified in the *Health Act* as an offensive trade;
   b. auto wrecking;
   c. gravel processing;
   d. refuse and garbage dumps; and
   e. the burning of motor vehicles and other things for salvage purposes.
7. light manufacturing and assembly in enclosed buildings, including food processing but excluding the primary processing of meat, poultry and fish;
8. live/work studio;
9. offices, including the following:
   a. offices for general contractors including, but not limited to the generality of the foregoing: building, electrical, heating, ventilation and air conditioning, painting, plumbing, refrigeration, roofing and sign contractors, and only where unenclosed storage or parking for vehicles that is accessory to these uses occurs within a rear or interior side yard setback and is screened from public view;
   b. professional offices, including but without limiting the generality of the foregoing: accountants, lawyers, doctors, dentists, chiropractors, physiotherapists, massage therapists, related health care practitioners. Notary publics, real estate, advertising and insurance;
10. printing, publishing and book binding;
11. restaurants, excluding drive-in and drive-thru restaurants, limited to 200 m² (2150 ft²);
12. retail stores, limited to 25% of gross floor area of any building;
13. scientific or technological research facility;
14. schools, universities, colleges, business colleges and trade schools;
15. uses permitted by Section 3.01 of this Bylaw;
(16) on land legally described as Lot 7, Section 99, Esquimalt District, Plan 22423; PID No.: 000-183-521 (2792 Leigh Rd) a one-family dwelling which may contain a secondary suite within the one-family dwelling or a garden suite or carriage suite in accordance with Section 3.08. (Bylaw 1610, 1696)

6.67.02 Regulations of Use for Apartment (Bylaw 1531)

An apartment use, where permitted, will be subject to the regulations and density bonus provisions of the Medium Density Apartment A (RM7A) Zone and not the regulations of this Zone.

6.67.03 Lot Coverage

Lot coverage of all buildings and structures may not exceed 90%.

6.67.04 Setbacks

No building or structure may be located:

(1) within 6 m (20 ft) of any lot line that does not directly adjoin (eg: where two properties are not separated by a highway) a lot in a commercial, industrial or business park zone;

6.67.05 Regulations for One-Family Dwelling Use (Bylaw 1610)

In addition to the other regulations in this section the following regulations apply to one-family dwellings in the BT1 (Business and Technology Park Zone):

(1) One-family dwellings are prohibited on panhandle lots;

(2) The lot area for a one-family dwelling may not be less than 750 m² (8073 ft²);

(3) Notwithstanding Subsection 6.67.03, no principal building or structure for a one-family dwelling use may be located:

(a) Within 6 m (20 ft) of any front or rear lot line, unless the structure was in existence on January 1, 2016;

(b) Within 1.5 m (5 ft) of any interior lot line;

(c) Within 4.5 m (15 ft) of any exterior lot line, except that no garage or carport that faces an exterior lot line may be within 5.5 m of the exterior lot line;

(4) Notwithstanding Subsection 6.67.03, on land legally described as Lot 7, Section 99, Esquimalt District, Plan 22423; PID No.: 000-183-521 (2792 Leigh Rd) an accessory building is permitted, provided that it conforms with the requirements of Part 3 of this regulation.

6.67.06 Landscape Screening

(1) In addition to the regulations contained in Section 3.21 of this Bylaw the following regulations must apply to landscape screening in the Langford Business and Technology Park 1 (BT1) zone;

(2) A continuous landscape and screening area not less than 1.5 m (5 ft) wide must be provided along the developed portion of each lot which abuts a highway. This landscape and screening area may be interrupted at boulevard crossings, or to provide necessary pedestrian access for entering a building;
(3) A continuous landscape and screening area not less than 1.5 m (5 ft) in width containing a decorative fence not less than 1.8 m (6 ft) in height together with decorative planting must be provided along all lot lines which do not adjoin a lot in a Commercial, Business Park or Industrial Zone.

6.67.07 General

The relevant regulations of Part 3 of this Bylaw must apply.
Section 6.68 – Business Park 5 (BP5 – McCallum Road South) Zone

(Bylaw 1444)

6.68.01 Permitted Uses

The following uses and no others are permitted in the Business Park (BP3 – Amy Road) Zone:

(1) accessory buildings and uses;
(2) light manufacturing and assembly;
(3) offices;
(4) offices, storage buildings and screened yards for trade contractors: road construction and maintenance, and signs;
(5) one dwelling unit used as a caretaker suite in conjunction with and accessory to another permitted use;
(6) rental and repair of tools and small equipment such as chain saws, hand and edge tools, lawn mowers, roto tillers and outboard motors;
(7) retail sale as an accessory use limited to 20% of floor area occupied by a business;
(8) retail sale, rental and repair of parts and accessories from automobiles, trailers, boats, camper vehicles, manufactured homes, farm machinery and trucks;
(9) temporary construction and real estate marketing offices;
(10) unenclosed storage; and
(11) uses permitted by Section 3.01 of this Bylaw.

6.68.02 Subdivision Lot Requirements

(1) No lot having an area less than 1 500 m² (16 146 ft²) may be created by subdivision in the Business Park 5 (BP5 – McCallum Road South) Zone.
(2) No lot may be created having a lot width less than 25 m (82 ft).

6.68.03 Lot Coverage

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

6.68.04 Height and Size of Principal Use Buildings

No building or structure may exceed a height of 12m (39.4ft).

6.68.05 Setbacks

No building or structure may be located:

(1) within 3.0 m (9.8 ft) of any front lot line; or
within 6.0 m (19.7 ft) of any interior side lot line that adjoins a Zone where the principal permitted use is residential, unless the building is designed to act as a sound attenuation screen, in which case the setback may be reduced to 2.5m (8.2 ft);

(3) within 3.0 m (9.8 ft) of any exterior side lot line; or

(4) within 6.0 m (19.7 ft) of any rear lot line that adjoins a Zone where the principal permitted use is residential, unless the building is designed to act as a sound attenuation screen, in which case the setback may be reduced to 2.5m (8.2 ft);

6.68.06 Landscape Screening

(1) In addition to the regulations contained in Section 3.21 of this Bylaw the following regulations must apply to landscape screening in the Business Park 5 (BP5 – McCallum Road South) Zone.

(2) A continuous landscape and screening area not less than 2.0 m (6.6 ft) wide shall be provided along the developed portion of each lot which abuts a highway. The landscaping shall have a height of not less than 1.5m (4.9ft) and may include a decorative fence.

(3) A continuous landscape and screening area not less than 2.5 m (8.2 ft) wide containing a decorative fence not less than 1.8 m (6 ft) in height together with decorative planting must be provided along the developed portion of each lot which abuts a property in a Residential zone. This landscape and screening area may be interrupted at boulevard crossings, or to provide necessary pedestrian access for entering a building or for viewing shop windows.

6.68.07 General

The relevant regulations of Part 3 of this Bylaw must apply.
Section 6.69 – Business Park 6 – Gardner Creek (BP6) Zone

(Bylaw 1448)

6.69.01 Permitted Uses

The following uses and no others are permitted in the Business Park (BP6 – Garner Creek) Zone:

1. accessory buildings and uses;
2. accessory unenclosed storage up to a maximum of 20% of total lot area;
3. animal hospitals in enclosed buildings;
4. auction rooms;
5. business colleges and trade schools;
6. lumber and building supply establishments, including feed and seed supply and garden centres;
7. carpentry shops;
8. commercial bakeries;
9. computer technology sales, service and manufacturing;
10. electronics manufacturing;
11. feed and seed supply;
12. film production studios;
13. food catering facilities;
14. funeral services;
15. gymnasiums, health establishments, and dance studios;
16. light industrial uses which are not noxious or offensive by reason of permitting odours, dust, smoke, gas or noise, including but without limiting the generality of the foregoing establishments for the following trade contractors: building, electrical, heating and air conditioning, painting, plumbing, refrigeration, roofing, septic tank and signs. The following uses are specifically excluded:

a. any use specified in the Health Act as an offensive trade;
b. auto wrecking;
c. gravel processing;
d. refuse and garbage dumps; and
e. the burning of motor vehicles and other things for salvage purposes.
(17) light manufacturing and assembly and food processing (excluding the primary processing of meat, poultry and fish);
(18) machine shops;
(19) mini-storage;
(20) offices, storage buildings and screened yard for: building, electrical, heating, ventilating and air conditioning, painting, plumbing, refrigeration, roofing, septic tank, and sign contractors;
(21) one dwelling unit used as a caretaker suite in conjunction with and accessory to another permitted use;
(22) printing, publishing and book binding;
(23) rental and repair of tools and equipment, excluding heavy equipment;
(24) repair of household furnishings;
(25) retail sale of auto parts and accessories;
(26) repair and rental of motor vehicles, trailers, boats, camper vehicles, farm machinery, trucks, parts and accessories;
(27) scientific or technological research facility;
(28) temporary construction and real estate marketing offices;
(29) welding shops;
(30) wholesale and storage warehouse buildings; and
(31) uses permitted by Section 3.01 of this Bylaw.

6.69.02 Subdivision Lot Requirements
(1) No lot having an area less than 90 m² may be created by subdivision in the Business Park 6 (BP6 – Gardner Creek Business Park) Zone.

6.69.03 Height and Size of Principal Use Buildings
No building or structure may exceed a height of two storeys.

6.69.04 Setbacks
(1) No building or structure may be located:
   (a) within 1.5 m of the northernmost boundary of the BP6 Zone;
   (b) within 1.5 m of Millstream Road;
   (c) within 3m of the southern lot line of the property legally described as Lot A, Section 1, Range 3 West, Highland District, Plan 40135 (2312 Millstream Road);
   (d) within 6m of the westernmost boundary of the property legally described as Lot A, Section 1, Range 3 West, Highland District, Plan 40135 (2312 Millstream Road);
(2) notwithstanding Section 6.69.04(1)(a), no building or structure may be located within 6 m of the northernmost boundary of the BP6 Zone, where that building or structure is located within 40 m of Millstream Road;

(3) notwithstanding Section 6.69.04(1)(b), on the property legally described as Lot A, Section 1, Range 3 West, Highland District, Plan 40135 (2312 Millstream Road), the setback from Millstream Road may be 0 m;

(4) notwithstanding any other clause in this bylaw, no building or structure may be located within 1.2 m of a Streamside Protection and Enhancement Area (SPEA) where the side of the building facing the SPEA is fenestrated, or within 0.5 m of a SPEA where the side of the building facing the SPEA is not fenestrated.

6.69.05 Landscape Screening

(1) In addition to the regulations contained in Section 3.21 of this Bylaw the following regulations must apply to landscape screening in the Business Park 6 (BP6 – Gardner Creek Business Park) Zone.

(2) A continuous landscape and screening area not less than 2.0 m wide shall be provided along the developed portion of each lot which abuts a highway. The landscaping shall have a height of not less than 1.5m and may include a decorative fence.

(3) A continuous landscape and screening area not less than 2.5 m wide containing a decorative fence not less than 1.8 m in height together with decorative planting must be provided along the developed portion of each lot which abuts a property in a Residential zone. This landscape and screening area may be interrupted at boulevard crossings, or to provide necessary pedestrian access for entering a building or for viewing shop windows.

6.69.06 General

The relevant regulations of Part 3 of this Bylaw must apply.
Section 6.69A – Business Park 7 – Henry Eng (BP7) Zone

6.69A.01 Permitted Uses

The following uses and no others are permitted in the Business Park 7 – Henry Eng (BP7) Zone:

1. accessory buildings and uses;
2. accessory unenclosed storage up to a maximum of 20% of total lot area;
3. animal hospitals in enclosed buildings;
4. auction rooms;
5. business colleges and trade schools;
6. carpentry shops;
7. commercial bakeries;
8. commercial nurseries and greenhouses;
9. computer technology sales, service and manufacturing;
10. electronics manufacturing;
11. feed and seed supply;
12. film production studios;
13. financial institutions;
14. food catering facilities;
15. funeral services;
16. gymnasiums, health establishments, and dance studios;
17. indoor sports and recreational facilities;
18. light industrial uses which are not noxious or offensive by reason of permitting odours, dust, smoke, gas or noise, including but without limiting the generality of the foregoing establishments for the following trade contractors: building, electrical, heating and air conditioning, painting, plumbing, refrigeration, roofing, septic tank and signs. The following uses are specifically excluded:

   a. any use specified in the Health Act as an offensive trade;
   b. auto wrecking;
   c. gravel processing;
   d. refuse and garbage dumps; and
   e. the burning of motor vehicles and other things for salvage purposes.
(19) light manufacturing and assembly and food processing (excluding the primary processing of meat, poultry and fish);
(20) lumber and building supply establishments, including feed and seed supply and garden centres;
(21) machine shops;
(22) medical clinics and accessory related commercial uses;
(23) mini-storage;
(24) offices;
(25) offices, storage buildings and screened yard for: building, electrical, heating, ventilating and air conditioning, painting, plumbing, refrigeration, roofing, septic tank, and sign contractors;
(26) one dwelling unit used as a caretaker suite in conjunction with and accessory to another permitted use;
(27) premises licensed pursuant to the Liquor Control and Licensing Act;
(28) printing, publishing and book binding;
(29) private hospital and nursing home;
(30) public assembly and entertainment uses;
(31) recycling depots;
(32) refund container return depots;
(33) rental and repair of tools and small equipment, excluding heavy equipment;
(34) repair of household furnishings;
(35) retail sale of auto parts and accessories;
(36) repair and rental of motor vehicles, trailers, boats, camper vehicles, farm machinery, trucks, parts and accessories;
(37) restaurants, limited to 200 m² (2 152 ft²);
(38) retail sale as an accessory use, limited to 20% of the floor area occupied by a business;
(39) scientific or technological research facility;
(40) temporary construction and real estate marketing offices;
(41) wholesale and storage warehouse buildings; and
(42) uses permitted by Section 3.01 of this Bylaw.
6.69A.02 Subdivision Lot Requirements

(1) No lot having an area less than 2 000 m$^2$ (21 528 ft$^2$) may be created by subdivision in the Business Park 7 – Henry Eng (BP7) Zone.

(2) No lot may be created having a lot width less than 25 m (82 ft).

6.69A.03 Lot coverage

(1) Lot coverage of all buildings and structures may not exceed 60%.

6.69A.04 Height and Size of Principal Use Buildings

(1) No building or structure may exceed a height of two storeys;

(2) Notwithstanding Section 6.69A.04(1), no building or structure for office use may exceed a height of three storeys;

6.69A.05 Setbacks

(1) No building or structure may be located:

(a) within 2 m (6.6 ft) of any lot line;

(b) within 6 m (19.7 ft) of any lot line that adjoins a lot in the R2 (One- and Two-Family Residential) Zone;

6.69A.06 Landscape Screening

(1) In addition to the regulations contained in Section 3.21 of this Bylaw the following regulations apply to landscape screening in the Business Park 7 – Henry Eng (BP7) Zone.

(2) A continuous landscape and screening area not less than 2.0 m wide shall be provided along the developed portion of each lot which abuts a highway. The landscaping shall have a height of not less than 1.5 m and may include a decorative fence.

(3) A continuous landscape and screening area not less than 2.5 m wide containing a decorative fence not less than 1.8 m in height together with decorative planting must be provided along the developed portion of each lot which abuts a property in the R2 (One- and Two-Family Residential) zone. This landscape and screening area may be interrupted at boulevard crossings, or to provide necessary pedestrian access for entering a building or for viewing shop windows.

6.69A.07 General

The relevant regulations of Part 3 of this Bylaw apply.
6.69B - Business Park 8 (BP8) – Centre Mountain Zone

6.69B.01 Permitted Uses:

The following uses and no others are permitted in the Business Park 8 (BP8) Centre Mountain Zone:

(1) Accessory Buildings and Structures, subject to Section 3.05;
(2) Animal Hospital;
(3) Asphalt Plant;
(4) Auction;
(5) Automobile and Recreational Vehicle Storage Facility;
(6) Automobile Body and Paint Shop;
(7) Automobile Parts and Accessories Sale, Installation and Repair;
(8) Automobile Rental and Sale Facility, Major;
(9) Automobile Rental and Sale Facility, Minor;
(10) Automobile Repair and Service Facility, Major;
(11) Automobile Repair and Service Facility, Minor;
(12) Automobile Towing and Storage Facility;
(13) Bakery;
(14) Building and Lumber Supply Store;
(15) Bulk oil plant;
(16) Business Support Service;
(17) Campsite;
(18) Car Wash;
(19) Carpentry Shop;
(20) Catering;
(21) Charitable Facility;
(22) Commercial Composting;
(23) Commercial Nursery and Greenhouse;
(24) Community Garden;
(25) Concrete Plant;
(26) Conference and Meeting Facility;
(27) Contractor Service;
(28) Crematorium;
(29) Cultural Facility;
(30) Crematorium; **(Bylaw 1746)**
(31) Electronics Sale, Service and Manufacturing;
(32) Equipment Sales, Service, Repair and Rental; Major;
(33) Equipment Sales, Service, Repair and Rental, Minor;
(34) Film Production Studios;
(35) Financial Institution, including drive-through;
(36) Fitness Centre;
(37) Funeral Parlour;
(38) Garden Centre and Feed Supply Store;
(39) Gasoline Service Station, including cardlock;
(40) Golf Course;
(41) Golf Driving Range;
(42) Golf Course, Miniature;
(43) Group Daycare;
(44) Gravel Processing Facility;
(45) Hotel;
(46) Household Equipment and Appliance Service and Repair;
(47) Industrial Use, General;
(48) Industrial Use, Light;
(49) Licensed Premises;
(50) Liquor Store;
(51) Machine shop;
(52) Mini-Storage Facility;
(53) Office;
(54) Office Supply Store;
(55) One Caretaker Dwelling Unit, in conjunction with and in addition to any of the other principal uses permitted in this Zone;
(56) Parking Facility;
(57) Personal Service Establishment;
(58) Pet Daycare;
(59) Recreation Facility, both indoor and outdoor;
(60) Recycling Depot;
(61) Recycling Facility, subject to Section 3.14;
(62) Rental of goods and equipment, excluding Automobiles, Large Automobiles or Recreational Vehicles;
(63) Research and Development Facility;
(64) Restaurant, including drive-through;
(65) Retail Store;
(66) School;
(67) Shopping Centre;
(68) Transportation Facility;
(69) Training and Education Facility;
(70) Unenclosed Storage, subject to Section 3.13;
(71) Uses Accessory to a Principal Use permitted in this Zone;
(72) Uses permitted by Subsection 3.01 of this Bylaw;
(73) Veterinary Practice;
(74) Warehouse;
(75) Welding shop.
6.69B.02 Subdivision Lot Requirements

(1) No lot having an area less than 1,000.0 m² (0.25 acres) may be created by subdivision in the BP8 Zone.

(2) No lot having a lot width less than 7.0 m (23.0 ft) may be created by subdivision in the BP8 Zone.

6.69B.03 Lot Coverage

(1) Lot coverage of all buildings and structures may not exceed 60%.

6.69B.04 Height and Size of Principal Use Buildings

(1) No building may exceed a height of four storeys.

(2) No structure may exceed a height of 15.0 m (49.2 ft).

6.69B.05 Setbacks

(1) No building or structure may be located within 4.5 m (14.8 ft) of any lot line that abuts a highway.

(2) No building or structure may be located within 6.0 m (19.7 ft) of any lot line that does not abut a lot in a Business Park or Industrial Zone.

6.69B.06 Landscape Screening

In addition to the regulations contained in Section 3.21 of this Bylaw, the following regulations apply to development in the BP8 Zone:

(1) A continuous landscape and screening area not less than 2.0 m (6.6 ft) wide containing a fence, shrub or hedge not less than 1.5 m (4.9 ft) in height, at the time of installation or planting, shall be provided along the developed portion of any lot that abuts a Highway.

(2) A continuous landscape and screening area not less than 3.0 m (9.8 ft) wide containing a fence not less than 1.8 m (5.9 ft) high and decorative planting shall be provided along the developed portion of any lot that does not abut a lot in a Business Park or Industrial Zone.

6.69B.07 General

The relevant regulations of Part 3 of this Bylaw apply to development in the BP8 Zone.
Section 6.70 – Light Industrial (M1) Zone

6.70.01 Permitted Uses

The following uses and no others are permitted in the Light Industrial (M1) Zone:

(1) accessory buildings and uses;
(2) accessory retail sale of automotive, marine, recreational vehicle, heavy equipment and machinery parts; (Bylaw 637)
(3) accessory unenclosed storage including commercial composting;
(4) coffee shops;
(5) community care facilities, where the care provided is for adults and where no one of those in care, or providing care, reside at the property; (Bylaw 1684)
(6) film production studios; (Bylaw 386)
(7) home occupation together with an in conjunction with the principal use permitted in Article (8) below and in accordance with Section 3.09; (Bylaw 506, 1146)
(8) light industrial uses which are not noxious or offensive by reason of permitting odours, dust, smoke, gas or noise, including but without limiting the generality of the foregoing, establishments for the following trade contractors: building, electrical heating and air conditioning, painting, plumbing, refrigeration, roofing, septic tank and signs;
(9) one dwelling unit for a caretaker;
(10) recycling depots;
(11) refund container return depots;
(12) repair of automobiles, trucks, boats, camper vehicles, manufactured homes and farm machinery and parts and accessories thereof; (Bylaw 445)
(13) repair of household furnishings;
(14) retail sale, rental and repair of tools and small equipment such as chain saws, hand and edge tools, lawn mowers, motorbikes, roto tillers and outboard motors;
(15) temporary construction and real estate marketing offices; (Bylaw 984)
(16) Towing companies and parking facilities for towing companies on land legally described ast LOT 9 BLOCK F SECTIONS 88 AND 90 ESQUIMALT DISTRICT PLAN 1139 (1245 Parkdale Drive) (Bylaw 1531)
(17) wholesale and storage buildings, not exceeding a total of 900 m² (9 700 ft²) of floor area and explicitly not used for retail sales; and
(18) uses permitted by Section 3.01 of this Bylaw.
(19) on land legally described as Part 3 of Strata Lot 3, Section 79, Esquimalt District, Strata Plan VIS5358, skateboard school and related uses including manufacturing, retail sale and repair of skateboards. (Bylaw 1407)

6.70.02 Subdivision Lot Requirements

(1) No lot having an area less than 1 800 m² (.44 acres) may be created by subdivision in the Light Industrial (M1) Zone.
(2) No lot may be created having a lot width less than 16 m (53 ft).
6.70.03 Prohibited Uses

(1) Any use specified in the *Health Act* as an offensive trade;
(2) The burning of motor vehicles and other things for salvage purposes;
(3) Refuse and garbage dumps;
(4) Sawmills, planer mills, fertilizer plants, asphalt plants, oil refineries, refineries, bulk oil plants;
(5) Uses for which a permit is required under the *Waste Management Act* or Regulations, except for uses permitted in subsections 2 to 6 inclusive;
(6) Automobile storage, or yards for towing contractors, with the sole exception of the existing vehicle storage facility on the land legally described as Lot A, Section 79, Esquimalt District, Plan 9701 (DD K112776) (979 Dunford Avenue) and Lot 7, Section 79, Esquimalt District, Plan 1512, except that portion in Plan 17412 (1001 Dunford Avenue); and *(Bylaw 882)*
(7) Automobile wrecking of salvaging, with the sole exception of the existing auto parts facility on the land legally described as Lot 1, Section 79, Esquimalt District, Plan VIP74824 (945 Dunford Avenue). *(Bylaw 882)*

6.70.04 Regulations for Use

Unenclosed storage must conform with regulations in Section 3.13 of this Bylaw.

6.70.05 Lot Coverage

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

6.70.06 Height and Size of Principal Use Buildings

No building or structure may exceed a height of 12 m (39 ft) or three storeys.

6.70.07 Setbacks

No building or structure may be located:

(1) within 7.5 m (25 ft) of any front lot line; or
(2) within 6 m (20 ft) of any interior side lot line that does not adjoin a Business Park Zone, or Industrial Zone, or the P5 Zone; or
(3) such that the sum of the setbacks from any two side lot lines is less than 6 m (20 ft) in the Business Park Zone, Industrial Zone, or the P5 Zone; or
(4) within 6 m (20 ft) of any exterior side lot line; or
(5) within 7.5 m (25 ft) of any rear lot line that does not adjoin a lot adjoin a lot in a Commercial, Industrial, or Business Park Zone, or an area in a Comprehensive Development Zone where the principal use permitted is commercial, business park or industrial. *(Bylaw 1437)*

6.70.08 Landscape Screening

(1) In addition to the regulations contained in Section 3.21 of this Bylaw the following must apply to landscape screening in the Light Industrial (M1) Zone.
(2) A continuous landscape and screening area not less than 2 m (6.5 ft) wide will be provided along the developed portion of each side of the lot which abuts a highway. This landscaping strip may be interrupted at boulevard crossings, or to provide necessary
pedestrian access for entering a building. This landscape and screening area must contain a hedge, shrubs or decorative fence of not less than 1.5 m (5 ft) in height.

(3) Except in those portions where a building abuts a lot line a continuous landscape and screening area not less than 2.5 m (8 ft) in width containing a decorative fence not less than 1.8 m (6 ft) in height together with decorative planting must be provided along all lots line which do not adjoin a lot in a Business Park or Industrial Zone.

6.70.09 General

The relevant regulations of Part 3 of this Bylaw must apply.
Section 6.71 – General Industrial (M2) Zone

6.71.01 Permitted Uses

The following uses and no others are permitted in the General Industrial (M2) Zone:

(1) all of the uses permitted in the Light Industrial (M1) zone;
(2) all of the uses permitted in the CS3 (Commercial Industrial) Zone; (Bylaw 984)
(3) cardlock gasoline stations; (Bylaw 1608)
(4) crematorium; (Bylaw 1746)
(5) film production studios; (Bylaw 386)
(6) forging;
(7) gasoline service stations;
(8) general industrial uses including truck terminal facilities, food or drink processing, metal, fiberglass or wood manufacturing or fabrication, bus terminals and wholesale and storage buildings exceeding 900 m² (9 700 ft²) but explicitly excluding retail sales;
(9) gravel processing;
(10) recycling depots;
(11) temporary construction and real estate marketing offices; (Bylaw 984)
(12) on land legally described as Lot 1, Section 5, Esquimalt District, Plan 1457 (Orono Avenue), office is permitted; (Bylaw 922)
(13) on land legally described as Lot 1, Sections 79 and 80, Esquimalt District, Plan VIP51550, Except Parts in Plans VIP66561 and VIP74375 (1060 Henry Eng Place), health clubs are permitted; and (Bylaw 927)
(14) uses permitted by Section 3.01 of this Bylaw.

6.71.02 Subdivision Lot Requirements

(1) No lot having an area less than 1 500 m² (.37 acres) may be created by subdivision in the General Industrial (M2) Zone.

(2) No lot may be created having a lot width less than 18 m (59 ft).

6.71.03 Prohibited Uses

(1) Any use specified in the Health Act as an offensive trade;
(2) The burning of motor vehicles and other things for salvage purposes;
(3) Refuse and garbage dumps;
(4) Uses for which a permit is required under the Waste Management Act or Regulations, except for uses permitted in subsections 2 to 6 inclusive;
(5) Sawmills, planer mills, fertilizer plants, asphalt plants, oil refineries, refineries, bulk oil plants;
(6) Automobile storage, or yards for towing contractors, with the sole exception of the existing vehicle storage facility on the land legally described as Lot A, Section 79, Esquimalt District, Plan 9701 (DD K112776) (979 Dunford Avenue) and Lot 7, Section 79, Esquimalt District, Plan 1512, except that portion in Plan 17412 (1001 Dunford Avenue); and (Bylaw 882)
(7) Automobile wrecking of salvaging, with the sole exception of the existing auto parts facility on the land legally described as Lot 1, Section 79, Esquimalt District, Plan VIP74824 (945 Dunford Avenue). (Bylaw 882)

6.71.04 Regulations of Use

Unenclosed storage areas must conform to the regulations in Section 3.13 of this Bylaw.

6.71.05 Lot Coverage

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

6.71.06 Height and Size of Principal Use Buildings

No building or structure may exceed a height of 12 m (39 ft).

6.71.07 Setbacks

No building or structure may be located:

(1) within 7.5 m (25 ft) of any front lot line; or
(2) within 6 m (20 ft) of any interior side lot line that does not adjoin a Business Park Zone, Industrial Zone, or the P5 Zone; or
(3) within 0 m (0 ft) of one interior side lot line if the lot line adjoins a lot in the Business Park Zone, Industrial Zone, or the P5 Zone, provided however that the sum of the setbacks from any two side lot lines is not less than 6 m (20 ft); or
(4) within 6 m (20 ft) of any exterior side lot line; or
(5) within 10 m (33 ft) of any rear lot line that does not adjoin a lot adjoin a lot in a Commercial, Industrial, or Business Park Zone, or an area in a Comprehensive Development Zone where the principal use permitted is commercial, business park or industrial. (Bylaw 1437)

6.71.08 Landscape Screening

(1) In addition to the regulations contained in Section 3.21 of this Bylaw the following must apply to landscape screening in the General Industrial (M2) Zone.

(2) A continuous landscape and screening area not less than 2 m (6.5 ft) wide will be provided along the developed portion of each side of the lot which abuts a highway. This landscaping strip may be interrupted at boulevard crossings, or to provide necessary pedestrian access for entering a building. This landscape and screening area must contain a hedge, shrubs or decorative fence of not less than 1.5 m (5 ft) in height.

(3) Except in those portions where a building abuts a lot line a continuous landscape and screening area not less than 2.5 m (8 ft) in width containing a decorative fence not less than 1.8 m (6 ft) in height together with decorative planting must be provided along all lots line which do not adjoin a lot in a Business Park or Industrial Zone.

6.71.09 General

The relevant regulations of Part 3 of this Bylaw must apply.
Section 6.72 – Heavy Industrial (M3) Zone

6.72.01  Permitted Uses
The following uses and no others are permitted in the Heavy Industrial (M3) Zone:

1. accessory buildings and uses;
2. automobile storage, or yards for towing contractors;  (Bylaw 882)
3. automobile wrecking or salvaging;  (Bylaw 882)
4. film production studios;  (Bylaw 386)
5. gravel processing;
6. one dwelling unit for a caretaker;
7. recycling depots;
8. sawmills, planer mills, fertilizer plants, asphalt plants, oil refineries, refineries, bulk oil plants;
9. temporary construction and real estate marketing offices;  (Bylaw 984)
10. unenclosed storage including commercial composting; and
11. uses permitted by Section 3.01 of this Bylaw.

6.72.02  Subdivision Lot Requirements

1. No lot having an area less than 1 500 m² (.37 acres) may be created by subdivision in the Heavy Industrial (M3) Zone.
2. No lot may be created having a lot width less than 18 m (59 ft).

6.72.03  Regulations of Use

1. Unenclosed storage must conform to the regulations in Section 3.13 of this Bylaw.
2. Must be adequately serviced by a Municipal Water Servicing for Fire Fighting purposes.

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

6.72.05  Height and Size of Principal Use Buildings
No building or structure may exceed a height of 12 m (39 ft).

6.72.06  Setbacks
No building or structure may be located:

1. within 7.5 m (25 ft) of any front lot line; or
2. within 6 m (20 ft) of any side lot line; or
3. within 10 m (33 ft) of any rear lot line.

6.72.07  Landscape Screening

1. In addition to the regulations contained in Section 3.21 of this Bylaw the following must apply to landscape screening in the Heavy Industrial (M3) Zone.
(2) A continuous landscape and screening area not less than 2 m (6.5 ft) wide will be provided along the developed portion of each side of the lot which abuts a highway. This landscaping strip may be interrupted at boulevard crossings, or to provide necessary pedestrian access for entering a building. This landscape and screening area must contain a hedge, shrubs or decorative fence of not less than 1.5 m (5 ft) in height.

(3) Except in those portions where a building abuts a lot line a continuous landscape and screening area not less than 2.5 m (8 ft) in width containing a decorative fence not less than 1.8 m (6 ft) in height together with decorative planting must be provided along all lots line which do not adjoin a lot in a Business Park or Industrial Zone.

6.72.08 General

The relevant regulations of Part 3 of this Bylaw must apply.
Section 6.80 – Neighbourhood Institutional (P1) Zone

6.80.01 Permitted Uses
The following uses and no others are permitted in the Neighbourhood Institutional (P1) Zone:

1. accessory buildings and uses;
2. assembly; *(Bylaw 984)*
3. assisted living apartments; *(Bylaw 1293)*
4. churches;
5. community centre; *(Bylaw 984)*
6. group day care in accordance with Section 3.26.02; *(Bylaw 1146)*
7. one one-family dwelling unit in conjunction with and in addition to any of the other uses permitted in this subsection;
8. personal care uses;
9. schools;
10. temporary construction and real estate marketing offices; and *(Bylaw 984)*
11. uses permitted by Section 3.01 of this Bylaw.

6.80.02 Subdivision Lot Requirements

1. No lot having an area less than 695 m² (7 480 ft²) may be created by subdivision in the Neighbourhood Institutional (P1) Zone.
2. No lot may be created having a lot width less than 16 m (53 ft).

6.80.03 Density of Development *(Bylaw 1293)*

1. The floor area ratio shall not exceed 1.0.
2. Notwithstanding Subsection 6.80.03(1), on land whose legal description is set out in Table 1 of Schedule AD, the minimum floor area ratio may be increased to 2.5 if the owner of the land proposed to be developed: *(Bylaw 1320)*
   a. pays to the City the amount specified in Column 4 of Table 1 of Schedule AD, prior to the issuance of a building permit.

6.80.04 Regulations of Use for a One-Family Dwelling
A one-family dwelling use will be subject to the regulations of the One- and Two-Family Residential (R2) Zone and not the regulations of this Zone.

6.80.05 Lot Coverage

1. Lot coverage of all buildings and structures may not exceed 40%.
2. Despite Section 6.80.05(1), on land legally described as PID No. 002-748-771, Lot A, Section 81, Esquimalt District, Plan 26335, Except Part in Plan VIP82658 (911 Jenkins Avenue) lot coverage of all buildings and structures may not exceed 45%. *(Bylaw 1293)*

6.80.06 Height and Size of Principal Use Buildings
No building or structure may exceed a height of 12 m (39 ft).
6.80.07 **Setbacks**

No building or structure may be located:

(1) within 7.5 m (25 ft) of any front lot or exterior side lot line; or

(2) within 6 m (20 ft) of any interior side lot line; or

(3) within 10 m (33 ft) of any rear lot line.

6.80.08 **Landscape Screening**

(1) The relevant regulations of Section 3.21 of this Bylaw must apply.

(2) Any parking area will be separated from an adjoining highway or a Residential, Multiple Residential, or Institutional Zone by a landscaped strip not less than 3 m (10 ft) in width.

6.80.09 **General**

The relevant regulations of Part 3 of this Bylaw must apply.
Section 6.80A – Neighbourhood Institutional (P1A) Zone

(Bylaw 1205)

6.80A.01 Permitted Uses

The following uses and no others are permitted in the Neighbourhood Institutional (P1A) Zone:

1. accessory buildings and uses;
2. assisted living apartment;
3. churches;
4. group day care in accordance with Section 3.26.02;
5. one one-family dwelling unit in conjunction with a church;
6. schools; and
7. uses permitted by Section 3.01 of this Bylaw.

6.80A.02 Subdivision Lot Requirements

1. No lot having an area less than 695 m² (7 480 ft²) may be created by subdivision in the Neighbourhood Institutional (P1A) Zone.
2. No lot may be created having a lot width less than 16 m (53 ft).

6.80A.03 Density of Development

1. There may not be more than one church, one accessory office building and one one-family dwelling unit in conjunction with a church on a lot in the P1A zone.
2. Despite subsection 6.80A.03(1), there may be established on a lot in the P1A zone additional permitted uses beyond one church, one accessory office building and one one-family dwelling unit in conjunction with a church if Irwin Road is connected through to the Westshore Parkway, and this road connection is constructed and functional to the satisfaction of the City Engineer.
3. The total combined floor area of accessory buildings may not exceed 232 m² (2 500 ft²).

6.80A.04 Regulations of Use for a One-Family Dwelling

A one-family dwelling use will be subject to the regulations of the One- and Two-Family Residential (R2) Zone and not the regulations of this Zone.

6.80A.05 Regulations of Use for Assisted Living Apartment

An assisted living apartment use will be subject to the regulations of the Assisted Living Medium Density apartment (RM8) Zone and not the regulations of this Zone.

6.80A.06 Lot Coverage

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

6.80A.07 Height and Size of Principal Use Buildings

No building or structure may exceed a height of 12 m (39 ft).
6.80A.08 Setbacks
No building or structure may be located:
(1) within 7.5 m (25 ft) of any front lot or exterior side lot line; or
(2) within 6 m (20 ft) of any interior side lot line; or
(3) within 10 m (33 ft) of any rear lot line.

6.80A.09 Landscape Screening
(1) The relevant regulations of Section 3.21 of this Bylaw must apply.
(2) Any parking area will be separated from an adjoining highway or a Residential, Multiple Residential, or Institutional Zone by a landscaped strip not less than 3 m (10 ft) in width.

6.80A.10 General
The relevant regulations of Part 3 of this Bylaw must apply.
Section 6.80B- Neighbourhood Institutional B (P1B) Zone

6.80B.01 Permitted Uses

The following uses and no others are permitted in the Neighbourhood Institutional B (P1B) Zone:

(1) accessory buildings and uses;
(2) accessory dormitory use;
(3) assembly, gymnasium and physical fitness training;
(4) accessory offices; *(Bylaw 1608)*
(5) temporary construction offices;
(6) uses permitted by Section 3.01 of this Bylaw.

6.80B.02 Subdivision Lot Requirements

(1) No lot having an area less than 695 m$^2$ (7 480 ft$^2$) may be created by subdivision in the Neighbourhood Institutional B (P1B) Zone.
(2) No lot may be created having a lot width less than 16 m (53 ft).

6.80B.03 Lot Coverage

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

6.80B.04 Height and Size of Principal Use Buildings

No building or structure may exceed a height of 12 m (39 ft);

6.80B.05 Setbacks

No building or structure may be located:

(1) within 6 m (20 ft) of any front lot; or
(2) within 1.5 m (5 ft) of any side lot line; or
(3) within 4.5 m (15 ft) of any rear lot line.

6.80B.06 Landscape Screening

(1) The relevant regulations of Section 3.21 of this Bylaw must apply.
(2) Any parking area will be separated from an adjoining Residential, Multiple Residential, or Institutional Zone by a landscaped strip not less than 3 m (10 ft) in width.

6.80B.07 General

The relevant regulations of Part 3 of this Bylaw must apply.
Section 6.81 – Community Institutional (P2) Zone

6.81.01 Permitted Uses

The following uses and no others are permitted in the Community Institutional (P2) Zone:

(1) accessory buildings and uses;
(2) ambulance headquarters;
(3) assembly;
(4) churches;
(5) (Deleted by Bylaw 1570);
(6) commercial uses that are accessory to other public institutional uses; (Bylaw 445)
(7) community care facility; (Bylaw 696)
(8) group day care in accordance with Section 3.26.02; (Bylaw 1146)
(9) hospitals;
(10) library; (Bylaw 1570)
(11) one one-family dwelling in conjunction with and in addition to any of the other uses permitted in this subsection;
(12) personal care uses;
(13) premises licensed pursuant to the Liquor Control and Licensing Act in conjunction with and in addition to any of the other principal uses permitted in this subsection; (Bylaw 790)
(14) public parking;
(15) recreational facilities, including but without limiting the generality of the foregoing: arena, auditorium, bowling green, community centre, curling rink, riding academy, skating rink, stadium, swimming pool, and tennis courts;
(16) schools;
(17) temporary construction and real estate marketing offices; (Bylaw 984)
(18) tourist information centre; and (Bylaw 1206)
(19) uses permitted by Section 3.01 of this Bylaw.

6.81.02 Subdivision Lot Requirements

(1) No lot having an area less than 695 m² (7 480 ft²) may be created by subdivision in the Community Institutional (P2) Zone.
(2) No lot may be created having a lot width less than 16 m (53 ft).

6.81.03 Regulations for Use for a One-Family Dwelling

A one-family dwelling use will be subject to the regulations of the One- and Two-Family Residential (R2) Zone and not the regulations of this Zone.

6.81.04 Lot Coverage

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

No building or structure may be located:

(1) within 7.5 m (25 ft) of any front lot or exterior side lot line; or
(2) within 6 m (20 ft) of any interior side lot line; or
(3) within 10 m (33 ft) of any rear lot line.

6.81.06  **Landscape Screening**

(1) The relevant regulations of Section 3.21 of this Bylaw must apply.
(2) Any parking area will be separated from an adjoining highway or a Residential, Multiple Residential, or Institutional Zone by a landscaped strip not less than 3 m (10 ft) in width.

6.81.07  **Height and Size of Principal Use Buildings (Bylaw 445)**

No building or structure may exceed a height of 15 m (49 ft) or four storeys.

6.81.08  **General**

The relevant regulations of Part 3 of this Bylaw must apply.
Section 6.82 – Public Utility (P3) Zone

6.82.01 Permitted Uses
The following uses and no others are permitted in the Public Utility (P3) Zone:

(1) accessory buildings and uses;
(2) public storage and work yards;
(3) public utility use;
(4) temporary construction and real estate marketing offices; and (Bylaw 984)
(5) uses permitted by Section 3.01 of this Bylaw.

6.82.02 Subdivision Lot Requirements
(1) No lot having an area less than 1,800 m² (.44 acres) may be created by subdivision in the Public Utility (P3) Zone.
(2) No lot may be created having a lot width less than 18 m (59 ft).

6.82.03 Setbacks (Bylaw 1127)
(1) Except as permitted in Subsections 6.82.03(2), no building or structure may be located:
   (a) within 6 m (20 ft) of any front lot or exterior side lot line; or
   (b) within 6 m (20 ft) of any interior side lot line; or
   (c) within 10 m (33 ft) of any rear lot line.
(2) No building or structure situated on the property legally described as Lot 1, Section 83, Esquimalt District, Plan VIP76810 (3213 Happy Valley Road) may be located:
   (a) Within 6 m (20 ft) of any lot line that is common to a lot where the principal use is residential.

6.82.04 Landscape Screening
(1) The relevant regulations of Section 3.21 of this Bylaw must apply.
(2) A continuous landscaping strip not less than 2 m (6.5 ft) wide will be provided along the developed portion of each side of the lot which abuts a highway. This landscaping may be interrupted at boulevard crossings, or to provide necessary pedestrian access for entering a building. This landscaping strip will have a height of not less than 1.5 m (5 ft) or a solid decorative fence of not less than 1.5 m (5 ft) will be provided.
(3) Except in those portions where a building abuts a lot line, screen planting at least 2 m (6.5 ft) high in a strip at least 1.5 m (5 ft) wide, or a solid decorative fence at least 2 m (6.5 ft) high will be provided along all lot lines separating the developed portion of the lot from any Agricultural, Residential, Rural Residential, Multiple Residential, Commercial or Institutional Zone whether such property be separated by a highway or not. (Bylaw 1481)

6.82.05 Height and Size of Principal Use Buildings (Bylaw 445)
No building or structure may exceed a height of 15 m (49 ft) or four storeys.

6.82.06 General
The relevant regulations of Part 3 of this Bylaw must apply.
Section 6.83 – Park and Open Space (P4) Zone

6.83.01 Permitted Uses

The following uses and no others are permitted in the Park and Open Space (P4) Zone:

1. accessory buildings and uses;
2. agricultural fair grounds;
3. cemetery;
4. (Deleted by Bylaw 1570);
5. community care facility; (Bylaw 686)
6. golf courses;
7. group day care in accordance with Section 3.26.02; (Bylaw 1146)
8. one one-family dwelling in conjunction with and in addition to any of the other uses permitted in this subsection;
9. premises licensed pursuant to the Liquor Control and Licensing Act in conjunction with and in addition to any of the other principal uses permitted in this subsection; (Bylaw 790)
10. preschool; (Bylaw 1146)
11. recreational facilities; (Bylaw 1570)
12. temporary construction and real estate marketing offices; and (Bylaw 984)
13. uses permitted by Section 3.01 of this Bylaw.

6.83.02 Subdivision Lot Requirements

No lot having an area less than 4 ha (10 acres) may be created by subdivision in the Park and Open Space (P4) Zone.

6.83.03 Lot Coverage

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

6.83.04 Setbacks

No building or structure may be located:

1. within 7.5 m (25 ft) of any front lot or exterior side lot line; or
2. within 6 m (20 ft) of any interior side lot line; or
3. within 10 m (33 ft) of any rear lot line.

6.83.05 Landscape Screening

The relevant regulations of Section 3.21 of this Bylaw must apply.
6.83.06 **Height and Size of Principal Use Buildings** (Bylaw 445)

No building or structure may exceed a height of 15 m (49 ft) or four storeys.

6.83.07 **General**

The relevant regulations of Part 3 of this Bylaw must apply.
Section 6.84 – Civic Institutional (P5) Zone

6.84.01 Permitted Uses
The following uses and no others are permitted in the Community Institutional (P2) Zone:

1. accessory buildings and uses;
2. ambulance headquarters;
3. assembly;
4. churches;
5. (Deleted by Bylaw 1570);
6. commercial;
7. group day care in accordance with Section 3.26.02; (Bylaw 1146)
8. hospitals;
9. library; (Bylaw 1570)
10. one one-family dwelling in conjunction with and in addition to any of the other uses permitted in this subsection;
11. personal care uses;
12. premises licensed pursuant to the Liquor Control and Licensing Act in conjunction with and in addition to any of the other principal uses permitted in this subsection; (Bylaw 790)
13. public parking;
14. recreational facilities, including but without limiting the generality of the foregoing: arena, auditorium, bowling green, community centre, curling rink, riding academy, skating rink, stadium, swimming pool, and tennis courts;
15. schools;
16. temporary construction and real estate marketing offices; and (Bylaw 984)
17. uses permitted by Section 3.01 of this Bylaw.

6.84.02 Subdivision Lot Requirements

1. No lot having an area less than 695 m² (7 480 ft²) may be created by subdivision in the Community Institutional (P2) Zone.
2. No lot may be created having a lot width less than 16 m (53 ft).

6.84.03 Regulations for Use for a One-Family Dwelling
A one-family dwelling use will be subject to the regulations of the One- and Two-Family Residential (R2) Zone and not the regulations of this Zone.

6.84.04 Lot Coverage
Lot coverage of all buildings and structures may not exceed 40%.
6.84.05 Setbacks
No building or structure may be located:
(1) within 7.5 m (25 ft) of any front lot or exterior side lot line; or
(2) within 6 m (20 ft) of any interior side lot line; or
(3) within 10 m (33 ft) of any rear lot line.

6.84.06 Landscape Screening
(1) The relevant regulations of Section 3.21 of this Bylaw must apply.
(2) Any parking area will be separated from an adjoining highway or a Residential, Multiple Residential, or Institutional Zone by a landscaped strip not less than 3 m (10 ft) in width.

6.84.07 Height and Size of Principal Use Buildings (Bylaw 445)
No building or structure may exceed a height of 15 m (49 ft) or four storeys.

6.84.08 General
The relevant regulations of Part 3 of this Bylaw must apply.
Section 6.85 – Amenity (AM) Zone

6.85.01 Permitted Uses

In this zone, the following uses are permitted and all other uses are prohibited:

(1) (Deleted by Bylaw 1570);
(2) group day care in accordance with Section 3.26.02; (Bylaw 1146)
(3) park;
(4) preschool; (Bylaw 1146)
(5) recreational facilities;
(6) schools; and
(7) temporary construction and real estate marketing offices. (Bylaw 984)
Section 6.86 – Institutional Residential (PR1) Zone

(Bylaw 1394)

The intent of the Institutional Residential Zone is to permit Group Day Cares in one- or two-family dwellings that would have otherwise been in compliance with the R2 Zone.

6.86.01 Permitted Uses

The following uses and no others are permitted in the Institutional Residential Zone:

1. accessory buildings and uses;
2. group day care in accordance with Section 3.26.02, provided that it does not exist in conjunction with any other permitted use;
3. home occupation in accordance with Section 3.09;
4. one-family or two-family dwelling;
5. secondary suite in a one-family dwelling in accordance with Section 3.08;
6. temporary construction and real estate marketing offices;
7. the keeping of horses, cattle, sheep, goats, rabbits and poultry, for domestic purposes on lots of 4 000 m² (1 acre) or more in area;
8. the keeping of not more than four boarders in a one-family dwelling; and
9. uses permitted by Section 3.01 of this Bylaw.

6.86.02 Subdivision Lot Requirements

1. No lot having an area less than 1.0 ha (2.47 acres) may be created by subdivision in the Institutional Residential (PR1) Zone except that a lot of 550 m² (5 920 ft²) or more may be created by subdivision if the property is served by a community sanitary sewer.
2. Notwithstanding article (1), the following Subdivision Lot Requirements apply to lots abutting Langford, Glen or Florence Lake:
   a. No lot having an area less than 1 500 m² (16 146 ft²) may be created by subdivision, and the streamside protection and enhancement area designated by a qualified environmental professional in a riparian area assessment shall not be included in the lot area calculation for the purpose of determining compliance with this article; and
   b. Notwithstanding article 2(i), lots having areas of 950 m² (10 226 ft²) and more may be created by subdivision if the streamside protection and enhancement area designated by a qualified environmental professional in a riparian area assessment of the lot being subdivided is transferred to the City of Langford at the time of subdivision.
3. No lot may be created having a lot width less than 16 m (52.5 ft).
4. No lot may be created having a building envelope with a width or depth less than 7 m (23 ft) nor an area less than 186 m² (2 000 ft²).
5. Notwithstanding article (3), no lot may be created with an area less than 550 m² (5 920 ft²) which has a lot area width less than 9.5 m (31 ft), a building envelope with a width or depth less than 7 m (23 ft) and a building envelope area less than 93 m² (1 000 ft²).
6.86.03 Density of Development

(1) There may not be more than one residential building on a lot.

(2) Notwithstanding Subsection 6.86.03(1), there may be two residential buildings on a lot if:
   (a) The lot was in existence on 1 January 2001; or
   (b) Each building is oriented towards the street, and in the case of corner lots one building may be oriented towards the front street, and the other building may be oriented towards the flanking side street;
   (c) Neither building is situated behind the other building, with the sole exception of those instances where two buildings form part of the same strata plan on a corner lot;
   (d) The gross floor area of one building is not less than 85% of the gross floor area of the other building;
   (e) Each building has a separate driveway; and
   (f) Neither building on a single lot has a secondary suite.

6.86.04 Lot Coverage

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

6.86.05 Height and Size of Principal Use Buildings

No building or structure may exceed a height of 9 m (30 ft).

6.86.06 Setbacks

(1) No building or structure may be located:
   (a) within 6 m (20 ft) of any front or rear lot line; or
   (b) within 1.5 m (5 ft) of any interior lot line; or
   (c) within 4.5 m (15 ft) of any exterior side lot line, except that no garage or carport that faces an exterior side lot line may be located within 5.5m of the exterior side lot line; *(Bylaw 1581)*
   (d) Deleted *(Bylaw 1581)*

(2) Despite article (1) the siting of any building for the keeping of horses, cattle, sheep, or goats must comply with Section 3.12 of this Bylaw.

(3) Despite article (1) and Section 3.12 of this Bylaw, no building for the keeping of poultry and rabbits may be located within 6 m (20 ft) of any interior side lot line nor within 7.6 m (25 ft) of any exterior side, front or rear lot line.

(4) Notwithstanding any other regulation in this section, the setback from an interior lot line for a two-family dwelling may not be less than 3 m (10 ft).

(5) Despite article (1), no building or structure on a lot that is less than 550 m² (5920 ft²) in area, and that has been created pursuant to Section 3.22.02 or Section 3.22.05 of this bylaw, may be located.
   (a) within 4.5 m (15 ft) of any front lot line when the lot fronts on and has access from a highway or access route in a bare land strata plan, nor within 5.5 m (18 ft) of a portion of a building comprising an attached garage, connected to the highway or access route by a driveway. This setback may be reduced to 3 m (10 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;

(b) within 6 m (20 ft) of any rear lot line;

(c) within 3 m (10 ft) of any exterior side lot line, except that no garage or carport that
faces an exterior side lot line may be located within 5.5m of the exterior side lot line;

(Bylaw 1581); or

(d) within 1.2 m (4 ft) of any interior side lot line;

(e) Deleted (Bylaw 1581)

6.86.07 (Deleted by Bylaw 1451)

6.86.08 Regulations for Two-Family Dwelling Use

In addition to the other regulations in this section the following regulations apply to two-family
dwellings in the One- and Two-Family Residential (R2) Zone:

(1) Two-family dwellings are prohibited on panhandle lots and lots abutting Langford, Glen or
Florence Lake.

(2) The lot area may not be less than 835 m$^2$ (8 990 ft$^2$).

(3) The lot width may not be less than 18 m (59 ft).

(4) The width of the building envelope may not be less than 14 m (46 ft).

(5) In addition to all other regulations of this Bylaw a continuous landscape and screening
area of at least 1 m (3 ft) in width containing a shrub, hedge or fence screen of a
minimum height of 1.8 m (6 ft), at time of planting, must be provided along any interior lot
line starting from 6 m (20 ft) to the rear of the front lot line and extending to the rear lot
line.

(6) In addition to all other regulations of this Bylaw any building or structure on the lot must
be dimensioned, sited, and designed in conformance with an approved development
permit.

6.86.09 Landscape Screening

The relevant regulations of Section 3.21 of this Bylaw must apply.

6.86.10 General

The relevant regulations of Part 3 of this Bylaw must apply.
Section 6.90 – Comprehensive Development 1 – Goldstream Meadows (CD1) Zone

(Bylaw 807)

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":

(a) accessory buildings and uses;
(b) animal hospital in enclosed buildings;
(c) assembly, as an accessory to a multi-family residential use or multiple single-family residential uses in a bare land strata plan; *(Bylaw 1086, 1570)*
(d) auction rooms;
(e) bakery, not exceeding a total of 200 m² (2 150 ft²) in floor area;
(f) bookstores, not exceeding a total of 200 m² (2 150 ft²) in floor area;
(g) business colleges and trade schools;
(h) campsite;
(i) carpentry shops in enclosed buildings;
(j) *(Deleted by Bylaw 1570)*;
(k) computer technology sales, service, and manufacturing;
(l) convenience stores, not exceeding 250 m² (2 690 ft²) in gross floor area;
(m) craft studios in enclosed buildings;
(n) electronics manufacturing in enclosed buildings;
(o) financial institutions;
(p) film production studios;
(q) funeral parlours;
(r) gasoline service station, with or without carwash;
(s) health clubs;
(t) hotel;
(u) light industrial uses in enclosed buildings which are not noxious or offensive by reason of permitting odors, dust, smoke, gas, or noise, including but without limiting the generality of the foregoing establishments for the following trade contractors: building, electrical, heating and air conditioning, painting, plumbing, refrigeration, roofing, septic tank, and signs. The following uses are specifically excluded:
   (1) any use specified in the *Health Act* as an offensive trade;
   (2) auto wrecking;
   (3) gravel processing;
   (4) refuse and garbage dumps; and
   (5) the burning of motor vehicles and other things for salvage purposes;
(v) light manufacturing and assembly and food processing in enclosed buildings
(excluding the primary processing of meat, poultry, and fish);

(w) medical clinics;

(x) mini-storage, specifically excluding unenclosed storage, but including unenclosed storage of recreational vehicles;

(y) motel;

(z) offices, including but not limited to offices, storage buildings and screened yard for: building, electrical, heating, ventilating and air conditioning, painting, plumbing, refrigeration, roofing, septic tank, and sign contractors;

(aa) one one-family dwelling unit used as a caretaker suite in conjunction with any other uses permitted within this subsection; (Bylaw 1146)

(bb) pet daycare; (Bylaw 1570)

(cc) personal service establishments including, but without limiting the generality of the foregoing, barber shop, beauty parlour, dry cleaner or launderette, optical or watch repair shop, photographic studio, and shoe repair;

(dd) post office;

(ee) premises licensed pursuant to the Liquor Control and Licensing Act;

(ff) printing, publishing, and book binding;

(gg) private hospital and nursing home including a multi-level care facility;

(hh) recreational facilities; (Bylaw 1570)

(ii) rental and repair of tools and small equipment such as chain saws, hand and edge tools, lawn mowers, rototillers, and outboard motors in enclosed buildings;

(jj) rental of goods and equipment;

(kk) repair of household furnishing in enclosed buildings;

(ll) repair of motor vehicles and parts and accessories thereof in enclosed buildings;

(mm) restaurants, including drive-in and drive-thru restaurants, not exceeding 200 m² (2 150 ft²) in gross floor area;

(nn) retail sale as an accessory use limited to 20% of floor area occupied by a business;

(oo) retail sales and rental and repair of automobile parts and accessories and repairs, motor vehicles (excluding passenger vehicle sales or rental), trailers, boats, camper vehicles, manufactured homes, and farm machinery and trucks in enclosed buildings;

(pp) scientific or technological research facility;

(qq) temporary construction and real estate marking offices; (Bylaw 984)

(rr) veterinary practice;

/ss) wholesale and storage warehouse buildings; and

(tt) uses permitted by Section 3.01 of this Bylaw.

(2) Within that portion of the lands identified as “Area 2 – Mixed Use” on Schedule “E”: (Bylaw 984, 1086, 1146; Replaced by Bylaw 1215)

(a) accessory buildings and uses, except that a bakery accessory to a retail store is limited to a floor area of 200 m²;

(b) apartment which may contain multi-family flex units; (Bylaw 1223)
(c) assembly, as an accessory to a multi-family residential use or multiple single-family residential uses in a bare land strata plan; (Bylaw 1570)
(d) assisted living apartment;
(e) attached housing;
(f) community gardens;
(g) conference and meeting facilities;
(h) financial institutions, excluding drive through;
(i) group day care in accordance with Section 3.26.02;
(j) home occupation in accordance with Section 3.09;
(k) hotel;
(l) (Bylaw 1223; Deleted by Bylaw 1437)
(m) offices;
(n) one-family dwelling;
(o) personal service establishments, including, but without limiting the generality of the foregoing, barber shop, beauty parlour, launderette, optical or watch repair shop, photographic studio and shoe repair;
(p) premises licensed pursuant to the Liquor Control and Licensing Act;
(q) preschool;
(r) recreational facilities, including but not limited to canoe and rowing club, gymnasiums, health and sports clubs, fitness studios and dance studios;
(s) restaurants, excluding drive-in and drive-through;
(t) retail stores;
(u) schools;
(v) temporary construction and real estate marking offices;
(w) townhouses which may contain multi-family flex units; and (Bylaw 1223)
(x) uses permitted by Section 3.01 of this Bylaw.

(3) Within that portion of the lands identified as “Area 3 – Cluster Housing” on Schedule “E”: (Bylaw 984, 1086, 1146; Replaced by Bylaw 1215)
(a) accessory buildings and uses, except that a bakery accessory to a retail store is limited to a floor area of 200 m²;
(b) apartment which may contain multi-family flex units; (Bylaw 1223)
(c) assisted living apartment;
(d) attached housing;
(e) conference and meeting facilities;
(f) group day care in accordance with Section 3.26.02;
(g) home occupation in accordance with Section 3.09;
(h) manufactured and modular housing;
(i) one-family dwelling in accordance with Section 6.90.08(2);
(j) personal service establishments, including, but without limiting the generality of the
foregoing, barber shop, beauty parlour, launderette, optical or watch repair shop, photographic studio and shoe repair;

(k) premises licensed pursuant to the *Liquor Control and Licensing Act*;
(l) preschool;
(m) public assembly and entertainment uses;
(n) recreational facilities, including but not limited to gymnasiums, health and sports clubs, fitness studios and dance studios;
(o) restaurants, excluding drive-in and drive-through;
(p) retail stores;
(q) temporary construction and real estate marketing offices;
(r) townhouses which may contain multi-family flex units; and *(Bylaw 1223)*
(s) 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 Schedule “E”:
(a) accessory buildings and uses;
(b) all of the uses permitted in The P2 (Community Institutional) Zone;
(c) campsite;
(d) conservation areas;
(e) park;
(f) temporary construction and real estate marketing offices; and *(Bylaw 984)*
(g) uses permitted by Section 3.01 of this Bylaw.

**6.90.02 Density of Development**

(1) There may not be more than three (3) residential dwellings in Area 2 – Mixed Use of the CD1 Zone nor more than 250 residential dwellings in Area 3 – Cluster Housing of the CD1 Zone. *(Bylaw 1086, 1215, 1753)*

(2) Notwithstanding Subsection 6.90.02(1), the number of residential dwelling units within Area 2 – Mixed Use of the CD1 Zone may exceed three (3) if the owner: *(Bylaw 1215)*
(a) dedicates to the City of Langford the areas identified on Schedule “E” as “Area 4 – Amenity and Park Area”;
(b) pays to the City $1000 per single family dwelling equivalent unit towards the Affordable Housing Reserve Fund; *(Bylaw 1753)*
(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: *(Bylaw 1753)*

<table>
<thead>
<tr>
<th>Housing Type</th>
<th>Single Family Equivalent</th>
</tr>
</thead>
<tbody>
<tr>
<td>½ Duplex</td>
<td>0.66</td>
</tr>
<tr>
<td>Small Lot Detached</td>
<td>0.66</td>
</tr>
<tr>
<td>Multi-Family (Townhouses, Attached Housing, Apartment)</td>
<td>0.61</td>
</tr>
</tbody>
</table>
(d) provides the following contributions to the City’s General Amenity Reserve Fund, until a total of $1,000,000 has been provided: (Bylaw 1753)

(i) Prior to the first dwelling unit in excess of three to be authorized in Area 2, $100,000; and

(ii) Upon 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 to 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: (Bylaw 1753)

(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 of the boat launch area;

(vi) Adding signage / interpretive signage to the boat launch area;

(vii) Improving natural trails;

(viii) Removal of invasive plant material within SPEA;

(3) For the purposes of Subsection 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. (Bylaw 1215)

(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: (Bylaw 1215; replace by Bylaw 1753)

(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; and (Bylaw 1753)

(b) agrees to construct, at the owner’s expense, a pedestrian connection through within Area 3 of the CD1 Zone, in consultation with and to the satisfaction of the Manager of Parks; (Bylaw 1753)

(c) agrees to construct, at the owner’s 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; (Bylaw 1753)

(d) has either constructed the park improvements shown on the approved concept plan to the satisfaction of the Manager of Parks, 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 Manager of Parks securing the owner’s obligations under the covenant. (Bylaw 1753)

(5) Provided that the density bonus provisions of Subsection 6.90.02(2) have been met, the
maximum density on each of the areas identified on Schedule “E” is as follows:  (Bylaw 1086)
(a) Within Area 1, the floor area ratio may not exceed 0.75;
(b) Within Area 2, the floor area ratio may not exceed:  (Bylaw 1215, 1753)
   (i) 4.0 on any lot.
(c) Within Area 3, the number of residential dwelling units may not exceed 600.  (Bylaw 1215)
(d) Within Areas 2 and 3, the floor area of any individual retail commercial premises or occupancy may not exceed 465 m\(^2\) (5 000 ft\(^2\)).  (Bylaw 1215)
(e) Within Area 3, the floor area for retail commercial uses may not exceed 1 858 m\(^2\) (20 000 ft\(^2\)).  (Bylaw 1215)
(6) Land in the CD1 (Comprehensive Development 1 – Goldstream Meadows) 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
(1) No lot having an area less than 1 000 m\(^2\) (10 764 ft\(^2\)) may be created by subdivision within Area 1.
(2) (Deleted by Bylaw 1215)
(3) (Deleted by Bylaw 1215)

6.90.04 Height and Size of Principal Use Buildings
(1) Buildings and structures within the various areas identified on Schedule “E”, shall not exceed the following heights:
   (a) within Area 1, the height of buildings and structures shall not exceed 18.3 m (60 ft);  (Bylaw 1086)
   (b) 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.  (Bylaw 1086)
   (c) Within Area 3, the height of one-family dwellings shall not exceed 6 m (20 ft).  (Bylaw 1215)

6.90.05 Setbacks
No building or structure may be located:
(1) In Area 1 – Business Park
   (a) within 7.5 m (25 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 is common to a lot that is not in Area 1; or  (Bylaw 1086)
   (c) within 7.5 m (25 ft) of any rear lot line except that the setback from a rear lot line that adjoins a lot in Area 1 may be reduced to nil; or
   (d) within 6 m (20 ft) of any exterior side lot line.
(2) Bylaw 1086, 1215; Deleted by Bylaw 1753
(3) Deleted. Bylaw 1215
(4) In Area 4 – Amenity and Park Area
   (a) within 7.5 m (25 ft) of any front lot line or exterior lot line; or
   (b) within 6 m (20 ft) of any interior side lot line; or
   (c) within 10 m (20 ft) of any rear lot line;
(5) Notwithstanding Subsections (1) through (4), any underground parking structure may have a zero setback to any lot line. (Bylaw 1086)

6.90.06 Lot Coverage
(1) Lot coverage in Area 1 may not exceed 50 percent. (Bylaw 1215)
(2) Lot coverage in Area 2 may not exceed: (Bylaw 1215)
   (a) 65 percent for apartment and mixed uses and up to 100 percent for associated underground parking structures;
   (b) 35 percent for other uses.
(3) Lot coverage in Area 3 may not exceed: (Bylaw 1215)
   (a) 75 percent for apartment, non-residential and mixed uses;
   (b) 50 percent for residential uses on lots 60 m² (646 ft²) or greater in area; or
   (c) 85 percent for residential uses on lots less than 60 m² (646 ft²) in area.
(4) Lot coverage in Area 4 may not exceed 35 percent. (Bylaw 1215)

6.90.07 Landscape Screening (Bylaw 1215)
(1) In Area 2, a minimum of 25 percent of the lot shall be extensively landscaped.
(2) The relevant regulations of Section 3.21 of this Bylaw must apply.

6.90.08 Regulations for Use (Bylaw 1215)
(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 the one-family dwelling permitted in accordance with Section 6.90.01(3)(i):
   (a) Building footprint, excluding carports and porches, may not exceed 110 m² (1 184 ft²);
   (b) Secondary suites, garden suites, and carriage suites are prohibited; (Bylaw 1696)
   (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 the one-family dwelling includes a basement, 25 percent of the basement must be designated as storage space.
Section 6.91 – Comprehensive Development 2 – Hull’s Field (CD2) Zone

(Bylaw 474; replaced by Bylaw 867)

6.91.01 Permitted Uses

The following uses and no others are permitted in the Comprehensive Development – Hull’s Field (CD2) Zone:

(1) Within that portion of the lands identified as Parcel “A” on the CD2 Zone Map attached Schedule “G”:

(a) accessory buildings and uses;
(b) animal hospitals in enclosed buildings;
(c) auction rooms;
(d) (Deleted by Bylaw 1319)
(e) bakery;
(f) business college and trade school;
(g) community care facility;
(h) financial institutions, including drive-thru financial services;
(i) funeral parlours;
(j) gasoline service stations and car wash;
(k) health clubs;
(l) (Deleted by Bylaw 1146)
(m) hotels;
(n) medical clinics and accessory related commercial uses;
(o) offices;
(p) parking facilities;
(q) pet daycare; (Bylaw 1570)
(r) personal service establishments;
(s) post office;
(t) liquor stores; (Bylaw 1685)
(u) premises licensed pursuant to the Liquor Control and Licensing Act;
(v) printing, publishing, and bookbinding;
(w) (Deleted by Bylaw 1570);
(x) private hospitals and nursing homes;
(y) public assembly and entertainment uses;
(z) public transportation depots;
(aa) restaurants, including drive-in and drive-thru restaurants;
(bb) retail stores;
(cc) schools; (Bylaw 1531)
(dd) shopping centres;
(ee) temporary construction and real estate marketing offices; and (Bylaw 984)
(ff) 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 uses; (Bylaw 1037)
(b) animal hospital in enclosed buildings; (Bylaw 1037)
(c) apartment which may contain multi-family flex units; (Bylaw 1223)
(d) appliance repairs; (Bylaw 1037)
(e) auction rooms; (Bylaw 1037)
(f) automobile and boat showrooms; (Bylaw 1037)
(g) automobile repair and body painting shops; (Bylaw 1037)
(h) bakery; (Bylaw 1037)
(i) business college; (Bylaw 1037)
(j) commercial nurseries and greenhouses; (Bylaw 1037)
(k) community care facility;
(l) financial institutions, including drive-thru financial services; (Bylaw 1037)
(m) food catering facilities; (Bylaw 1037)
(n) home office home occupation in accordance with Section 3.09; (Bylaw 1146)
(o) hotels; (Bylaw 1037)
(p) mini storage; (Bylaw 1037)
(q) offices; (Bylaw 1037)
(r) parking facilities; (Bylaw 1037)
(s) places of indoor recreation, assembly and entertainment – including but without limiting the generality of the foregoing, gymnasiums, health clubs, health establishments, fitness and dance studios, indoor tennis courts, auditoriums, billiard and pool halls, bowling alleys, gymnasiums, and indoor movie theatres; (Bylaw 1037)
(t) places of outdoor recreation; (Bylaw 1037)
(u) post office; (Bylaw 1037)
(v) printing, publishing, and bookbinding; (Bylaw 1037)
(w) public transportation depots; (Bylaw 1037)
(x) recreational uses; (Bylaw 1037)
(y) restaurants, including drive-in and drive-thru restaurants; (Bylaw 1037)
(z) retail sale, rental, and repair of small industrial equipment such as skid steer loaders; (Bylaw 1037, 1548)
(aa) retail sales of parts and accessories for automobiles, trucks, boats, recreational vehicles, farm machinery, and manufactured homes; (Bylaw 1037)
(bb) retail stores; (Bylaw 1037)

(cc) storage buildings and screened yards for building, electrical, heating, ventilation and air conditioning, painting, plumbing, refrigeration, roofing, septic tank, and sign contractors; (Bylaw 1037)

(dd) townhouses which may contain multi-family flex units; (Bylaw 1223)

(ee) unenclosed storage; (Bylaw 1037)

(ff) universities and schools; (Bylaw 1037)

(gg) wholesale and storage buildings; (Bylaw 1037)

(hh) on land legally described as Lot 2, Section 80, Esquimalt District, Plan VIP83598, PID No. 027-183-033 (128-1047 Langford Parkway) a u-brewery is permitted; and (Bylaw 1354)

(ii) uses permitted by Section 3.01 of this bylaw.

(3) Within that portion of the lands identified as Parcel “C” on the CD2 Zone Map attached as Schedule “G”:

(a) day care and preschools; (Bylaw 984)

(b) parks;

(c) parking facilities and driveways; (Bylaw 921)

(d) recreational uses;

(e) restaurants; and (Bylaw 984)

(f) uses permitted by Section 3.01 of this bylaw.

(4) Within that portion of the lands identified as Parcel “D” on the CD2 Zone Map attached as Schedule “G”:

(a) roads and public utilities; and

(b) uses permitted by Section 3.01 of this bylaw.

(5) Within that portion of the lands identified as Parcel “E” on the CD2 Zone Map attached as Schedule “G”:

(a) accessory buildings and uses;

(b) group day care in accordance with Section 3.26.02; (Bylaw 1039)

(c) home occupation in accordance with Section 3.09; (Bylaw 1146)

(d) one-family dwelling;

(e) the keeping of not more than four boarders in a one-family dwelling; and

(f) uses permitted by Section 3.01 of this bylaw.

6.91.02 Density of Development

(1) The total combined floor area of all commercial buildings on Parcel “A” may not exceed 93 m² (1 000 ft²) nor may there be more than one residential dwelling on Parcel “B”;

(2) Despite Subsection 6.91.02(1), the total combined floor area of all commercial buildings on Parcel “A” may exceed 93 m² (1 000 ft²) and there may be more than one residential dwelling 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; *(Bylaw 921)*

(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 may not exceed 0.5;

(b) Within Parcel “B”, the maximum commercial floorspace may not exceed 17 300 m² (186 222 ft²), which represents a floor area ratio of 0.5 FSR. Residential floorspace may be exchanged for commercial floorspace at a ratio of 2 to 1, to a maximum floor area ratio of 1.0. *(Bylaw 1037)*

**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 (60 ft);

(2) Within Parcel B, the maximum height of buildings and structures shall not exceed a height of 16 m (49 ft);

(3) Townhouses may not be located within 215 m (705 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;

(5) *(Deleted by Bylaw 1319)*

**6.91.04 Setbacks**

(1) **Parcel “A”**

(a) No building or structure may be located:

(i) Within 3 m (10 ft) of the northerly boundary of Parcel “A” as shown on Schedule “G”;

(ii) Within 4.5 m (15 ft) of the easterly boundary of Parcel “A” as shown on Schedule “G”; and

(iii) Within 4.5 m (15 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 (20 ft) of the northerly boundary of Parcel “B” as shown on Schedule “G”;
      (ii) Within 0 m (0 ft) of the southerly boundary of Parcel “B” as shown on Schedule “G”;
      (iii) Within 1.5 m (5 ft) of the easterly boundary of Parcel “B”; and
      (iv) Within 1.5 m (5 ft) of the westerly boundary of Parcel “B” as shown on Schedule “G”.

(3) (Deleted by Bylaw 1319)

6.91.05 Lot Coverage
   (1) Lot coverage of all buildings and structures may not exceed 38 percent of the lot area in Parcel “A”;
   (2) Lot coverage of all buildings and structures may not exceed 50 percent of the lot area in Parcel “B”; and
   (3) (Deleted by Bylaw 1319)

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;
   (2) A pedestrian linkage must be provided through Parcels “A” and “B” to Parcel “C”; and
   (3) (Deleted by Bylaw 1319)

6.91.07 Minimum Parcel Requirement
   (1) Commercial Area – Parcel “A”
      (a) No lot having an area less than 695 m² (7 500 ft²) may be created by subdivision in the Comprehensive Development 2 – Hull’s Field (CD2) Zone.
   (2) Residential Areas – Parcel “B”
      (a) No lot having an area less than 1 800 m² (19 376 ft²) may be created by subdivision in the Comprehensive Development 2 – Hull’s Field (CD2) Zone; and
      (b) No lot may be created having a width less than 18 m (59 ft).
   (3) (Deleted by Bylaw 1319)

6.91.08 Subdivision – General
   In the event of subdivision of Parcels “A” or “B”, the setback requirement pertaining to parcel boundary 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.
6.91.09 Landscape Screening
The relevant regulations of Section 3.21 of this Bylaw must apply.

6.91.10 General
The relevant regulations of Part 3 of this Bylaw must apply.
Section 6.92 – Comprehensive Development 3 – Westhills (CD3) Zone

(Bylaw 591, 939; Replaced by Bylaw 1111)

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 uses;
(b) ambulance stations and fire halls;
(c) apartments, including apartments for senior citizens and multi-family flex units; (Bylaw 1223)
(d) assembly and entertainment uses;
(e) attached housing;
(f) bakery, not exceeding a total of 350 m² (3 767 ft²) of gross floor area;
(g) church;
(h) craft studios in enclosed buildings;
(i) film production studios;
(j) financial institutions;
(k) food catering facilities;
(l) group day care limited to not more than 20 children on lots that are less than 1 394 m² (15 000 ft²) in area and not more than 36 children on lots that are greater than 1 394 m² (15 000 ft²) in area and in the latter case only on lots with at least 30 m (100 ft) of frontage and in accordance with Section 3.26.02; (Bylaw 1146)
(m) gymnasiums, health establishments and dance studios;
(n) home occupation in accordance with Section 3.09; (Bylaw 1146)
(o) hospital, including private hospitals, nursing homes and multi-level care facilities;
(p) hotels;
(q) (Deleted by Bylaw 1481);
(r) (Bylaw 1223; Deleted by Bylaw 1437)
(s) library; (Bylaw 1570)
(t) medical clinics;
(u) minor repair shops (excluding petroleum-powered engines);
(v) offices;
(w) park;
(x) personal service establishments;
(y) post office;
(z) premises licensed pursuant to the Liquor Control and Licensing Act;
(aa) (Deleted by Bylaw 1570);
(bb) recreational facilities;
(cc) recreation centre;
(dd) refund container return depots;
(ee) restaurants and coffee shops;
(ff) retail stores;
(gg) scientific or technological research facility;
(hh) temporary construction and real estate marketing offices;
(ii) theatres, excluding drive-ins;
(jj) townhouses which may contain a secondary suite or multi-family flex unit; *(Bylaw 1186, 1223)*
(kk) universities and schools;
(ll) veterinary practices in enclosed buildings; and
(mm) uses permitted by Section 3.01 of this Bylaw.

(2) Within those portions of the lands identified as “Area 2 – Single-Family Residential Area” on the CD3 zone map attached as Schedule "L", the following uses and no others are permitted:

(a) accessory buildings and uses;
(b) apartments, including apartments for senior citizens and multi-family flex units; *(Bylaw 1223)*
(c) assembly;
(d) attached housing;
(e) bed and breakfast in one-family dwellings on lots of 550 m² (5 920 ft²) or greater in area;
(f) church;
(g) community centre;
(h) group day care limited to not more than 20 children on lots that are less than 1 394 m² (15 000 ft²) in area and not more than 36 children on lots that are greater than 1 394 m² (15 000 ft²) in area and in the latter case only on lots with at least 30 m (100 ft) of frontage and in accordance with Section 3.26.02; *(Bylaw 1146)*
(i) gymnasiums, health establishments and dance studios;
(j) home occupation in accordance with Section 3.09; *(Bylaw No. 1146)*
(k) hospitals, including private hospitals, nursing homes and multi-level care facilities;
(l) *(Bylaw 1223; Deleted by Bylaw 1437)*
(m) one-family dwelling on lots with areas greater than or equal to 550 m² (5 920 ft²), which must have a secondary suitegarden suite, or carriage suite in accordance with Section 3.08; *(Bylaw 1186, 1696)*
(n) one-family dwelling on lots with areas less than 550 m² (5 920 ft²) and greater than or equal to 300 m² (3 229 ft²), which may contain a secondary suite or carriage suite in accordance with Section 3.08; *(Bylaw 1186. 1696)*
(o) one-family dwelling on lots with areas less than 300 m² (3 229 ft²), which may contain a secondary suite in accordance with Section 3.08; *(Bylaw 1186)*
(p) two-family dwellings on lots with areas greater than or equal to 300 m² (3 229 ft²)
widths not less than 10 m (33 ft); **(Bylaw 1186)**

(q) park;

(r) recreational facilities;

(s) schools;

(t) deleted—previously clause (s); **(Bylaw 1146, 1186)**

(u) temporary construction and real estate marketing offices;

(v) townhouses which may contain a secondary suite or multi-family flex unit; **(Bylaw 1186, 1223)**

(w) the keeping of not more than four boarders in a one-family dwelling; and

(x) uses permitted by Section 3.01 of this Bylaw.

(3) Within those portions of the lands identified as “Area 3 – Medium and High Density Multi-Family Residential Area” on the CD3 zone Map attached as Schedule “L”, the following uses and no others are permitted:

(a) apartments, including apartments for senior citizens and multi-family flex units; **(Bylaw 1223)**

(b) assembly;

(c) attached housing;

(d) church;

(e) community centre;

(f) group day care limited to not more than 20 children on lots that are less than 1 394 m² (15 000 ft²) in area and not more than 36 children on lots that are greater than 1 394 m² (15 000 ft²) in area and only on lots with 30 m (100 ft) of frontage and in accordance with Section 3.26.02; **(Bylaw 1146)**

(g) gymnasiums, health establishments and dance studios as an accessory use;

(h) home occupation in accordance with Section 3.09; **(Bylaw 1146)**

(i) hospital, including private hospitals, nursing homes and multi-level care facilities;

(j) **(Deleted by Bylaw 1437)**

(k) park;

(l) recreational facilities;

(m) schools;

(n) temporary construction and real estate marking offices;

(o) townhouses which may contain a secondary suite or a multi-family flex unit; and **(Bylaw 1186, 1223)**

(p) uses permitted by Section 3.01 of this Bylaw.
(4) Within those portions of the lands identified as “Area 4 – Non-Core Related Mixed Use Nodes” on the CD3 zone map attached as Schedule “L”, the following uses and no others are permitted:

(a) accessory buildings and uses;
(b) apartments which may contain multi-family flex units; *(Bylaw 1223)*
(c) assembly;
(d) church;
(e) community centre;
(f) bakery, not exceeding a total of 200 m² (2 150 ft²) of gross floor area;
(g) craft studios in enclosed buildings;
(h) gymnasiums, health clubs and dance studios;
(i) home occupation in accordance with Section 3.09; *(Bylaw 1146)*
(j) hospital, including private hospitals, nursing homes and multi-level care facilities;
(k) hotel;
(l) *(Bylaw 1223; Deleted by Bylaw 1437)*
(m) medical clinics;
(n) offices;
(o) park;
(p) post office;
(q) recreational facilities;
(r) restaurants, excluding drive-in and drive-thru restaurants;
(s) retail stores;
(t) schools;
(u) temporary construction and real estate marketing offices;
(v) townhouses which may contain a secondary suite or a multi-family flex unit; *(Bylaw 1186, 1223)*
(w) school; and
(x) uses permitted by Section 3.01 of this Bylaw.

(5) Within those portions of the lands identified as “Area 5 – Langford Lake Foreshore” on the CD3 zone map attached as Schedule “L”, the following uses and no others are permitted:

(a) accessory buildings and uses;
(b) marina;
(c) park;
(d) premises licensed pursuant to the *Liquor Control and Licensing Act*;
(e) recreational facilities;
(f) restaurants, excluding drive-in and drive-thru restaurants;
(g) temporary construction and real estate marketing offices; and
(h) uses permitted by Section 3.01 of this Bylaw.

(6) Within those portions of the lands identified as "Area 6 – Business Park" on the CD3 zone map attached as Schedule "L", the following uses and no others are permitted:

(a) accessory buildings and uses;
(b) building supply establishments;
(c) carpentry shops;
(d) commercial bakeries;
(e) commercial nurseries and greenhouses;
(f) electronics manufacturing;
(g) film production studios;
(h) gymnasiums, health establishments, and dance studios;
(i) indoor sports and recreational facilities with a floor area of 1 395 m$^2$ (15 000 ft$^2$);
(j) light industrial uses which are not noxious or offensive by reason of permitting odours, dust, smoke, gas or noise, including but without limiting the generality of the foregoing establishments for the following trade contractors: building, electrical, heating and air conditioning, painting, plumbing, refrigeration, roofing, septic tank and signs. The following uses are specifically excluded:

(a) any use specified in the Health Act as an offensive trade;
(b) auto wrecking;
(c) burning of motor vehicles and other things for salvage purposes;
(d) gravel processing; and
(e) refuse and garbage dumps.

(k) mini-storage;
(l) offices;
(m) printing, publishing and book binding;
(n) recycling depots;
(o) rental and repair of tools and small equipment such as chain saws, hand and edge tool, lawn mowers, roto tillers, and outboard motors;
(p) rental of goods and equipment;
(q) repair of household furnishing;
(r) retail sale as an accessory use limited to 10% of floor area occupied by a business;
(s) scientific or technological research facility;
(t) temporary construction and real estate marketing offices;
(u) wholesale and storage warehouse buildings; and
(v) uses permitted by Section 3.01 of this Bylaw.
6.92.02 Accessory Utility Uses

(1) In addition to the uses permitted in Section 3.01.01 of this Bylaw, the following uses are permitted as accessory uses to any of the uses defined in Section 3.01.01 within the Comprehensive Development 3 – Westhills (CD3) Zone:

(a) storage buildings and unenclosed storage;
(b) works yards; and
(c) one dwelling unit for a caretaker.

6.92.03 Subdivision Lot Requirements

(1) No lot having an area less than 200 m² (2 152 ft²) may be created by subdivision;
(2) No lot may be created having a lot width less than 9.5 m (31 ft);
(3) No lot with an area greater than, or equal to 550 m² (5 920 ft²) may be created having a width less than 10 m (32.8 ft);
(4) No lot may be created having a building envelope width or depth less than 7 m (23 ft) nor a building envelope area less than 93 m² (1 000 ft²);
(5) No lot with an area greater than or equal to 550 m² (5 920 ft²) may be created having a building envelope area less than 186 m² (2 000 ft²);
(6) Notwithstanding Sections 6.92.03(1) to (5), a lot having an area of no less than 70 m² (750 ft²) and a width no less than 4 m (13 ft) may be created by subdivision for a townhouse use; (Bylaw 1186)
(7) Land in the CD3 zone shall not be subdivided unless the density regulations for the zone are made applicable to the individual parcels created, either by means of amendment of this Bylaw or by means of a covenant registered under s.219 of the Land Title Act, such that the density limits in s.6.92.04 cannot be exceeded in the development of the zone as a whole.

6.92.04 Density of Development on Individual Lots

There may not be more than one residential dwelling, exclusive of any secondary suite, garden suite, or carriage suite, on a lot with an area less than 750 m² (8 073 ft²). (Bylaw 1186, 1696)

6.92.05 Density of Development in the CD3 Zone

There may not be more than 100 residential dwellings and 2 000 m² (21 528 ft²) of non-residential floor area in the CD3 zone, of which not more than 200 m² (2 152 ft²) of non-residential floor area may be within the area identified as “Area 5 – Langford Lake Foreshore” on the CD3 zone map attached as Schedule “L”.

(1) Notwithstanding subsection 6.92.05(1), land in the CD3 (Comprehensive Development 3 – Westhills) zone may be developed for more than 100 but not more than 500 residential dwellings and for more than 2 000 m² (21 528 ft²) of non-residential floor area of which more than 200 m² (2 152 ft²) may be within the area identified as “Area 5 – Langford Lake Foreshore” on the CD3 zone map attached as Schedule “L” if the owner of the land proposed to be built upon has:

(a) constructed in accordance with plans approved by the City Council a water feature and a public amphitheatre having an aggregate construction value certified by a professional engineer of at least $500 000, in the commons area of the community core, prior to the construction of adjacent buildings;
(b) provided in accordance with plans approved by the City Council a public pier and park abutting Langford Lake having an aggregate construction value certified by a
professional engineer of at least $250 000;

(c) entered into a housing agreement with the City of Langford, in respect to at least 150 residential units in the CD3 zone, limiting the units to rental tenure in perpetuity, and requiring that the rental units are constructed within a period of six years from the date of adoption of Langford Zoning Bylaw, Amendment No. 212 (Text Amendment – CD3 [Comprehensive Development 3 – Westhills], 2007; and

(d) made, or entered into an agreement with the City of Langford to provide the following contributions according to the following schedule to the City of Langford’s amenity fund for Westhills;

- $300 000 payable 60 days from the date of adoption of Langford Zoning Bylaw, Amendment No. 212 (Text Amendment – CD3 [Comprehensive Development 3 – Westhills], 2007;

- $600 000 payable 150 days from the date of adoption of Langford Zoning Bylaw, Amendment No. 212 (Text Amendment – CD3 [Comprehensive Development 3 – Westhills], 2007;

- $600 000 payable 365 days from the date of adoption of Langford Zoning Bylaw, Amendment No. 212 (Text Amendment – CD3 [Comprehensive Development 3 – Westhills], 2007.

(2) Notwithstanding Subsection 6.92.05(1) and (2), development in the CD3 zone may exceed 500 residential dwellings if the owner of the land proposed to be built upon has:

(a) entered into a parkland dedication agreement, satisfactory to City Council, whereby 40% of the lands within the CD3 zone are preserved as public open space comprising land that has been dedicated and land that is to be dedicated as parkland concurrent with the subdivision of the land of which the parkland forms a part, regardless of the number or area of parcels being created by the subdivision and that the area described in subsection 6.92.05(2)(i) and (ii) may be included in the calculation of 40% of the lands; and

(b) provided $1 million to the City of Langford to be used towards rail-based transit serving the CD3 zone, to be held in trust by the City until such time as a rail-based transit service is established. If this service has not been created by December 31, 2013 to be deposited with accumulated interest to the City of Langford amenity fund for Westhills and road improvements south of the Trans Canada Highway.

(3) Provided that all of the density bonus provisions of Section 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 ration within Area 1 may not be less than 1.0; (Bylaw 1186)

(ii) the floor area ratio may not exceed 6.0; (Bylaw 1186)

(b) within Area 4:

(i) the non-residential floor area may not exceed 6 000 m² (64 585 ft²); and

(ii) the number of hotel rooms may not exceed 250, in addition to the non-residential floor area described in Subsection 6.92.05(4)(b)(i);

(c) within Area 5:

(i) the floor area may not exceed 650 m² (7 000 ft²).

(4) Under no circumstances may the number of one-family dwellings in the CD3 zone exceed 1500, whether or not the dwellings have secondary suites, garden suites, or carriage suites, nor be less than 850 when the maximum density permitted in Subsection
6.92.05(6) has been achieved. (Bylaw 1696)

(5) Under no circumstance may the total number of residential dwellings other than secondary suites, garden suites, or carriage suites within Areas 2, 3, 4, and 5 of the CD3 zone exceed 5,950. (Bylaw 1696)

(6) In this section, “non-residential floor area” means floor area for the uses permitted in the CD3 zone other than apartment, apartments for senior citizens, attached housing, one-family dwelling with secondary suite, garden suite, or carriage suite, one-family dwelling, townhouses, and two-family dwellings. (Bylaw 1696)

6.92.06 Lot Coverage

(1) Within Area 6, the lot coverage of all buildings and structures may not exceed 50%. (Bylaw 1223)

6.92.07 Height and Size of Principal Use Buildings

(1) Within Area 6, no building or structure may exceed a height of 12 m (39 ft). (Bylaw 1223)

6.92.08 Setbacks

(1) Within Area 6, no building or structure may be located:

(a) Within 7.5 m (25 ft) of any front lot line;

(b) Within 6 m (20 ft) of any interior side lot line that does not adjoin a lot in a commercial, industrial or business park zone;

(c) Within 0 m (0 ft) of one interior side lot line if the lot line adjoins a lot in the commercial zone, industrial zone, or business park zone, provided, however, that the sum of the setbacks from any two side lot lines is not less than 6 m (20 ft); or

(d) Within 10 m (32.8 ft) of any rear lot line except that the setback from a rear lot line that adjoins a lot in the commercial zone, industrial zone, or business park zone may be reduced to nil; or

(e) Within 6 m (20 ft) of any exterior side lot line.

6.92.09 Landscape Screening

(1) In addition to the regulations contained in Section 3.21 of this Bylaw, a continuous landscape and screening area not less than 3 m (10 ft) wide, or a continuous landscape and screening area not less than 2.5 m (8 ft) in width containing a decorative fence not less than 1.8 m (6 ft) in height together with decorative planting, must be provided along the developed portion of each lot in Area 6 which abuts a highway or a property in an agricultural, residential, or institutional zone other than the CD3 zone. This landscape and screening area may be interrupted at boulevard crossings, or to provide necessary pedestrian access for entering a building or for viewing shop windows. The width of the landscape area may also include the width of a planted boulevard.

6.92.10 General

The relevant regulations of Part 3 of this Bylaw apply.
Section 6.93 – Comprehensive Development 4 – Olympic View (CD4) Zone

6.93.01 Permitted Uses

The following uses and no others are permitted in the comprehensive Development 4 – Olympic View (CD4) Zone:

(1) Within that portion of the lands identified as Area “1” on the CD4 Zone Map attached as Schedule “H”:
   (a) accessory buildings and uses;
   (b) apartments which may contain multi-family flex units; (Bylaw 1223)
   (c) bakery, not exceeding a total of 200 m² (2 150 ft²) in floor area;
   (d) community care facility;
   (e) golf courses, golf practice ranges and miniature golf courses;
   (f) home office home occupation in accordance with Section 3.09; (Bylaw 1146)
   (g) hotels;
   (h) offices;
   (i) personal service establishments including, but without limiting the generality of the foregoing, barber shop, beauty parlour, launderette, optical or watch repair shop, photographic studio, and shoe repair;
   (j) places of indoor recreation;
   (k) places of outdoor recreation;
   (l) post office;
   (m) premises licensed pursuant to the Liquor Control and Licensing Act;
   (n) public assembly and entertainment uses, including but without limiting the generality of the foregoing, auditoriums, billiard and pool halls, bowling alleys, catering establishments, and gymnasiums;
   (o) public utility;
   (p) restaurants, excluding drive-in and drive-thru restaurants;
   (q) retail stores;
   (r) temporary construction and real estate marketing offices; (Bylaw 984)
   (s) townhouses which may contain multi-family flex units; and (Bylaw 1223)
   (t) uses permitted by Section 3.01 of this Bylaw.

(2) Within that portion of the lands identified as Area “2” on the CD4 Zone Map attached as Schedule “H”:
   (a) accessory buildings and uses;
   (b) bed and breakfast in a one-family dwelling;
   (c) golf courses, golf practice ranges and miniature golf courses;
   (d) home office home occupation in accordance with Section 3.09; (Bylaw 1146)
(e) one- or two-family dwelling;
(f) public utility;
(g) secondary suite in a one-family dwelling in accordance with Section 3.08; (Bylaw 1146)
(h) townhouses which may contain multi-family flex units; and (Bylaw 1223)
(i) uses permitted by Section 3.01 of this Bylaw.

6.93.02 Subdivision Lot Requirements

(1) Within that portion of the lands identified as Area “1” on the CD4 Zone Map attached as Schedule “H”, no lot having an area less than 695 m² (7 480 ft²) may be created by subdivision.

(2) Within that portion of the lands identified as Area “1” on the CD4 Zone Map attached as Schedule “H”, no lot may be created having a width less than 16 m (53 ft);

(3) Within that portion of the lands identified as Area “2” on the CD4 Zone Map attached as Schedule “H”, no lot having an area less than 500 m² (5 382 ft²) may be created by subdivision;

(4) Within that portion of the lands identified as Area “2” on the CD4 Zone Map attached as Schedule “H”, no lot may be created having a width less than 15 m (50 ft); and

(5) Within that portion of the lands identified as Area “2” on the CD4 Zone Map attached as Schedule “H”, no lot may be created having a building envelope with a width or depth less than 7 m (23 ft) nor an area less than 186 m² (2 000 ft²).

6.93.03 Density of Development

(1) Notwithstanding any regulations in this section, the maximum number of dwelling units permitted in this zone is 461;

(2) Notwithstanding any other regulations in this section, the maximum number of hotel rooms permitted within that portion of the lands identified as Area “1” on the CD4 Zone Map attached as Schedule “H” is 120; and

(3) The maximum floor area for retail use within that portion of the lands identified as Area “1” on the CD4 Zone Map attached as Schedule “H”, shall not exceed 2 250 m² (7 382 ft²).

6.93.04 Regulations for Two-Family Dwelling Use

(1) In addition to the other regulations in this section, the regulations that apply to two-family dwellings within that portion of the lands identified as Area “2” on the CD4 Zone Map attached as Schedule “H”, shall be as follows: (Bylaw 860)

   (a) Two-family dwellings area prohibited on panhandle lots; and

   (b) The lot area may not be less than 800 m² (8 611 ft²).

(2) Notwithstanding Subsection 6.93.04(1), there may be two residential buildings on a lot if:

   (a) The lot area is not less than 800 m² (8 611 ft²), and not greater than 999 m² (10 753 ft²).

6.93.05 Regulations for Multi-Family Dwelling Use

(1) In addition to the other regulations in this section, the regulations that apply to townhouses or attached housing within that portion of the lands identified as Area “2” on the CD4 Zone Map attached as Schedule “H”, shall be as follows: (Bylaw 860)
(a) The lot area may not be less than 1 800 m² (0.44 acre).

6.93.06 Site Coverage

(1) Site coverage within the area identified as Area "1" on the CD4 Zone Map attached as Schedule "H" shall not exceed 80%; and

(2) Site coverage within the area identified as Area "2" on the CD4 Zone Map attached as Schedule "H" shall not exceed 35%.

6.93.07 Height, Location, and Size of Principal Use Buildings

(1) Within the area identified as Area "1" on the CD4 Zone Map attached as Schedule "H", no principal building or structure shall exceed a height of 9 m (30 ft) or two storeys;

(2) Notwithstanding subsection 6.93.07(1), no principal building or structure for an office or apartment use within the area identified as Area "1" on the CD4 Zone Map attached as Schedule "H", shall exceed a height of 12 m (39 ft) or three storeys;

(3) Notwithstanding subsection 6.93.07(1), no principal building or structure for a hotel use within the area identified as Area "1" on the CD4 Zone Map attached as Schedule "H", shall exceed a height of 24 m (79 ft) or six storeys; and

(4) Within the area identified as Area "2" on the CD4 Zone Map attached as Schedule "H", no principal building or structure shall exceed a height of 9 m (30 ft).

6.93.08 Setbacks

(1) Within that portion of the lands identified as Area "1" on the CD4 Zone Map attached as Schedule "H", no building or structure may be located:

(a) Within 6 m (20 ft) of any front or exterior side lot line;

(b) Within 3 m (10 ft) of any interior side lot line; and

(c) Within 4.5 m (15 ft) of any rear lot line.

(2) Notwithstanding any other provision of this section, and within that portion of the lands identified as Area "1" on the CD4 Zone Map attached as Schedule "H", a building or structure that is wholly underground and used for parking may be located within 0 m (0 ft) of any lot line.

(3) Within that portion of the lands identified as Area "2" on the CD4 Zone Map attached as Schedule "H", no one- or two-family dwelling may be located:

(a) Within 6 m (20 ft) of any front lot line;

(b) Within 1.5 m (5 ft) of any interior side lot line;

(c) Within 4.5 m (15 ft) of any exterior side lot line, except that no garage or carport that faces an exterior side lot line may be located within 5.5m of the exterior side lot line; *(Bylaw 1581)*

(d) Within 4.5 m (15 ft) of any rear lot line;

(e) Deleted *(Bylaw 1581)*

(4) Within that portion of the lands identified as Area "2" on the CD4 Zone Map attached as Schedule "H", no townhouse or attached housing may be located:

(a) Within 6 m (20 ft) of any front lot line;

(b) Within 4.5 m (15 ft) of any rear lot line; and

(c) Within 3 m (10 ft) of any side lot line, except that no garage or car port that faces an exterior side lot line may be located within 5.5 m of the exterior side lot line. *(Bylaw 1581)*
(5) Notwithstanding any other provision of this section, and within that portion of the lands identified as Area “2” on the CD4 Zone Map attached as Schedule “H”, a townhouse or attached housing may be located within 0 m (0 ft) of any interior side lot line, provided that the lot is within a comprehensive development of at least four (4) contiguous lots where the buildings are separated by a minimum of 3.0 m. (Bylaw 1581)

6.93.09 Open Space, Landscape, and Landscape Screening

(1) The relevant regulations of Section 3.21 of this Bylaw must apply;

(2) Parking areas shall be screened from any abutting commercial use by a landscape screen not less than 3 m (9.8 ft) in width;

(3) Parking areas shall be screened from any abutting residential or multi-family use by a landscaped screen of not less than 1.75 m (5.7 ft) in height at the time of planting;

(4) Landscaping in the form of grass, shrubs, ground cover, native plant communities, plants, trees, and/or flowers shall be maintained in a total of not less than 10% of the site area;

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

(6) The general location of open space within this zone is illustrated on the CD4 Zone Map attached as Schedule “H”; and

(7) Open space shall consist of a combination of public areas, private areas and boundary setbacks, and shall constitute not less than 15% of the total area encompassed by the CD4 Zone.

6.93.10 General

The relevant regulations of Part 3 of this Bylaw must apply.
Section 6.95 – Resort Community of Bear Mountain (RCBM1) Zone

(Bylaw 670, 803, 860, 944; Replaced by Bylaw 1028, 1797)

6.95.01 Permitted Uses

The following uses and no others are permitted in the Resort Community of Bear Mountain (RCBM1) (Bylaw 1797) Zone:

(1) Within that portion of the lands identified as Area “1” on the RCBM1 (Bylaw 1797) Zone Map attached as Schedule “O”:

(a) accessory buildings and uses;
(b) ambulance station;
(c) apartment which may contain multi-family flex units; (Bylaw 1223)
(d) assembly and entertainment uses, including but without limiting the generality of the foregoing, auditoriums, banquet halls, billiard and pool halls, bowling alleys, catering establishments and gymnasiums, specifically excludes movie theatres;
(e) attached housing;
(f) bakery, not exceeding a total of 200 m² (2 150 ft²) in floor area;
(g) bed and breakfast in one-family dwelling, on lots of 550 m² (5 920 ft²) or greater in area;
(h) churches;
(i) commercial uses that are accessory to public institutional uses;
(j) financial institution;
(k) fire hall;
(l) golf course, golf practice range and miniature golf course including maintenance facilities for golf course use and accessory retail sale, rental and repair of golf equipment;
(m) group day care in accordance with Section 3.26.02; (Bylaw 1146)
(n) home occupation in accordance with Section 3.09; (Bylaw 1146)
(o) hospitals;
(p) hotel and motel;
(q) (Deleted by Bylaw 1481);
(r) medical clinics;
(s) mini-storage on the property legally described as Lot 9, Section 82, Highland District, Plan VIP76365 (2020 Country Club Way) only; (Bylaw 1402)
(t) multi-level care facilities;
(u) nursing homes;
(v) offices;
(w) one-, two-, and three-family dwelling;
(x) parking facilities;
(y) personal service establishments. Including, but without limiting the generality of the foregoing, barber shop, beauty parlour, launderette, optical or watch repair shop,
photographic studio and shoe repair;
(2) places of indoor recreation, including but without limiting the generality of the foregoing, gymnasiums, health clubs, health establishments, fitness and dance studios, indoor tennis courts;
(aa) places of outdoor recreation;
(bb) post office;
(cc) premises licensed pursuant to the Liquor Control and Licensing Act;
(dd) (Deleted by Bylaw 1570);
(ee) restaurants and coffee shops, excluding drive-in and drive-through;
(ff) retail stores;
(gg) deleted; (Bylaw 1146)
(hh) schools, including preschool;
(ii) temporary construction and real estate marketing offices;
(jj) townhouses which may contain multi-family flex units; (Bylaw 1223)
(kk) utilities;
(ll) retail sale and rental of mountain bikes and scooters; and (Bylaw 1088)
(mm) uses permitted by Section 3.01 of this Bylaw.

(2) Within that portion of the lands identified as Area “2” on the RCBM1 (Bylaw 1797) Zone Map attached as Schedule “O”:
(a) accessory buildings and uses;
(b) ambulance station;
(c) fire hall;
(d) home occupation in accordance with Section 3.09; (Bylaw 1146)
(e) one-, two-, and three-family dwellings;
(f) places of indoor recreation, including but without limiting the generality of the foregoing, gymnasiums, health clubs, health establishments, fitness and dance studios, indoor tennis courts;
(g) places of outdoor recreation;
(h) Ronald McDonald House or similar use providing accommodation for the relatives of seriously ill children; (Bylaw 1146)
(i) schools, including preschools as an accessory use;
(j) secondary suite in a one-family dwelling in accordance with Section 3.08; (Bylaw 1146)
(k) Townhouses on the property legally described as Lot 1, Section 2, Range 4W, Highland District, Plan VIP83430 (2332 Copper Rock Crt) only; (Bylaw 1488)
(l) utilities; and
(m) 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 Dr), subject to Section 6.95.04(9); (Bylaw 1717)
(n) uses permitted by Section 3.01 of this Bylaw.

(3) Within that portion of the lands identified as Areas “3A”, “3B” and “3C” on the RCBM1 (Bylaw 1797) Zone Map attached as Schedule “O”: 
(a) accessory buildings and uses;
(b) ambulance station;
(c) attached housing;
(d) apartment which may contain multi-family flex units; **(Bylaw 1223)**
(e) fire hall;
(f) home occupation in accordance with Section 3.09; **(Bylaw 1146)**
(g) one-, two-, and three-family dwellings;
(h) secondary suite in a one-family dwelling in accordance with Section 3.08; **(Bylaw 1146)**
(i) temporary construction and real estate marketing offices; **(Bylaw 1146)**
(j) townhouses which may contain multi-family flex units; **(Bylaw 1223)**
(k) utilities; and
(l) uses permitted by Section 3.01 of this Bylaw. **(Bylaw 1088)**

(4) Within that portion of the lands identified as Area “3C” on the RCBM1 **(Bylaw 1797)** Zone Map attached as Schedule “O”: **(Bylaw 1088)**
(a) uses permitted by Section 6.95.01(3);
(b) viniculture and wineries; and
(c) Where a minimum of 100 residential units are proposed within a single development:
   i. retail stores, each store not exceeding a total of 200 m² (2 153 ft²) in gross floor area;
   ii. personal service establishments
   iii health clubs; and
   iv. restaurant, not exceeding a total of 929 m² (10 000 ft²) in gross floor area.

(5) Within that portion of the lands identified as Area “4” on the RCBM1 **(Bylaw 1797)** 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 **(Bylaw 1797)** Zone Map attached as Schedule “O”:
(a) accessory buildings and uses; and
(b) viniculture and wineries.

(7) Within that portion of the lands identified as Area “6” on the RCBM1 **(Bylaw 1797)** Zone Map attached as Schedule “O”: **(Bylaw 1254)**
(a) Accessory buildings and uses;
(b) Home occupation in accordance with Section 3.09;
(c) One-family dwelling;
(d) Secondary suite in a one-family dwelling in accordance with Section 3.08;
(e) Temporary construction and real estate marketing offices;
(f) The keeping of not more than four boarders in a one-family dwelling; and
(g) Uses permitted by Section 3.01 of this Bylaw.

6.95.02 Subdivision Lot Requirements

(1) No panhandle lots may be created by subdivision in the RCBM1 (Bylaw 1797) (Resort Community of Bear Mountain 1) zone.

(2) No lot having an area less than 550 m$^2$ (5 920 ft$^2$) may be created by subdivision in the RCBM1 (Bylaw 1797) (Resort Community of Bear Mountain 1) zone.

(3) No lot may be created having a lot width less than 16 m (52.5 ft), unless access to the lot is also provided by way of a rear access route.

(4) No lot for a residential use may be created having a building envelope width or depth less than 7 m (23 ft) nor a building envelope area less than 186 m$^2$ (2 000 ft$^2$).

(5) The minimum site area for two-family and three-family dwelling buildings are as follows:

(a) $835 \text{ m}^2$ (8 990 ft$^2$) for a two-family dwelling; and

(b) $1 000 \text{ m}^2$ (10 770 ft$^2$) for a three-family dwelling.

(6) Notwithstanding Subsection 6.95.02(2), a lot having an area less than 550 m$^2$ (5 920 ft$^2$) and not less than 370 m$^2$ (4 000 ft$^2$) may be created by subdivision in the RCBM1 (Bylaw 1797) (Resort Community of Bear Mountain 1) zone for a one-family residential use, provided that:

(a) the lot width is not less than 12 m (39 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 an area less than 900 m$^2$ (9 688 ft$^2$) may be used in the RCBM1 (Bylaw 1797) (Resort Community of Bear Mountain 1) zone for a commercial, attached housing townhouse or any type of apartment use.

(8) No lot having an area less than 695 m$^2$ (7 480 ft$^2$) may be used in the RCBM1 (Bylaw 1797) (Resort Community of Bear Mountain 1) zone 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 Subsection 6.95.03(1), there may be two residential buildings on a corner lot having an area of not less than $835 \text{ m}^2$ and, if each of the buildings has its entrance facing a street.

(3) Despite Subsection 6.95.03(1), an accessory building containing a dwelling unit may be constructed on a lot with an area of not less than $1\ 000 \text{ m}^2$, if the gross floor area of the dwelling unit in the accessory building does not exceed 74 m$^2$ and the dwelling unit is located entirely on either the ground floor or the second floor of the accessory building.

(4) Despite Subsection 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 attached housing, townhouses or apartment buildings.

(5) The density of attached housing and townhouse uses may not exceed one dwelling unit per 285 m$^2$ (3 070 ft$^2$) of lot area.

(6) The floor area ratio of a building for an apartment or combined apartment and commercial use may not exceed 3.0, unless ninety-five percent (95%) of the required off-street parking is provided underground or within a building in which case it may not exceed 7.0. The floor area ratio of a building for a commercial use may not exceed 7.0.
6.95.04 Density of Development in the RCBM1 Zone

(1) There may not be more than 150 residential dwelling units within that portion of the lands identified as Area “1” on the RCBM1 (Bylaw 1797) Zone Map attached as Schedule “O”, nor more than 25 residential dwelling units within that portion of the lands identified as Area “2”, Area “3A”, Area “3B”, or Area “3C” on the RCBM1 (Bylaw 1797) Zone Map attached as Schedule “O”; (Bylaw 1088)

(2) Despite Subsection 6.95.04(1), the number of residential dwelling units in the RCBM1 (Bylaw 1797) Zone may exceed 150 dwelling units within that portion of the lands identified as Area “1” on the RCBM1 (Bylaw 1797) Zone Map attached as Schedule “O”, and 25 residential 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 Subsection 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 Subsection 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 (Bylaw 1797) zone totals $2,500,000;

(c) $500 per additional dwelling unit other than secondary suites and dwelling units permitted under Subsection 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 (Bylaw 1797) zone totals $2,500,000;

and grants, or causes to be granted to the City:

(d) A covenant charging the land in the RCBM1 (Bylaw 1797) zone, in terms satisfactory to the City, ensuring that 3.85 ha (9.51 acres) 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 (Bylaw 1797) 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 12.16 ha (30 acres) 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 Subsection 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 (Bylaw 1797) 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 Subsections 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 (Bylaw 1797) Zone Map attached as Schedule “O” exceed 15. (Bylaw 1254)

(a) Despite subsection 6.95.04 (3), there may be more than 15 dwelling units with that portion of the lands identified as Area “6” on the RCBM1 (Bylaw 1797) 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. (Bylaw 1620)
(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 Dr). (Bylaw 1717)

(5) Despite Section 6.95.04(4), more than one but not more than 175 dwelling units may be developed on the property legally described as Lot 2, Section 1, Range 4W, Highland District, Plan VIP83411 (See Plan as to limited access), PID No. 027-170-829 (2500 Echo Valley Dr) if the owner of the land or applicant for a building permit: (Bylaw 1717)

(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 area RCBM1 (Bylaw 1797) Zone exceed 5,000, exclusive of secondary suites and dwelling units permitted under Subsection 6.95.03(3).

(7) For the purposes of Subsection 6.95.04(2) and (3), a commercial building shall be deemed to be one residential unit.

(8) For the purposes of Subsections 6.95.04(2) through (4), hotels and care facilities are deemed to be commercial buildings.

(9) For the purposes of Subsections 6.95.04(2)(a), (b), and (c), an attached housing, townhouse or apartment type dwelling unit is 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 (Bylaw 1797) Zone exceed 60,000 m² (645,000 ft²).

6.95.05 Regulations for Accessory Buildings

(1) Notwithstanding any other regulations in this bylaw, accessory buildings on lots immediately adjacent to 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

(1) Two- and three-family dwellings may only be located on corner lots.

6.95.07 General Regulations for Use

(1) 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.

(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 residential dwelling.

6.95.08 Height and Size of Principal Use Buildings

(1) No one-, two-, or three-family dwelling, attached dwelling or townhouse may exceed a height of 9 m (30 ft).

(2) Within that portion of the lands identified as “Area 3A” on the RCBM1 (Bylaw 1797) 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 (Bylaw 1797) Zone Map attached as Schedule “O”, no building or structure may exceed a height of ten storeys (exclusive of wholly non-residential storeys provided as parking).
6.95.09 Setbacks

Golf Course Lots

(1) On residential lots directly adjacent to a golf course, no principal building or structure may be located:
   (a) Within 7.5 m (25 ft) from any front lot line;
   (b) Within 7.5 m (25 ft) from any rear lot line;
   (c) Within 6 m (20 ft) from any exterior side lot line; or
   (d) Within 3 m (10 ft) of any interior side lot line not adjoining a golf course; or
   (e) Within 10 m (33 ft) of any lot line adjoining a golf course.

Estate Residential Lots

(2) On residential lots with areas greater than 2 024 m\(^2\) (0.5 acres), no principal building or structure may be located:
   (a) Within 7.5 m (25 ft) of any front lot line;
   (b) Within 10 m (33 ft) of any rear lot line;
   (c) Within 3 m (10 ft) of any exterior side lot line; or
   (d) Within 10 m (33 ft) of any exterior side lot line.

One- and Two-Family Residential Lots

(3) On residential lots with areas greater than or equal to 550 m\(^2\) (5 920 ft\(^2\)) and less than 2 024 m\(^2\) (0.5 acres), no single family dwelling may be located:
   (a) Within 5.5 m (18 ft) of any front lot line;
   (b) Within 6 m (20 ft) of any rear lot line;
   (c) Within 1.5 m (5 ft) of any interior side lot line; or
   (d) Within 4.5 m (15 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 of the exterior side lot line; (Bylaw 1581)
   (e) Deleted (Bylaw 1581)

(4) On residential lots with areas greater than or equal to 835 m\(^2\) (8 988 ft\(^2\)) and less than 2 024 m\(^2\) (0.5 acres), no two-family dwelling may be located:
   (a) Within 6 m (20 ft) of any front lot line;
   (b) Within 6 m (20 ft) of any rear lot line;
   (c) Within 3 m (10 ft) of any interior side lot line; or
   (d) Within 4.5 m (15 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 of the exterior side lot line; (Bylaw 1581)
   (e) Deleted (Bylaw 1581)

Small Lot

(5) On residential lots with areas greater than or equal to 370 m\(^2\) (3 281 ft\(^2\)) and less than 550 m\(^2\) (5 920 ft\(^2\)), no building or structure may be located:
   (a) Within 4.5 m (15 ft) of any front lot line when the lot fronts on and has access from a highway or access route in a bare land strata plan, nor within 5.5 m (18 ft) of the front lot line in the case of a detached garage, or portion of a building comprising...
an attached garage, connected to the highway or access route by a driveway. This setback may be reduced to 3 m (10 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;

(b) Within 6 m (20 ft) of any rear lot line;

(c) Within 1.2 m (4 ft) of any interior side lot line; or

(d) Within 3 m (10 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 of the exterior side lot line; (Bylaw 1581)

(e) Deleted (Bylaw 1581)

**Attached Housing and Townhouse**

(6) No attached housing or townhouses may be located:

(g) Within 6 m (20 ft) from any front lot line;

(h) Within 10 m (33 ft) from any rear lot line;

(i) Within 6 m (20 ft) of any interior side lot line; or

(j) Within 7.5 m (25 ft) of any exterior side lot line.

**Apartment**

(7) No apartment building may be located:

i. Within 0 m of any front lot line;

ii. Within 7.5 m (25 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;

iii. Within 10 m (33 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

iv. Notwithstanding 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 (20 ft) of any interior side lot line where the interior side lot line adjoins a lot with a wholly residential use;

(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 (20 ft) of any rear lot line.

(9) Notwithstanding the foregoing, 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 (20 ft) of any interior side lot line; or

(b) Within 10 m (33 ft) of any rear lot line.
(11) Notwithstanding the foregoing, 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) Notwithstanding any other regulation in this Section 6.95.09, a principal use building or structure within that portion of the lands identified as “Area 1” on the RCBM1 (Bylaw 1797) Zone Map attached as Schedule “O” may have a zero setback to any lot line.

**Landscape Screening**

(1) The relevant regulations of Section 3.21 of this Bylaw apply.

(2) 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 (6 ft) in height, measured at the time of planting.

(3) 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 site area.

(4) Open space including community park, natural open space, golf course fairway 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.

**6.95.10 General**

The relevant regulations of Part 3 of this Bylaw apply.
Section 6.95A– Resort Community of Bear Mountain 2 Zone (RCBM2)

6.95A.01 Permitted Uses

The following uses and no others are permitted in the Resort Community of Bear Mountain 2 (RCBM2) (Bylaw 1797) 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 uses;
(b) Parking facilities, excluding long-term vehicle storage;
(c) Public and private transportation depots, including but not limited to the generality of the foregoing: bus stations, bus transfer sites, aerial tram station, mass transit stations;
(d) 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;
(e) Temporary construction and real estate marketing offices;
(f) Uses permitted in Section 3.01 of this Bylaw;

Residential Uses
(g) Apartments, including apartment for seniors;
(h) Assisted living apartments;
(i) Attached housing;
(j) Home occupation in accordance with Section 3.09;
(k) One-, two-, and three-family dwelling;
(l) Townhouses;

Resort Commercial and Retail Uses
(m) Commercial kitchens and facilities for food catering;
(n) Financial institution;
(o) Hotel and motel, including residential hotel;
(p) Medical clinics;
(q) Offices
(r) Personal service establishments, including but without limiting the generality of the foregoing, barber shop, beauty parlour, launderette, optical or watch repair shop, photographic studio and shoe repair;
(s) Postal office;
(t) Premises licensed pursuant to the Liquor Control and Licensing Act;
(u) Restaurants and coffee shops, excluding drive-in and drive-through;
(v) Retail stores;
(w) Schools, including preschool;

**Business and Technology Uses**

(x) biomedical, scientific or technological research facility;
(y) electronics manufacturing;
(z) film production studios;
(aa) light manufacturing and assembly in enclosed buildings and which are not noxious or offensive by reason of permitting odours, dust, smoke, gas, or noise;
(bb) mini-storage in any building occupied by another permitted principal use, and not accounting for more than 25% of the gross floor area in any building;
(cc) printing, publishing, and book binding;

**Educational, Cultural, Recreational and Institutional Uses**

(dd) assembly and entertainment uses, including but without limiting the generality of the foregoing, art gallery; auditoriums, banquet halls, exhibition halls, billiard and pool halls, concert and performing art venues (indoor and outdoor), movie theatres (both indoor and outdoor, but excluding drive-in);
(ee) churches;
(ff) community care facilities
(gg) dormitories that are accessory to a school or institutional uses;
(hh) golf course, golf practice range and miniature golf course including maintenance facilities for golf course use and accessory retail sale, rental and repair of golf equipment;
(ii) greenhouses as accessory buildings, outdoor gardening, and bee-keeping in accordance with Section 3.12;
(jj) group day care in accordance with Section 3.26.02;
(kk) places of indoor and outdoor recreation, including but without limiting the generality of the foregoing: trails, passive green space, tot lots, dog runs, gymnasiums, sport training facilities, health clubs, fitness or dance studios, bowling, community centre and facilities for tennis and other racquet sports;
(ll) schools, including universities, colleges, business colleges, trade schools and preschools;
(2) Within that portion of the lands identified as “Area 2” on the RCBM2 Zone Map attached as Schedule “O-2”:

**General and Residential Uses**

(a) accessory buildings and uses;
(b) apartment, including apartments for seniors;
(c) attached housing;
(d) home occupation in accordance with Section 3.09;
(e) one- and two-family dwellings;
(f) temporary construction and real estate marketing offices;
(g) townhouses;
(h) uses permitted in Section 3.01 of this Bylaw;

**Educational, Cultural, Recreational and Institutional Uses**

(i) assembly and entertainment uses, including but without limiting the generality of the foregoing, art gallery; auditoriums, banquet halls, exhibition halls, billiard and pool halls, concert and performing art venues (indoor and outdoor), movie theatres (both indoor and outdoor, but excluding drive-in);
(j) churches;
(k) golf course, golf practice range and miniature golf course including maintenance facilities for golf course use and accessory retail sale, rental and repair of golf equipment;
(l) greenhouse and outdoor gardening, and bee-keeping in accordance with Section 3.12 as an accessory use;
(m) places of indoor and outdoor recreation, including but without limiting the generality of the foregoing: trails, passive green space, tot lots, dog runs, gymnasiuims, sport training facilities, health clubs, fitness or dance studios, bowling, community centre and facilities for tennis and other racquet sports;

(3) Within that portion of the lands identified as “Area 3” the RCBM2 Zone Map attached as Schedule “O-2”:

**General and Residential Uses**

(a) accessory buildings and uses;
(b) apartment, including apartments for seniors;
(c) attached housing;
(d) home occupation in accordance with Section 3.09;
(e) one- and two-family dwellings;
(f) temporary construction and real estate marketing offices;

(g) townhouses;

(h) uses permitted in Section 3.01 of this Bylaw;

Resort Commercial and Retail Uses

(i) hotels and motels, including residential hotels

(j) personal service establishments. Including, but without limiting the generality of the foregoing, barber shop, beauty parlour, launderette, optical or watch repair shop, photographic studio and shoe repair;

(k) 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;

(l) retail, restaurants and coffee shops, excluding drive-in and drive-through;

Educational, Cultural, Recreational and Institutional Uses

(m) churches;

(n) community care facilities

(o) dormitories that are accessory to a school or institutional uses;

(p) greenhouses as accessory buildings, outdoor gardening, and bee-keeping in accordance with Section 3.12 as an accessory use;

(q) group day care in accordance with Section 3.26.02; and

(r) schools, including universities, colleges, business colleges, trade schools and preschools;

(4) Within that portion of the lands identified as “Area 4” on the RCBM2 (Bylaw 1797) Zone Map attached as Schedule “O-2”:

General and Residential Uses

(s) accessory buildings and uses;

(t) apartment, including apartments for seniors;

(u) attached housing;

(v) home occupation in accordance with Section 3.09;

(w) one- and two-family dwellings;

(x) temporary construction and real estate marketing offices;

(y) townhouses;

(z) uses permitted in Section 3.01 of this Bylaw;
Business and Technology Uses

(aa) biomedical, scientific or technological research facility;

(bb) coffee shop, limited to 100m² of gross floor area;

(cc) commercial kitchens and facilities for food catering;

(dd) electronics manufacturing;

(ee) film production studios;

(ff) light manufacturing and assembly in enclosed buildings and which are not noxious or offensive by reason of permitting odours, dust, smoke, gas, or noise;

(gg) mini-storage in any building occupied by another permitted principal use, and not accounting for more than 25% of the gross floor area in any building;

(hh) offices;

(ii) printing, publishing, and book binding;

(jj) 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;

Educational, Cultural, Recreational and Institutional Uses

(kk) churches;

(ll) community care facilities

(mm) dormitories that are accessory to a school or institutional uses;

(nn) greenhouses as accessory buildings, outdoor gardening, and bee-keeping in accordance with Section 3.12 as an accessory use;

(oo) group day care in accordance with Section 3.26.02; and

(pp) schools, including universities, colleges, business colleges, trade schools and preschools;

(5) Within that portion of the lands identified as “Area 5” on the RCBM2 (Bylaw 1797) Zone Map attached as Schedule “O-2”:

(a) accessory buildings and uses;

(b) apartment, including apartments for seniors;

(c) attached housing;

(d) bed and breakfast in a one-family dwelling on lots of 550 m² (5920 ft²) or greater in area;

(e) home occupation in accordance with Section 3.09;
(f) one-, two- and three-family dwellings;

(g) secondary suite in a one-family dwelling in accordance with Section 3.08;

(h) temporary construction and real estate marketing offices;

(i) townhouses;

(j) uses permitted in Section 3.01 of this Bylaw;

(6) Within that portion of the lands identified as “Area 6” on the RCBM2 (Bylaw 1797) Zone Map attached as Schedule “O-2”:

(a) accessory buildings and uses;

(b) churches;

(c) community care facilities

(d) dormitories that are accessory to a school or institutional uses;

(e) greenhouses as accessory buildings, outdoor gardening, and bee-keeping in accordance with Section 3.12;

(f) group day care in accordance with Section 3.26.02;

(g) park;

(h) recreational facilities; and

(i) schools, including universities, colleges, business colleges, trade schools and preschools;

6.95A.02 Subdivision Lot Requirements

(1) No panhandle lots may be created by subdivision in the RCBM2 (Bylaw 1797) (Resort Community of Bear Mountain 2) zone.

(2) No lot having an area less than 550 m² (5 920 ft²) may be created by subdivision in the RCBM2 (Bylaw 1797) (Resort Community of Bear Mountain 2) zone.

(3) No lot may be created having a lot width less than 16 m (52.5 ft), unless access to the lot is also provided by way of a rear access route.

(4) No lot for a residential use may be created having a building envelope width or depth less than 7 m (23 ft) nor a building envelope area less than 186 m² (2 000 ft²).

(5) The minimum site area for two-family and three-family dwelling buildings are as follows:

(a) 835 m² (8 990 ft²) for a two-family dwelling; and

(b) 1 000 m² (10 770 ft²) for a three-family dwelling.

(6) Notwithstanding Subsection 6.95A.02(2), a lot having an area less than 550 m² (5 920 ft²) and not less than 370 m² (4 000 ft²) may be created by subdivision in the RCBM2 (Bylaw 1797) (Resort Community of Bear Mountain 2) zone for a one-family residential use, provided that:
(a) the lot width is not less than 12 m (39 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 an area less than 900 m$^2$ (9,688 ft$^2$) may be used in the RCBM2 (Bylaw 1797) (Resort Community of Bear Mountain 2) zone for a commercial, attached housing townhouse or any type of apartment use.

(8) No lot having an area less than 695 m$^2$ (7,480 ft$^2$) may be used in the RCBM2 (Bylaw 1797) (Resort Community of Bear Mountain 2) zone 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 Subsection 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 attached housing, townhouses or apartment buildings.

(3) The density of attached housing and townhouse uses may not exceed one dwelling unit per 285 m$^2$ (3,070 ft$^2$) of lot area.

(4) The floor area ratio of a building for an apartment or combined apartment and commercial use may not exceed 3.0, unless ninety-five percent (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.

6.95A.04 Density of Development in the RCBM2 Zone

(1) There may not be more than one residential dwelling unit and not more than 100 m$^2$ (1076 ft$^2$) of commercial floorspace within each area (Area 1 thru 6) identified on the RCBM2 (Bylaw 1797) Zone Map attached as Schedule “O-2”;

(2) Despite Subsection 6.95A.04(1), the number of residential dwelling units in the RCBM2 (Bylaw 1797) Zone may exceed one dwelling unit in each identified area of the RCBM2 (Bylaw 1797) 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;

(b) A covenant charging the land in the RCBM2 (Bylaw 1797) 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 (Bylaw 1797) and RCBM2 (Bylaw 1797) Zones combined;

(3) For the purposes of Subsection 6.95A.04(2)(a) and (b), a dwelling unit is authorized in the RCBM1 (Bylaw 1797) zone 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 (Bylaw 1797) regulations permit the construction of a one- 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 Subsections 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 single-family residential dwelling on a lot not less than 550 m$^2$ (5920 ft$^2$);
For the purpose of Subsection 6.95.04(2)(a) and (b):

(a) A one-family dwelling on a lot less than 550m$^2$ (5920 ft$^2$) is deemed equivalent to 0.66 dwelling units;

(b) A two-family dwelling unit (duplex) is deemed to be equivalent to 1.32 dwelling units (2 x 0.66);

(c) A multi-family dwelling unit (townhousing, attached housing, apartment) is deemed equivalent to 0.61 dwelling units;

Under no circumstance may the total number of dwelling units in each Area shown on the RCBM2 (Bylaw 1797) Zone Density Map attached as Schedule O-3 exceed: (Bylaw 1788)

(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.

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 (Bylaw 1797) Zone exceed 35,760 m$^2$ (385,000 ft$^2$).

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 (Bylaw 1797) 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. (Bylaw 1788)

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 (Bylaw 1797) 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); (Bylaw 1788)
(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-, two-, or three-family dwelling, attached dwelling or townhouse may exceed a height of 9 m (30 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”:

(a) Within 0m (0ft) from any front lot line;

(b) Within 0m (0ft) from any rear lot line;

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

(d) Within 0m (0ft) of any exterior side lot line;

6.95A.07 Setbacks for One- and Two- Family Residential Uses 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 areas greater than or equal to 550 m² (5 920 ft²) and less than 2 024 m² (0.5 acres), no single family dwelling may be located:

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

(b) Within 6 m (20 ft) of any rear lot line;

(c) Within 2.4 m (8 ft) of any interior side lot line;

(d) Within 4.5 m (15 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 of the exterior side lot line;

(2) On residential lots with areas greater than or equal to 835 m² (8 988 ft²) and less than 2 024 m² (0.5 acres), no two-family dwelling may be located:

(a) Within 5.5 m² (18 ft) of any front lot line;
(b) Within 6 m (20 ft) of any rear lot line;

(c) Within 3 m (10 ft) of any interior side lot line; or

(d) Within 4.5 m (15 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 of the exterior side lot line;

**Small Lot**

(3) On residential lots with areas greater than or equal to 370 m$^2$ (3 281 ft$^2$) and less than 550 m$^2$ (5 920 ft$^2$), no building or structure may be located:

(a) Within 4.5 m (15 ft) of any front lot line when the lot fronts on and has access from a highway or access route in a bare land strata plan, nor within 5.5 m (18 ft) of the front lot line in the case of a detached garage, or portion of a building comprising an attached garage, connected to the highway or access route by a driveway. This setback may be reduced to 3 m (10 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;

(b) Within 6 m (20 ft) of any rear lot line;

(c) Within 1.2 m (4 ft) of any interior side lot line; or

(d) Within 3 m (10 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 of the exterior side lot line;

**6.95A.8 Setbacks for One-, Two-, and Three-Family Residential Uses within that portion of the lands identified as “Area 5” on the RCBM2 (Bylaw 1797) Zone Map attached as Schedule “O-2”:**

**One- and Two-Family Residential Lots**

(1) On residential lots with areas greater than or equal to 550 m$^2$ (5 920 ft$^2$) and less than 2 024 m$^2$ (0.5 acres), no single family dwelling may be located:

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

(b) Within 6 m (20 ft) of any rear lot line;

(c) Within 1.5 m (5 ft) of any interior side lot line;

(d) Within 4.5 m (15 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 of the exterior side lot line;

(2) On residential lots with areas greater than or equal to 835 m$^2$ (8 988 ft$^2$) and less than 2 024 m$^2$ (0.5 acres), no two-family dwelling may be located:

(a) Within 6 m (20 ft) of any front lot line;

(b) Within 6 m (20 ft) of any rear lot line;

(c) Within 3 m (10 ft) of any interior side lot line; or
(d) Within 4.5 m (15 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 of the exterior side lot line;

Small Lot

(3) On residential lots with areas greater than or equal to 370 m² (3 281 ft²) and less than 550 m² (5 920 ft²), no building or structure may be located:

(a) Within 4.5 m (15 ft) of any front lot line when the lot fronts on and has access from a highway or access route in a bare land strata plan, nor within 5.5 m (18 ft) of the front lot line in the case of a detached garage, or portion of a building comprising an attached garage, connected to the highway or access route by a driveway. This setback may be reduced to 3 m (10 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;

(b) Within 6 m (20 ft) of any rear lot line;

(c) Within 1.2 m (4 ft) of any interior side lot line; or

(d) Within 3 m (10 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 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 (Bylaw 1797) Zone Map attached as Schedule “O-2”:

Attached Housing and Townhouse

(1) No attached housing or townhouses may be located:

(a) Within 6 m (20 ft) from any front lot line;

(b) Within 10 m (33 ft) from any rear lot line;

(c) Within 6 m (20 ft) of any interior side lot line; or

(d) Within 7.5 m (25 ft) of any exterior side lot line.

Apartment

(2) No apartment building may be located:

(a) Within 0 m of any front lot line;

(b) Within 7.5 m (25 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;

(c) Within 10 m (33 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) Notwithstanding 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 (Bylaw 1797) Zone Map attached as Schedule “O-2”:

(1) No building with a commercial use may be located:

(a) Within 6 m (20 ft) of any interior side lot line where the interior side lot line adjoins a lot with a wholly residential use;

(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 (20 ft) of any rear lot line.

(2) Notwithstanding the foregoing, 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 (Bylaw 1797) Zone Map attached as Schedule “O-2”:

(1) No building with a principal institutional use may be located:

(a) Within 6 m (20 ft) of any interior side lot line; or

(b) Within 10 m (33 ft) of any rear lot line.

(2) Notwithstanding the foregoing, any parking structure associated with a principal building with an institutional use may have a zero setback to any lot line;

6.95A.12 Landscape Screening

(1) The relevant regulations of Section 3.21 of this Bylaw apply.

6.95A.13 General Regulations

(1) Notwithstanding any other regulations in this bylaw, accessory buildings on lots immediately adjacent to 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;

(3) The relevant regulations of Part 3 of this Bylaw apply.
Section 6.96 – Comprehensive Development 7 – Sooke/Jacklin (CD7) Zone

(Bylaw 728)

6.96.01 Permitted Uses

The following uses and no others are permitted in the Comprehensive Development 7 (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 uses;
(b) bakery, not exceeding 200 m² (2150 ft²) of floor area;
(c) business colleges and trade schools;
(d) film productions studios;
(e) financial institutions;
(f) gasoline service station and car wash;
(g) offices;
(h) personal service establishments, including but without limiting the generality of the foregoing, barber shop, beauty parlour, launderette, optical or watch repair shop, photographic studio and shoe repair;
(i) post office;
(j) premises licensed pursuant to the Liquor Control and Licensing Act;
(k) residential uses located above ground floor; (Bylaw 790)
(l) restaurants and cafes, including drive-in and drive-thru restaurants, limited to a total floor area of all restaurants on the site not exceeding 450 m² (4844 ft²);
(m) retail stores;
(n) taxi office;
(o) temporary construction and real estate marketing offices; (Bylaw 984)
(p) veterinary practices and animal hospitals in enclosed buildings;
(q) uses permitted by Section 3.01 of this Bylaw.

(2) Within that portion of the lands identified as “Lot 2” on the CD7 Zone Map attached as Schedule “N”:

(a) accessory buildings and uses;
(b) attached housing;
(c) apartment which may contain multi-family flex units; (Bylaw 1223)
(d) home occupation in accordance with Section 3.09; (Bylaw 1146)
(e) temporary construction and real estate marketing offices; and (Bylaw 984)
(f) townhouses which may contain multi-family flex units. (Bylaw 1223)

6.96.02 Subdivision Lot Requirements

(1) No lot having an area less than 2 000 m² (21 530 ft²) may be created by subdivision in the Comprehensive Development 7 – Sooke/Jacklin (CD7) zone; and
(2) No lot may be created having a lot width less than 25 m (82 ft).

6.96.03 Lot Coverage

(1) Lot coverage of all buildings and structures may not exceed 75%.

6.96.04 Density of Development

(1) The aggregate density for all multi-family residential uses permitted by Subsection 6.96.01(2) shall not exceed a floor area ratio of 1.25 of that part of the lands where residential uses are permitted, unless 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 floor space of any all residential uses shall be limited to not more than 10 500 m² (113 024 ft²);

(2) The aggregate density for all commercial uses permitted by Subsection 6.96.01(1) shall not exceed a floor area ratio of 0.8 of that part of the lands where a commercial use is permitted, and the total combined floor space of all such uses be limited to not more than 3 250 m² (35 000 ft²);

(3) For the purposes of this Section 6.96.04, if the land in the CD 7 zone 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 Section 6.96.01, by the area of that portion of the lot; and

(4) Notwithstanding Subsection 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 residential dwelling units and a floor area ratio of 0.6 if the owner of the land has made contributions to the City of Langford as set out in Table 1 (below): (Bylaw 1096)

a) Pays to the City the amount specified in Colum 2 of Table 1 below, prior to the issuance of a building permit, towards the General Amenity Reserve Fund: (Bylaw 1320)

<table>
<thead>
<tr>
<th>1. Legal Description</th>
<th>2.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot 2, Section 83, Esquimalt District, Plan VIP84322 (3240 Jacklin Road) (Bylaw 1320)</td>
<td>$3 900 per dwelling unit</td>
</tr>
</tbody>
</table>

6.96.05 Height and Size of Principal Use Buildings

(1) No apartment building may exceed a height of 15 m (49ft) or four storeys;

(2) No attached housing or townhouse may exceed a height of 9 m (30 ft); and

(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 (6.5 ft) of the Sooke Road right-of-way;

(2) within 3 m (10 ft) of the Jacklin Road right-of-way;
(3) within 3 m (10 ft) of any internal access route;
(4) within 6 m (20 ft) of any lot line common to a lot that is zoned Residential; and
(5) within 0 m (0 ft) of any interior lot line common to a lot zoned Commercial.

6.96.07 Landscape Screening

(1) In addition to the regulations contained in Section 3.21 of this Bylaw, the following regulations apply to landscape screening in the Comprehensive Development 7 – Sooke/Jacklin (CD7) zone;

(2) A continuous landscape screen not less than 1.5 m (5 ft) wide including a solid decorative fence of 1.8 m (6 ft) high must be provided along all lot lines that abut the developed portion of the lot and any other residential zone; and

(3) A continuous landscape screen of not less than 3 m (10 ft) wide must be provided along any portion of any front or exterior side lot line that abuts a commercially developed portion of the lot.

6.96.08 General

The relevant regulations of Part 3 of this Bylaw must apply.
Section 6.97 – Comprehensive Development 8 – Valley View (CD8) Zone

(Bylaw 778; Replaced by Bylaw 1231)

6.97.01 Permitted Uses

The following uses and no others are permitted in the Comprehensive Development 8 – Valley View (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 uses;
(b) bed and breakfast in one-family dwellings on lots of 550 m² (5 920 ft²) or greater in area;
(c) concession stands that are accessory to outdoor recreation uses on the lot referred to in Section 6.97.04(1)(b);
(d) home occupation in accordance with Section 3.09;
(e) one-family dwellings;
(f) parking facilities;
(g) outdoor recreation;
(h) secondary suite in a one-family dwelling in accordance with Section 3.08;
(i) garden suite or carriage suite on lots of 700 m² (7 535 ft²) in accordance with Section 3.08; **(Bylaw 1696)**
(j) temporary construction and real estate marketing offices;
(k) the keeping of not more than four boarders in a one-family dwelling on a lot having an area of 699 m² (7 524 ft²) or more, or not more than two boarders in a one-family dwelling located on a lot having an area less than 699 m² (7 524 ft²), or not more than one boarder in a one-family dwelling located on a lot having an area less than 550 m² (5 920 ft²);
(l) on lots of 550 m² or greater in area, unenclosed storage of seasonal recreational vehicles, including but without limiting the generality of the foregoing, motor homes, travel trailers, trailered boats and watercraft; and
(m) uses permitted by Section 3.01 of this Bylaw.

(2) **Within that portion of the lands identified as “Area 2 – Townhouse Residential”, on the CD8 Zone Map attached as Schedule “Q”:**

(a) accessory buildings and uses;
(b) attached housing;
(c) home occupations in accordance with Section 3.09;
(d) temporary construction and real estate marketing offices;
(e) townhouses; and
(f) uses permitted by Section 3.01 of this Bylaw.
6.97.02 Subdivision Lot Requirements

(1) No panhandle lots may be created by subdivision in the CD8 zone;

(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 an area less than 550 m² (5920 ft²) may be created;
   (b) No lot may be created having a lot width less than 16 m (52.5 ft);
   (c) No lot for a residential use may be created having a building envelope width or depth less than 7 m (23 ft) nor a building envelope area less than 186 m² (2000 ft²);
   (d) Notwithstanding Subsection 6.97.02(2)(a), (b), and (c), a lot having an area of not less than 300 m² (3299 ft²) may be created by subdivision in the CD8 (Comprehensive Development 8 – Valley View) zone for a one-family residential use, 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 ft);
   (e) Notwithstanding Subsection 6.97.02(a), (b) and (c), a lot having an area of not less than 250 m² (2691 ft²) but not more than 299 m² (3220 ft²) may be created by subdivision in the CD8 (Comprehensive Development 8 – Valley View) zone for a one-family residential use, 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”:
   (a) No lot having an area less than 1500 m² (16,145 ft²) may be created by subdivision.

6.97.03 Density of Development on Individual Lots

(1) There may not be more than one residential building on a lot.

(2) The floor area of a principal building on any lot having an area of not less than 250 m² (2691 ft²), but not exceeding 299 m² (3218.5 ft²), shall be between 74 m² (796.5 ft²) and 91 m² (980 ft²).

(3) The floor area of an accessory building on any lot having an area of not less than 250 m² (2681 ft²), but not exceeding 299 m² (3218.5 ft²), shall not exceed 9.2 m² (99 ft²).

6.97.04 Density of Development in the CD8 Zone

(1) Within that portion of the lands identified as “Area 1 – Residential”, on the CD8 Zone Map attached as Schedule “Q”:
   (a) No lot may be created by subdivision unless the owner of the land proposed to be subdivided has:
      (i) deposited for registration against title to that lot, in priority to all financial charges, a housing agreement in a form satisfactory to the City of Langford which includes the following:
i. 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 m² (797 ft²) and 91 m² (980 ft²); and

ii. restrictions on resale price; or

(ii) first paid to the City of Langford in respect of that lot: (Bylaw 1320)

(a) $3 000 towards the General Amenity Reserve Fund.

(b) No lot may be created by subdivision in the CD8 zone 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 (2.97 acres) 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 Subsection 6.97.04(1)(a) registered, in priority, to all financial charges, against at least 10 percent 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 an area less than 300 m² (3 230 ft²).

(f) There shall be no more than 79 lots that have an area less than 550 m² (5 920 ft²).

(g) No lot shall have an area less than 250 m² (2 691 ft²).

(2) Within that portion of the lands identified as “Area 2 – Townhouse Residential”, on the CD8 Zone Map attached as Schedule “Q”:

(a) Except as provided in article (b) below, the floor area ratio may not exceed 0.3.

(b) Notwithstanding Subsection 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: (Bylaw 1320)

(i) Pays to the City, prior to building permit issuance, $9 300 towards the General Amenity Reserve Fund.

6.97.05 Height and Size of Principal Use Buildings

(1) No one-family dwelling may exceed a height of 9 m (30 ft).

(2) No townhouse or attached housing building may exceed a height of three storeys.

6.97.06 Setbacks

One-Family Residential Lots

(1) On residential lots with areas greater than or equal to 550 m² (5 920 ft²), no principal building may be located:

(a) Within 6 m (20 ft) of any front lot line;

(b) Within 6 m (20 ft) of any rear lot line;

(c) Within 1.5 m (5 ft) of any interior side lot line; or

(d) Within 4.5 m (15 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 of the exterior side lot line; (Bylaw 1581)
(e) **(Deleted by Bylaw 1581)**

**Small Lot**

(2) On residential lots with areas greater than or equal to 300 m\(^2\) (3,229 ft\(^2\)) and less than 550 m\(^2\) (5,920 ft\(^2\)), no principal building may be located:

(a) within 4.5 m (15 ft) of any front lot line when the lot fronts on and has access from a highway or access route in a bare land strata plan, except that no garage or carport that faces a front lot line may be located within 5.5 m of the front lot line. This setback may be reduced to 3 m (10 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; **(Bylaw 1581)**

(b) Within 6 m (20 ft) of any rear lot line;

(c) Within 3 m (10 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 of the exterior side lot line; **(Bylaw 1581)** or

(d) Within 1.2 m (4 ft) of any interior side lot line;

(e) **Deleted (Bylaw 1581)**

**Small Lot Affordable Housing**

(3) On residential lots with areas greater than or equal to 250 m\(^2\) (2,691 ft\(^2\)) and less than 300 m\(^2\) (3,230 ft\(^2\)), no principal building may be located:

(a) Within 4 m (20 ft) from any front lot line when the lot fronts on and has access from a highway or access route in a bare land strata plan, nor within 5.5 m (18 ft) from the front lot line in the case of a portion of a building abutting a driveway. This setback may be reduced to 3 m (10 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;

(b) Within 6 m (20 ft) from any rear lot line;

(c) Within 3 m (10 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 of the exterior side lot line; **(Bylaw 1581)** or

(d) Within 1.2 m (4 ft) of any interior side lot line;

(e) **(Deleted by Bylaw 1581)**

**Accessory Buildings**

(4) On residential lots with areas greater than or equal to 550 m\(^2\) (5,920 ft\(^2\)), no accessory building may be located:

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

(b) Within 15 m (49 ft) of any front lot line unless it complies with the front lot line setback requirements applicable to the principal building;

(c) Within 1 m (3 ft) of any side lot line; or

(d) Within 1 m (3 ft) of any rear lot line.
(5) On residential lots with areas greater than or equal to 250 m\(^2\) (2 691 ft\(^2\)) and less than 550 m\(^2\) (5 920 ft\(^2\)), no accessory building may be located:

(a) Within 1 m (3 ft) of the principal building;
(b) Within 5.5 m (18 ft) of any front lot line;
(c) Within 1 m (3 ft) of any side lot line; or
(d) Within 1 m (3 ft) of any rear lot line.

**Townhouses and Attached Housing**

(6) On lots with townhouses and attached housing, no principal building may be located:

(a) Within 6 m (20 ft) of any front lot line;
(b) Within 3 m (10 ft) of any side lot line, except that no garage or carport that faces an exterior side lot line may be located within 5.5 m of the exterior side lot line; *(Bylaw 1581)*
(c) Within 10 m (33 ft) of any rear lot line.

**6.97.07 Landscape Screening**

(1) The relevant regulations of Section 3.21 of this Bylaw apply.

(2) Parking areas shall be screened from any abutting residential or commercial use by a landscape screen not less than 3 m (9.8 ft) in width and 1.8 m (6 ft) in height, measured at the time of planting.

(3) A continuous landscape screen not less than 1.5 m (5 ft) wide including a solid decorative fence of 1.8 m (6 ft) high will be provided along all commercial or park property lot lines that abut a residential use. The landscape screen will be provided on the commercial or park side of the property line and will be provided by the developer of the commercial or park property.

**6.97.08 General**

The relevant regulations of Part 3 of this Bylaw apply.
Section 6.98 – Comprehensive Development – Baker View Heights (CD9) Zone

(Bylaw 878, 1026)

6.98.01 Permitted Uses

The following uses and no others are permitted in the Comprehensive Development 9 – North Heights (CD9) Zone:

1. accessory buildings and uses;
2. attached housing on lots no less than 1,800 m² in area;
3. home occupation in accordance with Section 3.09;  (Bylaw 1146)
4. one-family dwellings on lots no less than 270 m² in area;
5. park;
6. temporary construction and real estate marketing offices;  (Bylaw 984)
7. townhouses on lots no less than 1,800 m² in area and which may contain multi-family flex units;  (Bylaw 1223)
8. uses permitted by Section 3.01 of this Bylaw.

6.98.02 Subdivision Lot Requirements

1. No lot having an area less than 1,000 m² (10,764 ft²) may be created by subdivision in the Comprehensive Development 9 – North Heights (CD9) zone for a one-family residential use.
2. No lot having an area less than 1,800 m² (.44 acres) may be created by subdivision in the Comprehensive Development 9 – North Heights (CD9) zone for an attached housing or townhouse use.
3. No lot for a one-family residential use may be created having a lot width less than 9.5 m (31ft).
4. No lot for an attached housing or townhouse use may be created having a lot width less than 18 m (59 ft).
5. No lot for a one-family residential use may be created having a building envelope with a width or depth less than 7 m (23 ft) nor a building envelope area less than 93 m² (1,000 ft²).
6. No panhandle lots may be created by subdivision in the Comprehensive Development 9 – North Heights (CD9) zone.
7. Notwithstanding Subsection 6.98.02(1), on land zoned CD9, the minimum parcel area for subdivision for a one-family residential use shall be 300 m² (3,230 ft²) if the owner of the land proposed to be subdivided:
   a. pays to the City prior to the time of subdivision approval in respect of any proposed parcel that has an area of less than 1,000 m² (10,764 ft²) and more than 299 m² (321 ft²). $2,000 towards the General Amenity Reserve Fund; and  (Bylaw 1320)
   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, notwithstanding Subsection 6.98.02(1) and (7)(a), have an area of not less than 270 m² (2,906 ft²), 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 floor area of between 74 m\(^2\) (797 ft\(^2\)). And 91 m\(^2\) (980 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 (Bylaw 1320)

<table>
<thead>
<tr>
<th>1. Legal description</th>
<th>2. Affordable Housing Lots</th>
<th>3. Cash Contribution to General Amenity Reserve Fund</th>
</tr>
</thead>
<tbody>
<tr>
<td>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)</td>
<td>3</td>
<td>$8 000</td>
</tr>
</tbody>
</table>

### 6.98.03 Lot Coverage

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

### 6.98.04 Density of Development on Individual Lots

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

2. There may not be more than one residential building on a lot equal to or greater than 1800 m\(^2\) (19 375 ft\(^2\)) unless the applicant for a building permit provides to the City $1250 per additional dwelling unit, to be held in a reserve fund for parks, playgrounds, recreational fields and trails;

3. Despite Subsection 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 attached housing type or all of the townhouse type.

### 6.98.05 Density of Development in the CD9 Zone

1. There shall be no more than 37 one-family residential lots in the CD9 zone. (Bylaw 1026)

2. There shall be no more than 44 multi-family units in the CD9 zone. (Bylaw 1026)

3. No lot in the CD9 zone shall have an area less than 270 m\(^2\) (2 691 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 (28 ft).

2. No attached housing or townhouse may exceed a height of 9 m (30 ft).
6.98.07 Setbacks

One-Family Residential Lots

(1) No principal building may be located:
   (a) within 4.5 m (15 ft) of any front lot line when the lot fronts on and has access from a highway or access route in a bare land strata plan, except that no garage or carport that faces a front lot line may be located within 5.5m of the front lot line. This setback may be reduced to 3 m (10 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; (Bylaw 1581)
   (b) Within 6 m (20 ft) of any rear lot line;
   (c) Within 3 m (10 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 of the exterior side lot line; (Bylaw 1581) or
   (d) Within 1.2 m (4 ft) of any interior side lot line;
   (e) Deleted (Bylaw 1581)

(2) Notwithstanding Subsection 6.98.07(1)(a), on residential lots with areas greater than or equal to 270 m² (2 906 ft²) and less than 300 m² (3 230 ft²), and that are subject to a housing agreement under Subsection 6.98.02(7)(b), no principal building may be located within 4 m (13 ft) from any front lot line when the lot fronts on and has access from a highway or access route in a bare land strata plan;

Attached Housing and Townhouses

(3) No attached housing or townhouse may be located:
   (a) Within 6 m (20 ft) of any front lot line;
   (b) Within 10 m (33 ft) of any rear lot line;
   (c) Within 7.5 m (25 ft) of any exterior side lot line; or
   (d) Within 6 m (20 ft) of any interior side lot line.

6.98.08 Landscape Screening

(1) The relevant regulations of Section 3.21 of this Bylaw shall apply.

(2) On lots with an attached housing or townhouse use, a landscape screen must be provided along any interior side 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 ft) in width containing a decorative fence of a minimum height of 1.8 m (6 ft) and decorative planting.

6.98.09 General

(1) The relevant regulations of Part 3 of this Bylaw shall apply.

(2) No plan of subdivision may be approved in this Zone if more than two lots with a lot area less than 300 m² (3 230 ft²), and that are subject to a housing agreement under Subsection 6.98.02(7)(b), are contiguous along their interior lot lines.
Section 6.99 – Comprehensive Development – Boulder Ridge (CD10) Zone

(Bylaw 1076)

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 are permitted:

(a) No more than two commercial units on the ground level, each not exceeding a total of 93 m² (1 000 ft²) in floor area, in which the following uses are permitted:

   (i) Retail stores;
   (ii) Restaurants and cafes, excluding drive-in and drive-thru restaurants;
   (iii) Professional offices;
   (iv) Personal service establishments, including, but without limiting the generality of the foregoing, barber shop, beauty parlour, and launderette; and
   (v) Uses permitted by Section 3.01 of this Bylaw, other than 3.01.01(5) and (9).

(b) No more than four dwelling units which can be located on either the ground storey or second storey or a combination thereof; (Bylaw 1385)

(c) One Family Dwellings (Bylaw 1592)

(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 are permitted:

(a) Accessory buildings and uses;

(b) One-family dwelling which may contain a secondary suite on the lot legally described as Lot 19, Section 86, Metchosin District, Plan EPP14196, PID 028-726-201 (3368 Happy Valley Road); (Bylaw 1385)

(c) Green or open space;

(d) One-family dwellings; (Bylaw 1286)

(e) No more than one principal residential use on proposed lot 2 shown on the site plan prepared by Wensley Architecture Limited and dated August 13, 2008, which may be either a one-family dwelling which may contain a secondary suite; and (Bylaw 1437)

(f) Attached Housing on Lot 20, Section 86, Metchosin District, Plan EPP14196 PID 028-726-219 (3364 Happy Valley Road) and on Lot 21 Section 86, Metchosin District, Plan EPP14196 PID 028-726-227 (3360 Happy Valley Road). (Bylaw 1385)

(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 are permitted:

(a) Attached housing;

(b) Home occupation;

(c) One-Family dwellings; (Bylaw 1286)

(d) Temporary construction and real estate marketing offices; and
(e) Uses permitted by Section 3.01 of this Bylaw.

(4) Within that portion of the lands identified as “Area 4 – Apartments”, on the CD10 Zone Map attached as Schedule “V”, the following uses are permitted:

(a) Apartments which may contain multi-family flex units; **(Bylaw 1223)**
(b) Daycares and pre-schools;
(c) Home occupation home office;
(d) Multiple residential or community amenity space;
(e) Parking facilities accessory to apartment residential uses;
(f) Temporary construction and real estate marketing offices; and
(g) Uses permitted by Section 3.01 of this Bylaw.

(h) Group Day Care **(Bylaw 1385)**
(i) Pet Day Care **(Bylaw 1385)**
(j) Veterinary Practice in enclosed buildings **(Bylaw 1385)**
(k) Attached Housing. **(Bylaw 1385)**
(l) One-Family dwellings **(Bylaw 1385)**

**6.99.02 Subdivision Lot Requirements**

(1) No lot having an area less than 850 m² (9 150 ft²) may be created by subdivision in the CD10 (Comprehensive Development 10 – Boulder Ridge) Zone.

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

(3) No lot may be created having a building envelope width or depth of less than 7 m (23 ft) nor a building envelope area of less than 186 m² (2 000 ft²).

**6.99.03 Density of Development**

(2) 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 m² (26 911 ft²) in area.

(3) The floor area of an accessory building on any lot shall not exceed 9.2 m² (99 ft²).

(4) The density of development of lots containing apartment buildings is limited to six dwelling units, unless all of the amenities described in Section 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.

(5) Despite Section 6.99.02, if all of the amenities described in Section 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 m² (812 ft²), the minimum lot width, building envelope width and building envelope depth in those areas is 4.6 m (15 ft), and the minimum building envelope area in those areas is 43 m² (463 ft²).
6.99.04 Amenities for Density Increases

(1) The conditions for the density increases specified in Sections 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: (Bylaw 1320; Replaced by Bylaw 1592)

(a) Provide to the City either: (Bylaw 1286; Replaced by Bylaw 1320)

(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 $200 400.00 to be deposited in the General Amenity Reserve Fund. (Bylaw 1320)

(b) Registered a non-disturbance covenant, in favour of the City of Langford, over the portion of land designated as ‘Common Property Green Space’ on the sketch plan prepared by McIlvaney Riley Land Surveying Inc. and dated May 15, 2018, prohibiting the alteration of the land including the deposit or removal of soil and the alteration and removal of vegetation without the prior written consent of the City; (Bylaw 1775)

(c) Registered a restrictive covenant that prohibits the rear yard setbacks of the western residential units to be no closer than 1.0m west of the previous non-disturbance boundary as identified as ‘existing covenant boundary’ on the sketch plan prepared by McIlvaney Riley Land Surveying Inc. and dated May 15, 2018. (Bylaw 1775)

(d) (Bylaw 1286; Replaced by Bylaw 1320, 1385; Deleted by Bylaw 1691)

(e) 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; (Bylaw 1320; Replaced by Bylaw 1592)

(f) Deleted; (Bylaw 1592)

(g) Deleted; and (Bylaw 1592)

(h) Deleted. (Bylaw 1592)

6.99.05 Height and Size of Principal Use Buildings

No attached dwelling unit may exceed a height of 10 m (33 ft).

(1) 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 (33 ft) or two storeys, whichever is less; (Bylaw 1385)

(2) No apartment building may exceed a height of 15 m (49 ft); and

(3) No mixed use commercial buildings may exceed a height of 10 m (33 ft) or two storeys, whichever is less. (Bylaw 1385)

(4) Notwithstanding Section 6.99.05 (1), one-family dwellings in Area 1 shall not exceed a height of 9.69 m (32 ft). (Bylaw 1592)
6.99.06 Setbacks

Apartment
(1) On any lot for apartment use, no building may be located:
   (a) Within 9 m (29 ft) of any front lot line;
   (b) Within 5 m (16 ft) of any rear lot line;
   (c) Within 4.5 m (15 ft) of any interior side lot line; or
   (d) Within 3.5 m (11.5 ft) of any exterior side lot line.

Attached Housing
(2) No attached housing building may be located:
   (a) Within 1.3 m (4 ft) of any front lot line; or
   (b) Within 2.3 m (7.5 ft) of any exterior side lot line;
   (c) Notwithstanding the rest of this section, no garage or carport that faces a front or exterior side lot line may be located within 5.5 m of that lot line. (Bylaw 1581)

One-Family Residential, Community Institutional and Mixed Use Residential/Commercial
(3) No principal building that is not an attached housing or apartment building may be located:
   (a) Within 3.5 m (11 ft) of any front lot line;
   (b) Within 5 m (16 ft) of any rear lot line;
   (c) Within 1.5 m (5 ft) of any interior side lot line; or
   (d) Within 4.3 m (14 ft) of any exterior side lot line;
   (e) Notwithstanding the rest of this section, no garage or carport that faces a front or exterior side lot line may be located within 5.5 m of that lot line. (Bylaw 1581)

Accessory Buildings
(4) No building accessory to a community institutional use may be located:
   (a) Within 1 m (3 ft) of the principal building;
   (b) Within 15 m (49 ft) of any front lot line unless it complies with the front lot line setback requirements applicable to the principal building;
   (c) Within 1 m (3 ft) of any side lot line; or
   (d) Within 1 m (3 ft) of any rear lot line.

6.99.07 Site Coverage
(1) The maximum site coverage for one-family dwellings and attached townhouse units is 50% and for loft units is 57%. (Bylaw 1286)
(2) The maximum site coverage of all other uses is 40% except that, in Area 1, the maximum site coverage is 75%; (Bylaw 1385)
6.99.08 Landscape Screening

(1) The relevant regulations of Section 3.21 of this Bylaw apply.

(2) Parking areas shall be screened from any abutting residential or commercial use by a landscape screen not less than 3 m (9.8 ft) in width and 1.8 m (6 ft) in height, measured at the time of planting.

(3) A continuous landscape screen not less than 1.5 m (5 ft) wide including a solid decorative fence of 1.8 m (6 ft) high shall be provided along all commercial or park property lot lines that abut a residential use. The landscape screen 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.

6.99.09 General

The relevant regulations of Part 3 of this Bylaw apply.
Section 6.101 – Comprehensive Development – South Skirt Mountain (CD12) Zone

(Bylaw 1209; Replaced by Bylaw 1622)

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 uses;
(b) assembly;
(c) attached housing;
(d) bed and breakfast in one-family dwellings on lots of 550 m\(^2\) (5 920 ft\(^2\)) or greater in area and in accordance with Section 3.09;
(e) community care facility including, but without limiting the generality of the foregoing: hospitals, private hospitals, nursing homes, and multi-level care facilities;
(f) community garden;
(g) group daycare limited in accordance with Section 3.26.02;
(h) home occupation in accordance with Section 3.09;
(i) **(Deleted by Bylaw 1696)**
(j) one-family dwelling which may contain a secondary suite within the one-family dwelling on lots with an area less than 550m\(^2\) (5920 ft\(^2\));
(k) one-family dwelling which may have a secondary suite, garden suite, or carriage suite on lots with an area equal to or greater than 550m\(^2\) (5920 ft\(^2\)) and in accordance with Section 3.08; *(Bylaw 1696)*
(l) schools, including preschools;
(m) temporary construction and real estate marketing offices;
(n) the keeping of not more than four boarders in a one-family dwelling;
(o) townhouses;
(p) two-family dwellings on lots with areas greater than or equal to 750 m\(^2\) (8 073 ft\(^2\)), widths of not less than 13 m (42.6 ft) and building envelope width not less than 11 m (36.1 ft);
(q) 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) apartments, including apartments for senior citizens;
(b) assisted living apartment;
(c) uses permitted by Section 6.101.01(1);

(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) church;
(b) commercial uses in a mixed-use building, including:
   i. bakery;
   ii. offices;
   iii. personal service establishments, including, but without limiting the generality of the foregoing, barber shop, beauty parlour, launderette, optical or watch repair shop, photographic studio and shoe repair;
   iv. indoor recreation facilities;
   v. retail stores; and
   vi. restaurants and coffee shops, excluding drive-in and drive-through;
(c) uses permitted by Section 6.101.01(1) and (2);

(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 uses;
(b) assembly and entertainment uses, including but without limiting the generality of the foregoing, auditoriums, banquet halls, billiard and pool halls, bowling alleys, catering establishments and movie theatres;
(c) bakery, limited to a gross floor area of 220 m$^2$ (2,153ft$^2$);
(d) craft studio in enclosed buildings;
(e) financial institutions, excluding drive-through;
(f) food catering facilities;
(g) hospital, including private hospitals, nursing homes and multi-level care facilities;
(h) hotel and motel;
(i) medical clinics;
(j) offices;
(k) parking facilities;
(l) personal service establishments, including, but without limiting the generality of the foregoing, barber shop, beauty parlour, launderette, optical or watch repair shop, photographic studio and shoe repair;
(m) post office
(n) premises licensed pursuant to the Liquor Control and Licensing Act;
(o) indoor recreation facilities;
(p) recreational facilities;
(q) restaurants and coffee shops, excluding drive-in and drive-thru;
(r) retail stores;
(s) veterinary practices in enclosed buildings;
(t) uses permitted by Section 6.101.01(1), (2) and (3).
(5) Within those portions of the lands identified as “Area V (a & b) – Commercial” on the CD12 zone map attached as Schedule “X”, the following uses and no others are permitted:
(a) accessory buildings and uses;
(b) accessory commercial uses, limited to the following:
   i. conference and meeting facilities
   ii. premises licensed pursuant to the *Liquor Control and Licensing Act*;
   iii. public assembly and entertainment uses;
(c) car wash;
(d) financial institution, including drive through;
(d) gas station;
(e) health club;
(f) hotel and motel;
(g) indoor recreation facilities;
(h) offices;
(i) parking facilities;
(j) personal service establishments, including, but without limiting the generality of the foregoing, barber shop, beauty parlour, launderette, optical or watch repair shop, photographic studio and shoe repair
(k) public transportation depot;
(l) residential hotel;
(m) restaurants and coffee shops, including drive-in and drive-through;
(n) retail stores;
(o) sale and repair of household furnishing;
(p) temporary construction and real estate marketing offices;
(q) 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 commercial uses, limited to the following:
   i. conference and meeting facilities;
   ii. group daycare in accordance with Section 3.26.02
   iii. medical clinic;
   iv. parking facilities;
   v. personal service establishments;
   vi. premises licensed pursuant to the *Liquor Control and Licensing Act*;
   vii. public assembly and entertainment uses;
(b) apartments, including apartments for senior citizens;
(c) attached housing;
(d) car wash;
(e) financial institution, including drive through;
(f) gas station;
(g) hotel and motel;
(h) indoor recreation facilities;
(i) offices;
(j) recreation facilities;
(k) residential hotel;
(l) restaurants and coffee shops, including drive-in and drive-through;
(m) retail stores;
(n) temporary construction and real estate marketing offices;
(o) townhouses;
(p) 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 an area less than 200 m² (2152 ft²) or a width less than 6 m (19.7 ft) may be created by subdivision;
   (b) No lot with an area greater than, or equal to 550 m² (5920 ft²) may be created having a width less than 10 m (32.8 ft);
   (c) Notwithstanding Section 6.101.02(1)(a), a lot having an area of no less than 70 m² (750 ft²) and a width no less than 4 m (13 ft) may be created by subdivision for a townhouse use;

(2) In Areas V (a & b) and VI:
   (a) No lot having an area less than 695 m² (7480 ft²) may be created by subdivision;
   (b) No lot may be created having a lot width less than 16 m (53 ft);

(3) No land in the CD12 zone 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 Subsection 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 an area less than 750 m² (8073 ft²). (Bylaw 1696)

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 sixteen (16) dwelling units in Areas I, II, III, IV, and V of the CD12 zone.

(3) Despite Subsection 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 sixteen (16) dwelling units if the owner of the land to be built upon has provided the following to the City:

i. $2000 per dwelling unit towards the General Amenity reserve Fund; AND

ii. 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 Subsection 6.101.04(3), a dwelling unit is authorized in the CD12 zone 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 regulations permit the construction of a one- 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 Subsections 6.101.04(3) a dwelling unit is defined as a single residential lot of not less than 550 m$^2$ (5920 ft$^2$) or a single-family residential dwelling on a lot not less than 550 m$^2$ (5920 ft$^2$).

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

(a) A one-family dwelling on a lot less than 550 m$^2$ (5920 ft$^2$) is deemed equivalent to 0.66 dwelling units;

(b) A two-family dwelling unit (duplex is deemed to be equivalent to 1.32 dwelling units (2 x 0.66);

(c) A multi-family dwelling unit (townhousing, attached housing, apartment) is deemed equivalent to 0.61 dwelling units,

(7) Provided that all of the requirements of Section 6.101.04 have been met, the maximum density of development within Areas, I, II, III, IV and V (a & b) of the CD12 zone is as follows:

a) Within Area II:
   i. The floor area ratio may not exceed 3.0.

b) Within Area III:
   i. The commercial uses (permitted by Section 6.101.01 (3)(b)) may not exceed 600 m$^2$ (6458 ft$^2$); and
   ii. The floor area ratio may not exceed 7.0;

c) Within Areas IV and V9A):
   i. The combined floor area for uses other than residential uses may not exceed 6,000 m$^2$ (64,586 ft$^2$);

d) Within Area V9B):
   i. The floor area for uses other than residential uses may not exceed 1,000 m$^2$ (10,764 ft$^2$);
e) Within Area VI, the floor area ratio may not exceed 7.00; and

f) Within Area V (a & b):
   i. The floor area ratio may not exceed 1.0 for buildings containing only uses other than hotels; and
   ii. The floor area ratio may not exceed 2.0 for buildings containing hotel uses.

(8) Under no circumstances may the total number of residential dwellings other than secondary suites and assisted living apartments and care facilities in Areas I, II, III, and IV of the CD12 zone exceed 2600. *(Bylaw 1696; Replaced by Bylaw 1860)*

6.101.05 Lot Coverage

(1) Within Area V (a & b) and VI, the lot coverage of all buildings and structures may not exceed 50%;

6.101.06 Height and Size of Principal Use Buildings

(1) Within Area I, the height of principal use buildings may not exceed three storeys;

(2) Within Area II, the height of principal use buildings may not exceed six storeys, exclusive of up to two storeys primarily containing off-street motor vehicle parking spaces;

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

6.101.07 Setbacks

(1) Within Area V (a & b) and VI, no building or structure may be located:
   (a) Within 7.5 m (25 ft) of any front lot line;
   (b) Within 6 m (20 ft) of any interior side lot line that does not adjoin a lot in a commercial, industrial or business park zone;
   (c) Within 10 m (32.8 ft) of any rear lot line except that no setback is required from a rear lot line that adjoins a lot in the commercial zone, industrial zone, or business park zone; or
   (d) Within 6 m (20 ft) of any exterior side lot line.

6.101.08 Landscape Screening

(1) In addition to the regulations contained in Section 3.21 of this Bylaw, a continuous landscape and screening area not less than 3 m (10 ft) wide must be provided along the developed portion of each lot in Area V (a & b) and VI which abuts a highway, and a continuous landscape and screening area not less than 3 m (10 ft) wide or not less than 2.5 m (8 ft) in width containing a decorative fence not less than 1.8 m (6 ft) in height together with decorative planting must be provided along the developed portion of each lot in Area V (a & b) and VI which abuts a property in an agricultural, residential, or institutional zone other than the CD12 zone. The landscape and screening area may be interrupted at boulevard crossings, or to provide necessary pedestrian access for entering a building or for viewing shop windows. The width of the landscape area may include the width of any landscaped portion of the abutting highway that is contiguous with the landscape area and not separated from it by any paved, graveled or concrete area.

6.101.09 General

The relevant regulations of Part 3 of this Bylaw apply.
Section 6.102 – Comprehensive Development – South Walfred (CD13) Zone

(Bylaw 1232)

6.102.01 Permitted Uses

The following uses and no others are permitted in the Comprehensive Development 13 – South Walfred (CD13) Zone:

(1) accessory buildings and uses;
(2) bed and breakfast in one-family dwellings on lots of 550 m² (5 920 ft²) or greater in area;
(3) group day care in accordance with Section 3.26.02;
(4) home occupation in accordance with Section 3.09;
(5) one-family dwellings;
(6) one-family dwelling which may have a secondary suite, garden suite, or carriage suite on lots with an area equal to or greater than 550 m² (5 920 ft²), and in accordance with Section 3.08; (Bylaw 1696)
(7) outdoor recreation;
(8) parking facilities;
(9) temporary construction and real estate marketing offices;
(10) the keeping of not more than two boarders in a one-family dwelling located on a lot having an area more than 550 m² (5 920 ft²), or not more than one boarder in a one-family dwelling located on a lot having an area less than 550 m² (5 920 ft²);
(11) uses permitted by Section 3.01 of this Bylaw.

6.102.02 Subdivision Lot Requirements in the CD13 Zone

(1) A lot having an area of 850 m² (9 150 ft²) or greater may be created by subdivision in the Comprehensive Development 13 – South Walfred (CD13) Zone for a one-family residential use, provided that:
   (a) the lot width is not less than 18 m (59 ft);
   (b) the building envelope width or depth is not less than 14 m (46 ft);
(2) A lot having an area of between 550 m² (5 920 ft²) and 850 m² (9 150 ft²) may be created by subdivision in the CD13 (Comprehensive Development 13 – South Walfred) zone for a one-family residential use, 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 m² (2 000 ft²);
(3) A lot having an area of between 220 m² (2 368 ft²) and 550 m² (5 920 ft²) may be created by subdivision in the CD13 (Comprehensive Development 13 – South Walfred) zone for a one-family residential use, 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 (20 ft) nor a building envelope area of less than 74 m² (800 ft²);
6.102.03 Density of Development on Individual Lots

(1) There may not be more than one residential building on a lot.

(2) Despite Subsection 6.102.03(1), an accessory building containing a dwelling unit may be constructed on a lot with an area of not less than 550 m² (5 920 ft²), if the gross floor area of the dwelling unit does not exceed 51 m² (550 ft²).

6.102.04 Density of Development in the CD13 Zone

(1) No lot having an area less than 850 m² (9 150 ft²) may be created by subdivision in the Comprehensive Development 13 – South Walfred (CD13) Zone. (Bylaw 1320)

(2) Notwithstanding Subsection 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 m² (2 368 ft²), if the owner of the lot 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 an area of not less than 220 m² (2 368 ft²) and no more than two of which lots may be contiguous along their interior side lot lines, requiring the owner to construct on each such lot within 26 weeks of the deposit of the subdivision plan a one-family dwelling having a gross floor area of net less than 83 m² (893 ft²), a single-family 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 twenty years to $165 000 plus $2 000 for each full year that has elapsed following the expiry of the initial five-year period; (Bylaw 1320)

(b) pays to the City the amount specified in Column 2 of Table 1 below prior to the time of subdivision approval; (Bylaw 1320)

<table>
<thead>
<tr>
<th>1.</th>
<th>2.</th>
</tr>
</thead>
<tbody>
<tr>
<td>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)</td>
<td>(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; (Bylaw 1473)</td>
</tr>
<tr>
<td>(b)</td>
<td>$2 500 per new lot created over and above increments of 10 towards the General Amenity Reserve Fund;</td>
</tr>
<tr>
<td>(c)</td>
<td>$6 800 per new lot created towards the General Amenity Reserve Fund; and</td>
</tr>
<tr>
<td>(d)</td>
<td>$4.19 per m² site area for each lot smaller than 500 m²; $2.29 per m² site area for each lot larger than or equal to 550 m² towards the General Amenity Reserve Fund.</td>
</tr>
</tbody>
</table>

(3) No lot may be created by subdivision in the CD13 zone, 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 m² (73 473 ft²), in area. (Bylaw 1320)

(4) No lot may be created by subdivision in the CD13 zone unless upon the creation of that lot it will be the case that there are housing agreements that conform with Subsection 6.102.04(2)(a) registered, in priority, to all financial charges, against at least 10 percent of the new lots in the CD13 zone. (Bylaw 1320)

(5) There shall be no more than 45 lots in the CD13 Zone. (Bylaw 1320)
There shall be no more than 37 lots in the CD13 zone that have an area less than 550 m² (5 920 ft²). (Bylaw 1320)

No lot in the CD13 zone shall have an area less than 220 m² (2 368 ft²). (Bylaw 1320)

### 6.102.05 Height and Size of Principal Use Buildings

1. No one-family dwelling may exceed a height of 9 m (30 ft).
2. Notwithstanding Section 3.05.02(3), an accessory building on a lot greater than 550 m² (5 920 ft²) may not exceed a height of 85% of the height of the principal building.

### 6.102.06 Setbacks

#### One-Family Residential Lots

1. On residential lots with areas greater than or equal to 550 m² (5 920 ft²), no principal building may be located:
   - (a) Within 6 m (20 ft) of any front lot line;
   - (b) Within 6 m (20 ft) of any rear lot line;
   - (c) Within 1.5 m (5 ft) of any interior side lot line; or
   - (d) Within 4.5 m 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 of the exterior side lot line. (Bylaw 1581)

#### Small Lots

2. On residential lots with areas greater than or equal to 220 m² (2 368 ft²) and less than 550 m² (5 920 ft²), no principal building may be located:
   - (a) Within 3 m (9.8 ft) of any front lot line when the lot fronts on and has access from a highway or access route in a bare land strata plan, except no garage or carport that faces a front lot line may be located within 5.5 m (18 ft) of the front line; (Bylaw 1581)
   - (b) Within 5.5 m (18 ft) of any rear lot line;
   - (c) Within 2m 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; (Bylaw 1581) or
   - (d) Within 1.2 m (4 ft) of any interior side lot line.

#### Accessory Buildings

3. On residential lots with areas greater than or equal to 550 m² (5 920 ft²), no accessory building may be located:
   - Within 1 m (3 ft) of the principal building;
   - (a) Within 15 m (49 ft) of any front lot line unless it complies with the front lot line setback requirements applicable to the principal building;
   - (b) Within 1 m (3 ft) of any side lot line; or
   - (c) Within 1 m (3 ft) of any rear lot line.
(4) On residential lots with areas greater than or equal to 220 m² (2 368 ft²) and less than 550 m² (5 920 ft²), no accessory building may be located:
   (a) Within 1 m (3 ft) of the principal building;
   (b) Within 5.5m (18 ft) of any front lot line;
   (c) Within 1 m (3 ft) of any side lot line; or
   (d) Within 1 m of any rear lot line.

6.102.07 Lot Coverage
   (1) On residential lots with areas greater than or equal to 550 m² (5 920 ft²), lot coverage of all buildings and structures shall not exceed 35%;
   (2) On residential lots with areas lesser than 550 m² (5 920 ft²), lot coverage of all buildings and structures shall not exceed 50%.

6.102.08 Landscape Screening
   The relevant regulations of Section 3.21 of this Bylaw apply.

6.102.09 General
   The relevant regulations of Part 3 of this Bylaw apply.
Section 6.103 – Comprehensive Development 14 – Hazelwood/Luxton (CD14) Zone

(Bylaw 1262)

6.103.01 Permitted Uses

The following uses and no others are permitted in the Comprehensive Development 14 – Hazelwood/Luxton (CD14) Zone:

1. accessory buildings and uses;
2. bed and breakfast in one-family dwellings;
3. group day care in accordance with Section 3.26.02;
4. home occupation in accordance with Section 3.09;
5. one-family dwelling;
6. one-family dwelling which may have a secondary suite or carriage suite on lots with an area equal to or greater than 300 m² (3 229 ft²) and in accordance with Section 3.08; *(Bylaw 1295, 1696)*
7. two-family dwelling on lots greater than 850 m² (9 150 ft²);
8. temporary construction and real estate marketing offices;
9. the keeping of not more than two boarders in a one-family dwelling located on a lot having an area more than 550 m² (5 920 ft²), or not more than one boarder in a one-family dwelling located on a lot having an area less than 550 m² (5 920 ft²);
10. one apartment building with a maximum of eight residential units on the property legally described as Lot 11, Block 3, Sections 85, 86, 87 and 88, Metchosin District, Plan 1718 (3332 Hazelwood Road); *(Bylaw 1295)*
11. uses permitted by Section 3.01 of this Bylaw.

6.103.02 Subdivision Lot Requirements in the CD14 Zone

1. A lot having an area of 850 m² (9 150 ft²) or greater may be created by subdivision in the Comprehensive Development 14 – Hazelwood/Luxton (CD14) Zone for a one- or two-family residential use, provided that:
   (a) the lot width is not less than 18 m (59 ft);
   (b) the building envelope width or depth is not less than 14 m (46 ft);
2. A lot having an area of not less than 220 m² (2 368 ft²) and not greater than 850 m² (9 150 ft²) may be created by subdivision in the CD14 zone for a one-family residential use, provided that:
   (a) the lot width is not less than 9 m (29.5 ft);
   (b) the building envelope on the lot created has a width or depth no less than 6 m (20 ft) nor a building envelope area of less than 74 m² (800 ft²);
3. A lot having an area of 700 m² (7 535 ft²) or greater may be created by subdivision in the Comprehensive Development 14 – Hazelwood/Luxton (CD14) Zone, for multi-family residential use, provided that:
   (a) the lot width is not less than 25 m (82 ft); *(Bylaw 1295)*
(4) No lot in the CD14 zone shall have an area less than 220 m$^2$ (2 368 ft$^2$);

(5) Notwithstanding Section 6.103.02(2), a lot that is subject to a housing agreement in accordance with Section 6.103.04(2)(a) may be created by subdivision in the CD14 zone with:

(a) a lot width of no less than 8 m (26.2ft);

(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 ft$^2$);

6.103.03 Density of Development on Individual Lots

There may not be more than one residential building on a lot, exclusive of any garden suite or carriage suite where permitted by Subsection 6.103.01(6); (Bylaw 1696)

6.103.04 Density of Development in the CD14 Zone

(1) No lot having an area less than 850 m$^2$ (9 150 ft$^2$) may be created by subdivision in the Comprehensive Development 14 – Hazelwood/Luxton (CD14) Zone.

(2) Notwithstanding Subsection 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 ft$^2$) or 700 m$^2$ (7 535 ft$^2$) for a multi-family building, if the owner of the land proposed to be subdivided: (Bylaw 1295)

(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 ten created by a plan of subdivision in the CD14 zone, or at least one (1) strata-titled apartment unit out of every seven (7) lots created by subdivision or pays to the City $50,000 for each required affordable house towards the Affordable Housing Reserve Fund (Bylaw 1473). The lots that are subject of the housing agreement and covenant must have an area of not less than 220 m$^2$ (2 368 ft$^2$) and no more than two (2) 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$^2$ (797 ft$^2$) in floor area, a single-family garage, and three (3) bedrooms, and restricting the selling price of the lot and dwelling to $165 000 + HST for the first five (5) years following deposit of the subdivision plan, and restricting the selling price of the lot and dwelling for the following twenty (20) 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 (1) bedroom and a den that is strata-titled and the selling price is restricted to $124 000 + HST for the first five (5) years following deposit of the strata plan and restricting the selling price of the dwelling for the following twenty (20) years to $124 000 + HST plus $2 000 for each full year that has elapsed following the expiry of the initial five-year period. (Bylaw 1295)

(b) Notwithstanding Subsection 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); (Bylaw 1295, 1320, 1387)
Table 1 (Replaced by Bylaw 1320)

<table>
<thead>
<tr>
<th>1.</th>
<th>2.</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Strata Lots 1 &amp; 2, Section 87 &amp; 88, Metchosin District, Plan VIS3860 (3371, 3373 Luxton Road)</td>
<td>(a) $2,500 per new lot created over and above, or less than, increments of 10 lots towards the General Amenity Reserve Fund;</td>
</tr>
<tr>
<td>• 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)</td>
<td>(b) $6,800 per new lot created towards the General Amenity Reserve Fund;</td>
</tr>
<tr>
<td>• Strata Lots 1 and 2, Block 3 Sections 85-88, Metchosin District, Plan VIS39 (3340, 3342 Hazelwood Road)</td>
<td>(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</td>
</tr>
<tr>
<td></td>
<td>(d) $4.19 per m² site area towards the General Amenity Reserve Fund.</td>
</tr>
<tr>
<td>• Lot 11, Block 3, Sections 85, 86, 87 and 88, Metchosin District, Plan 1718 (3332 Hazelwood Road) (Bylaw 1295)</td>
<td></td>
</tr>
<tr>
<td>(a) $2,500 per dwelling unit created towards the General Amenity Reserve Fund;</td>
<td></td>
</tr>
<tr>
<td>(b) $6,800 per dwelling unit created towards the General Amenity Reserve Fund;</td>
<td></td>
</tr>
<tr>
<td>(c) $31,500 towards the General Amenity Reserve Fund; and</td>
<td></td>
</tr>
<tr>
<td>(d) $4.19 per m² site area for single-family dwelling and $6.10 per m² site area for multi-family units towards the General Amenity Reserve Fund.</td>
<td></td>
</tr>
<tr>
<td>Lot 14, Block 3, Sections 85, 86, 87 and 88, Metchosin District, Plan 1718 (3344 Hazelwood Road) (Bylaw 1387)</td>
<td></td>
</tr>
<tr>
<td>a) $9,300 per new lot towards the General Amenity Reserve Fund;</td>
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<tr>
<td>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</td>
<td></td>
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<tr>
<td>c) $4.19 per m² site area towards the General Amenity Reserve Fund.</td>
<td></td>
</tr>
<tr>
<td>Lot 8, Block 3, Section 86, Metchosin district, Plan 1718 (1017 Marwood Ave) (Bylaw 1355, 1473)</td>
<td></td>
</tr>
<tr>
<td>a) $3,960 per new lot created towards the General Amenity Reserve Fund; and</td>
<td></td>
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<tr>
<td>b) $660 per new lot created towards the Affordable Housing Reserve Fund. (Bylaw 1473)</td>
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</tbody>
</table>

(Clauses (c) to (g) deleted by Bylaw 1320)

6.103.05 Height and Size of Principal Use Buildings

(1) No building for residential use may exceed a height of 9 m (30 ft). (Bylaw 1295)

(2) Notwithstanding the definition of “height” in Part 1 and Section 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, as measured from the average finished grade. (Bylaw 1360, Replaced by Bylaw 1696)

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;

(b) Within 5.5 m (18 ft) of any rear lot line;

(c) Within 3 m (9.8 ft) of any exterior side lot line;
(d) Within 1.2 m (4 ft) of any interior side lot line; and

(e) Notwithstanding 6.103.06(1)(a) and (c), no portion of a building comprising an attached garage may be located within 5.5 m (18 ft) of any front or exterior side lot line. (Bylaw 1581)

(2) In “Area 3 – Laneway Lots” as shown on the CD14 zone map attached as Schedule “Y”

(a) Where the lot contains both a one-family dwelling and a carriage suite: (Bylaw 1696)
   i. Within 3 m (9.8 ft) of any front lot line;
   ii. Within 5.5 m (18 ft) of any rear lot line;
   iii. Within 3 m (9.8 ft) of any exterior side lot line;
   iv. Within 1.2 m (4 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;
   ii. Within 3.5 m (11.5 ft) of any rear lot line;
   iii. Within 3 m (9.8 ft) of any exterior side lot line;
   iv. Within 1.2 m (4 ft) of any interior side lot line;
   v. Notwithstanding 6.103.06(2)(b)(ii) and (iii), no portion of a building comprising a garage may be located within 5.5 m of any rear lot line; (Bylaw 1581)

Carriage Suites (Bylaw 1696)

(3) No carriage suite may be located:
   (a) Within 5 m (16 ft) of the principal building; (Bylaw 1360)
   (b) Within 5.5 m (18 ft) of any front lot line; (Bylaw 1581)
   (c) Within 1.2 m (4 ft) of any side lot line;
   (d) Within 1.2 m (4 ft) of any rear lot line.

(4) For the purposes of Section 6.103.06(2) and (3) and notwithstanding 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 adjoining the lane, regardless of the length of that lot line in relation to the lot line adjoining 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%. (Bylaw 1295)
6.103.08 Landscape Screening
   The relevant regulations of Section 3.21 of this Bylaw apply.

6.103.09 General
   The relevant regulations of Part 3 of this Bylaw apply.
Section 6.104 – Comprehensive Development 15 – McCormick Meadows (CD15) Zone

(Bylaw 1273; Replaced by Bylaw 1521)

6.104.01 Permitted Uses

The following uses and no others are permitted in the Comprehensive Development 15 – McCormick Meadows (CD15) Zone:

(1) accessory buildings and uses;
(2) attached housing;
(3) bed and breakfast in one-family dwellings;
(4) group day care in accordance with Section 3.26.02;
(5) home occupation in accordance with Section 3.09;
(6) one-family dwelling;
(7) one-family dwelling which may have a secondary suite on lots with areas greater than or equal to 350 m² (3 767 ft²) and in accordance with Section 3.08; (Bylaw 1696)
(8) one-family dwelling which may have a garden suite or carriage suite on lots with an area equal to or greater than 550 m² (5 920 ft²) and in accordance with Section 3.08; (Bylaw 1696)
(9) parks;
(10) the keeping of not more than 4 boarders in a one-family dwelling on a lot having an area of 550 m² or greater;
(11) the keeping of not more than 1 boarder in a one-family dwelling on a lot having an area of less than 550 m² or in a townhouse;
(12) temporary construction and real estate marketing offices;
(13) townhouses;
(14) uses permitted by Section 3.01 of this Bylaw.

6.104.02 Subdivision Lot Requirements in the CD15 Zone

(1) No lot having an area less 300 m² may be created by subdivision in the Comprehensive Development 15 – McCormick Meadows (CD15) Zone;
(2) No lot may be created by subdivision having a lot width less than 13 m;
(3) Despite Subsection 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; (Bylaw 1648)
(4) Despite Subsection 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 but no less than 12 m, provided that the lot area is less than 550 m²; (Bylaw 1648)
(5) Despite Subsections 6.104.02(1) and (2), no lot having an area of less than 100 m² or a
width less than 5m may be created by subdivision for a townhouse or attached housing use.

6.104.03 Density of Development in the CD15 Zone

(1) There may not be more than three residential dwellings in the Comprehensive Development 15 – McCormick Meadows (CD15) Zone.

(2) Despite Subsection 6.104.03(1), there may be more than three residential dwellings 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 provides the following prior to the issuance of a Building Permit for townhouse/attached housing uses and prior to Subdivision Approval for one-family dwelling uses:

(a) Pays to the City the amount specified in Column 2 of Table 1 below;

Table 1 (Replaced by Bylaw 1320; Bylaw 1521)

<table>
<thead>
<tr>
<th>1.</th>
<th>2.</th>
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</thead>
<tbody>
<tr>
<td>Lot B, Section 77, Metchosin District, Plan VIP59646 (1067 Braeburn Avenue)</td>
<td>(i) $1,000 towards the Affordable Housing Reserve Fund per one-family lot created with an area of 550 m² or greater;</td>
</tr>
<tr>
<td></td>
<td>(ii) $6,000 towards the General Amenity Reserve Fund per one-family lot created with an area of 550 m² or greater;</td>
</tr>
<tr>
<td></td>
<td>(iii) $660 towards the Affordable Housing Reserve Fund per one-family lot created with an area less than 550 m²;</td>
</tr>
<tr>
<td></td>
<td>(iv) $3,960 towards the General Amenity Reserve Fund per one-family lot created with an area less than 550 m²;</td>
</tr>
<tr>
<td></td>
<td>(v) $610 towards the Affordable Housing Reserve Fund per townhouse or attached housing dwelling unit;</td>
</tr>
<tr>
<td></td>
<td>(vi) $3,660 towards the General Amenity Reserve Fund per townhouse or attached housing dwelling unit;</td>
</tr>
<tr>
<td></td>
<td>(b) Pays to the City $200,000 towards the General Amenity Reserve Fund prior to October 30, 2014;</td>
</tr>
<tr>
<td></td>
<td>(c) Enters into an agreement with the City to:</td>
</tr>
<tr>
<td></td>
<td>(i) Implement an open space plan with respect to those lands shown generally and labelled as &quot;open space&quot; on the Zone map attached as Schedule &quot;Z,&quot; 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</td>
</tr>
<tr>
<td></td>
<td>(ii) Construct a trail and park improvements within those open space lands to the satisfaction of the Parks Manager;</td>
</tr>
<tr>
<td></td>
<td>(3) (Deleted by Bylaw 1648);</td>
</tr>
<tr>
<td></td>
<td>(4) Under no circumstances may the total number of residential dwellings in the CD15 zone, other than suites, exceed 275. (Bylaw 1696)</td>
</tr>
</tbody>
</table>

6.104.04 Density of Development on Individual Lots

(1) There may not be more than one residential building on a lot;

(2) Despite Subsection 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 Subsection 6.104.01(8); or **(Bylaw 1696)**

(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 (30 ft);
2. **(Deleted by Bylaw 1696)**;
3. No townhouse or attached housing 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 of any front lot line, except that no garage that faces a front lot line may be located within 5.5 m of the front line;
   b. Within 1.5 m of any interior side lot line; **(Bylaw 1648)**
   c. Within 3 m of any exterior side lot line, except that no garage that faces an exterior side lot line may be located within 5.5 of the exterior side line;
   d. Within 6 m of any rear lot line.

**Attached Housing and Townhouse**

2. No attached housing or townhouse building may be located:
   a. Within 3 m of any front lot line, except that no garage that faces a front lot line may be located within 5.5 of the front line;
   b. Within 3 m of any exterior side lot line, except that no garage that faces a front lot line may be located within 5.5 of the front line;
   c. Within 4 m of any rear lot line.

**Garden Suites and Carriage Suites (Bylaw 1696)**

3. No garden suite or carriage suite may be located: **(Bylaw 1696)**
   a. Within 1 m of the principal building;
   b. Within 5.8 m of any front lot line;
   c. Within 1.2 m of any side lot line;
   d. Within 1.2 m of any rear lot line.

**Buffer Setback (Deleted by Bylaw 1648)**

### 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 townhouse or attached housing uses must not exceed 60%.

### 6.104.08 Landscape Screening
The relevant regulations of Section 3.21 of this Bylaw apply.

6.104.09 General

The relevant regulations of Part 3 of this Bylaw apply.
Section 6.107 – Comprehensive Development 18 – Katie’s Pond (CD18) Zone

(Bylaw 1314; Replaced by Bylaw 1349, 1520)

6.107.01 Permitted Uses

(1) Within those portions of the lands identified as “Area I – Residential Use” on the Comprehensive Development 18 – Katie’s Pond (CD18) zone map attached as Schedule “AC”, the following uses and no others are permitted:

(a) accessory buildings and uses;
(b) attached housing;
(c) bed and breakfast in one-family dwellings on lots greater than 300 m² in area;
(d) group day care in accordance with Section 3.26.02;
(e) home occupation in accordance with Section 3.09;
(f) one-family dwelling;
(g) one-family dwelling which may contain a secondary suite on lots with areas greater than or equal to 300 m² (3 229 ft²) and in accordance with Section 3.08; (Bylaw 1696)
(h) one-family dwelling which may have a carriage suite on lots with areas greater than or equal to 310 m² (3 337 ft²) and in accordance with Section 3.08; (Bylaw 1696)
(i) parks;
(j) temporary construction and real estate marketing offices;
(k) townhouses;
(l) two-family dwellings; and
(m) uses permitted by Section 3.01 of this Bylaw.

(2) Within those portions of the lands identified as “Area 2 – Amenity Area” on the Comprehensive Development 18 – Katie’s Pond (CD18) zone map attached as Schedule “AC”, the following uses and no others are permitted:

(a) accessory buildings and uses;
(b) parks; and
(c) utility use.

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 Comprehensive Development 18 – Katie’s Pond (CD18) zone, the following Subdivision Lot requirements apply:

a) No lot for a one-family use may be created by subdivision having a:

i) lot area less than 230 m²;
ii) width less than 9 m; and
iii) building envelope width or depth less than 6 m; and
iv) building envelope area of no less than 74 m²;

(b) No lot for a two-family use may be created by subdivision having a lot area less than 460 m² or a width less than 18m;
(c) No lot for a townhouse use may be created by subdivision having a lot area less than 100 m² or a width less than 5m;

(2) Within those portions of the lands identified as “Area 2 – Open Space/Amenity” on the Comprehensive Development 18 – Katie’s Pond (CD18) zone, no lot may be created by subdivision having an area less than 100 m² (1076 ft²);

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 Subsection 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 Subsection 6.107.01(1)(h); or (Bylaw 1696)
   (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 residential dwellings in the Comprehensive Development 18 – Katie’s Pond (CD18) Zone.

(4) Despite Subsection 6.107.03(3) there may be more than three residential dwellings in the Comprehensive Development 18 – Katie’s Pond (CD18) Zone, if the owner of the land proposed to be built upon provides the following prior to Subdivision Approval:
   (a) pays to the City the amount specified in Column 2 of Table 1 below, prior to Subdivision Approval for one-family uses and prior to Building Permit issuance for townhouse uses and two-family uses;

Table 1 – Amenity Contributions

<table>
<thead>
<tr>
<th>1.</th>
<th>2.</th>
</tr>
</thead>
<tbody>
<tr>
<td>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)</td>
<td>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) 9,924m² (2.5 ac) of land dedication.</td>
</tr>
<tr>
<td>Lot 1, Sections 84 and 85, Metchosin District, Plan EPP40253 (3467 Happy Valley Rd)</td>
<td>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 unit towards the General Amenity Reserve Fund; and g) 1,151 m² (0.28 ac) of land dedication.</td>
</tr>
</tbody>
</table>

(4) Notwithstanding 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

<table>
<thead>
<tr>
<th>Overall Green Development Checklist Project Rating</th>
<th>% Reduction to the Required Contributions Specified in Table 1</th>
</tr>
</thead>
<tbody>
<tr>
<td>Level 1</td>
<td>10%</td>
</tr>
<tr>
<td>Level 2</td>
<td>15%</td>
</tr>
<tr>
<td>Level 3</td>
<td>25%</td>
</tr>
<tr>
<td>Level 4</td>
<td>50%</td>
</tr>
</tbody>
</table>

6.107.04 Height and Size of Principal Use Buildings

(1) No principal building may exceed a height of 9 m (30 ft);

6.107.05 Setbacks

Principal Use Buildings

(1) No principal building may be located:
   (a) Within 3 m of any front lot line, except that no garage that faces a front lot line may be located within 5.5 m of the front lot line; and
   (b) Within 1.2 m (4 ft) of any interior side lot line;
   (c) Despite subsection 6.107.05(1)(b), the interior side lot line setback may be reduced to nil where townhouse buildings on adjacent lots are attached;
   (d) Within 3 m of any exterior side lot line, except that no garage that faces an exterior side lot line may be located within 5.5 m of the exterior side lot line; and
   (e) Within 5.5 m of any rear lot line.

Carriage Suites (Bylaw 1696)

(2) No carriage suite may be located: (Bylaw 1696)
   (a) Within 5 m (16 ft) of the principal building;
   (b) Within 5.8 m (19ft) of any front lot line;
   (c) Within 1.2 m (4 ft) of any side lot line; and
   (d) Within 1.2 m (4ft) of any rear lot line.

6.107.06 Lot Coverage

(1) Lot coverage of all buildings and structures may 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.

6.107.07 General

The relevant regulations of Part 3 of this Bylaw apply.
Section 6.109 – Comprehensive Development 20 – Eagle Ridge (CD20) Zone

(Bylaw 1450)

6.109.01 Permitted Uses

(1) Within those portions of the lands identified as “Area I” on the Comprehensive Development 20 – Eagle Ridge (CD20) zone map attached as Schedule “AG”, the following uses and no others are permitted:

(a) accessory buildings and uses;
(b) attached housing;
(c) bed and breakfast in a one-family dwelling;
(d) group day care in accordance with Section 3.26.02;
(e) home occupation in accordance with Section 3.09;
(f) one-family dwelling, which may contain a secondary suite on lots with areas of 550 m² or greater;
(g) temporary construction and real estate marketing offices;
(h) townhouses;
(i) uses permitted by Section 3.01 of this Bylaw.

(2) Within those portions of the lands identified as “Area 2” on the Comprehensive Development 20 – Eagle Ridge (CD20) zone map attached as Schedule “AG”, the following uses and no others are permitted:

(a) accessory buildings and uses;
(b) attached housing;
(c) apartments;
(d) bed and breakfast in a one-family dwelling;
(e) group day care in accordance with Section 3.26.02;
(f) home occupation in accordance with Section 3.09;
(g) one-family dwelling, which may contain a secondary suite on lots with areas of 550 m² or greater;
(h) temporary construction and real estate marketing offices;
(i) townhouses;
(j) uses permitted by Section 3.01 of this Bylaw.

(3) Within those portions of the lands identified as “Area 3” on the Comprehensive Development 20 – Eagle Ridge (CD20) zone map attached as Schedule “AG”, the following uses and no others are permitted:

(a) accessory buildings and uses;
(b) home occupation in accordance with Section 3.09;
(c) one-family dwelling;
(d) uses permitted by Section 3.01 of this Bylaw.
(4) Within those portions of the lands identified as “Area 4” on the Comprehensive Development 20 – Eagle Ridge (CD20) zone map attached as Schedule “AG”, the following uses and no others are permitted:

(a) accessory buildings and uses;
(b) home occupation in accordance with Section 3.09;
(c) one-family dwelling, which may contain a secondary suite;
(d) uses permitted by Section 3.01 of this Bylaw.

6.109.02 Subdivision Lot Requirements

(1) Within those portions of the lands identified as “Area 1” on the Comprehensive Development 20 – Eagle Ridge (CD20) zone map attached as Schedule “AG”, the following Subdivision Lot Requirements apply:

(a) no lot having an area less than 300 m\(^2\) or a width less than 9m may be created by subdivision for a one-family use; and
(b) no lot having an area less than 100 m\(^2\) or a width less than 5m may be created by subdivision for a townhouse or attached housing use;

(2) Within those portions of the lands identified as “Area 2” on the Comprehensive Development 20 – Eagle Ridge (CD20) zone map attached as Schedule “AG”, the following Subdivision Lot Requirements apply:

(a) no lot having an area less than 300 m\(^2\) or a width less than 9m may be created by subdivision for a one-family use; and
(b) no lot having an area less than 100 m\(^2\) or a width less than 5m may be created by subdivision for a townhouse or attached housing use;
(c) no lot having an area less than 695m\(^2\) may be created by subdivision for an apartment use;

(3) Within those portions of the lands identified as “Area 3” on the Comprehensive Development 20 – Eagle Ridge (CD20) zone map attached as Schedule “AG”, the following Subdivision Lot Requirements apply:

(a) no lot having an area less than 400 m\(^2\) or a width less than 9m may be created by subdivision; and

(4) Within those portions of the lands identified as “Area 4” on the Comprehensive Development 20 – Eagle Ridge (CD20) zone map attached as Schedule “AG”, the following Subdivision Lot Requirements apply:

(a) no lot having an area less than 1374 m\(^2\) 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 Comprehensive Development 20 – Eagle Ridge (CD20) Zone and the land in the CD20 Zone shall not be subdivided so as to permit more than 60 SFE dwelling units in the CD20 Zone assuming that the parcels in the subdivision are developed to their maximum permitted density;

(2) Notwithstanding Subsection 6.109.03(1), there may be more than 60 SFE dwelling units in the Comprehensive Development 20 – Eagle Ridge (CD20) Zone and the land in the
CD20 Zone may be subdivided so as to permit more than 60 SFE dwelling units in the CD20 Zone if the owner of the land proposed to be built upon:

(a) Pays to the City $150,000 towards the General Amenity Reserve Fund, prior to Subdivision Approval for one-family uses and prior to the issuance of a Building Permit for townhouse, attached housing and apartment uses; and

(b) pays to the City the amount specified in Column 2 of Table 1 below, prior to Subdivision Approval for one-family uses and prior to the issuance of a Building Permit for townhouse, attached housing and apartment uses:

Table 1 – Amenity Contributions

<table>
<thead>
<tr>
<th>1.</th>
<th>2.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot 1 Section 2 Range 3 West Highland District Plan VIP74176 Except Parts In Plans VIP74179, VIP74903, VIP75624, VIP76187, VIP77432, VIP77698, VIP78206, VIP79183 AND VIP89330 (2154 Millstream Rd); Lot 2 Section 1 &amp; 2 Range 4 West Highland District Plan VIP89331 (974 Arngask Ave); Lot 1 Section 1 &amp; 2 Range 4 West Highland District Plan VIP89331 (2317 Echo Valley Dr)</td>
<td>d) $5,400 per one-family lot greater than or equal to 550 m² towards the General Amenity Reserve Fund; e) $3,564 per one-family lot less than 550 m² towards the General Amenity Reserve Fund; f) $3,294 per townhouse, attached housing or apartment dwelling unit towards the General Amenity Reserve Fund; g) $900 per one-family lot greater than or equal to 550 m² towards the Affordable Housing Reserve Fund; h) $594 per one-family lot less than 550 m² towards the Affordable Housing Reserve Fund; i) $549 per townhouse, attached housing or apartment dwelling unit towards the Affordable Housing Reserve Fund;</td>
</tr>
</tbody>
</table>

(4) Notwithstanding the amenity contributions specified in Table 1 above, the owner may provide a reduced amenity contribution in accordance with Table 2 where the owner enters into an agreement with the City prior to the issuance of a Development Permit, under which agreement the owner agrees to achieve a minimum Level 2 Rating defined by the Green Development Checklist attached as Schedule “AH.”

Table 2 – Amenity Contribution Reductions

<table>
<thead>
<tr>
<th>Overall Green Development Checklist Project Rating</th>
<th>% Reduction to the Required Contributions Specified in the Amenity Contribution Policy</th>
</tr>
</thead>
<tbody>
<tr>
<td>Level 2</td>
<td>15%</td>
</tr>
<tr>
<td>Level 3</td>
<td>25%</td>
</tr>
<tr>
<td>Level 4</td>
<td>50%</td>
</tr>
</tbody>
</table>

(5) Under no circumstances may there be more than 56 Single Family Equivalent dwelling units created within those portions of the lands identified as “Area 1” on the Comprehensive Development 20 – Eagle Ridge (CD20) zone map attached as Schedule “AG”

(6) Under no circumstances may there be more than 37 Single Family Equivalent dwelling units created within those portions of the lands identified as “Area 2” on the Comprehensive Development 20 – Eagle Ridge (CD20) zone map attached as Schedule “AG”

(7) Under no circumstances may there be more than 2 one-family dwellings created within those portions of the lands identified as “Area 3” on the Comprehensive Development 20 – Eagle Ridge (CD20) zone map attached as Schedule “AG”

(8) Under no circumstances may there be more than 1 one-family dwelling created within those portions of the lands identified as “Area 4” on the Comprehensive Development 20 – Eagle Ridge (CD20) zone map attached as Schedule “AG.”
1. The following conversion ratios shall be used for the purposes of determining Single Family Equivalent (SFE) density within the Comprehensive Development 20 – Eagle Ridge (CD20) zone:
(a) One-family dwelling on a lot greater than or equal to 550 m² in area = 1.0 SFE;
(b) One-family dwelling on a lot less than 550 m² in area = 0.66 SFE;
(c) Apartment, townhouse and attached housing dwelling unit = 0.61 SFE;

6.109.04 Height and Size of Principal Use Buildings
(1) No one-family dwelling may exceed a height of 9m (30 ft);
(2) No townhouse or attached housing dwelling unit may exceed a height of three storeys;
(3) Notwithstanding any other part of this bylaw, no building or structure constructed within those portions of the lands identified as “Area 2” on the Comprehensive Development 20 – Eagle Ridge (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 an area of 550 m² or greater may be located:
(a) Within 5.5 m of any front lot line;
(b) Within 1.5 m of any interior side lot line;
(c) Within 4.5 m of any exterior side lot line, except that no garage that faces an exterior side lot line may be located within 5.5 m of the exterior side lot line;
(d) Within 6.0 m of any rear lot line.
(2) No one-family dwelling on a lot with an area less than 550 m² may be located:
(a) Within 4.5 m of any front lot line nor within 5.5 m of a portion of a building comprising an attached garage;
(b) Within 1.2 m of any interior side lot line;
(c) Within 3.0 m of any exterior side lot line, except that no garage that faces an exterior side lot line may be located within 5.5 m of the exterior side lot line;
(d) Within 6.0 m of any rear lot line.
(3) No townhouse or attached dwelling may be located:
(a) Within 3.0 m of any front lot line nor within 5.5 m of a portion of a building comprising an attached garage;
(b) Within 1.2 m of any interior side lot line abutting any zone other than the CD20 zone;
(c) Within 3.0 m of any exterior side lot line, except that no garage that faces an exterior side lot line may be located within 5.5 m of the exterior side lot line;
(d) Within 6.0 m of any rear lot line;
(4) No apartment building may be located:
(a) Within 3.0 m of any front lot line;
(b) Within 3.0 m of any interior lot line;
(c) Within 3.0 m of any exterior side lot line;
(e) Within 6.0 m 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, attached housing or townhouse uses may not exceed 60%;

6.109.07 Landscape Screening

The relevant regulations of Section 3.21 of this Bylaw apply.

6.109.08 General

The relevant regulations of Part 3 of this Bylaw apply.
Section 6.110 – Comprehensive Development 21 – Radiant Way (CD21) Zone

(Bylaw 1453)

6.110.01 Permitted Uses

The following uses and no others are permitted in the Comprehensive Development 21 – Radiant Way (CD21) Zone:

(1) accessory buildings and uses;
(2) a maximum of one boarder in a one-family dwelling;
(3) home occupation in accordance with Section 3.09;
(4) one-family dwelling;
(5) one secondary suite in a one-family dwelling on a lot equal to or greater than 450 m² (4 844 ft²);
(6) temporary construction and real estate marketing offices;
(7) townhouses; and
(8) uses permitted by Section 3.01 of this Bylaw;

6.110.02 Subdivision Lot Requirements in the CD21 Zone

(1) A lot having an area of not less than 220 m² (2 368 ft²) may be created by subdivision in the Comprehensive Development 21 – Radiant Way (CD21) Zone for a one-family residential use, provided that:
   (a) the lot width is not less than 8.5 m (27.9 ft);
   (b) the building envelope width or depth is not less than 5.5 m (18 ft);
(2) A lot having an area of not less than 100 m² (1 076 ft²) may be created by subdivision in the Comprehensive Development 21 – Radiant Way (CD21) Zone for a townhouse use, provided that:
   (a) the lot width is not less than 5 m (16 ft);

6.110.03 Density of Development on Individual Lots

(1) There may not be more than one one-family dwelling on a lot;
(2) There may not be more than three (3) townhouse units in the Comprehensive Development 21 – Radiant Way (CD21) Zone;
6.110.04 Density of Development in the CD21 Zone

(1) No lot having an area less than 1,000 m$^2$ (10 764 ft$^2$) may be created by subdivision in the Comprehensive Development 21 – Radiant Way (CD21) Zone.

(2) Notwithstanding Subsection 6.110.04(1), on land whose legal description is set out in Column 1 of Table 1 below, the minimum lot area for subdivision shall be 220 m$^2$ for a one-family use and 100 m$^2$ for a townhouse use if the owner of the land proposed to be built upon pays to the City the amount specified in Column 2 of Table 1 below, prior to Subdivision Approval for one-family uses and prior to the issuance of a Building Permit for a townhouse use:

<table>
<thead>
<tr>
<th>Legal Description</th>
<th>Amenity Contributions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot 3, Sections 85 and 86, Metchosin District, Plan 12293 (3372 Happy Valley Rd)</td>
<td>a) $660 per dwelling unit towards the Affordable Housing Reserve Fund;</td>
</tr>
<tr>
<td></td>
<td>b) $3,960 per dwelling unit towards the General Amenity Reserve Fund;</td>
</tr>
</tbody>
</table>

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 use may not exceed 60%.

6.110.06 Height of Principal Use Buildings

(1) No one-family dwelling on a lot with an area less than 450 m$^2$ (4 844 ft$^2$) may exceed a height of 8.5 m (28 ft);

(2) No one-family dwelling on a lot with an area equal to or greater than 450 m$^2$ (4 844 ft$^2$) may exceed a height of 9 m (30 ft);

(3) No townhouse unit may exceed a height of three storeys;

6.110.07 Setbacks

One-Family Residential Lots

(1) No principal building may be located:
   (a) Within 3.0 m (9.8 ft) of any front lot line, nor within 5.5 m (18 ft) of a portion of a building comprising an attached garage, connected to the highway or access route by a driveway;
   (b) Within 3 m (10 ft) of any rear lot line;
   (c) Within 3.5 m (11.5 ft) of any exterior side lot line, except that no garage that faces an exterior side lot line may be located within 5.5 m of the exterior side lot line; or
   (d) Within 1.2 m (4 ft) of any interior side lot line;

Townhouse lots

(2) No principal building may be located:
(a) Within 3.0 m (9.8 ft) of any front lot line, nor within 5.5 m (18 ft) of a portion of a building comprising an attached garage, connected to the highway or access route by a driveway;

(b) Within 3 m (10 ft) of any rear lot line;

(c) Within 0 m (0 ft) of interior lot lines abutting townhouse use in the Comprehensive Development 21 – Radiant Way (CD21) Zone, and within 1.2 m (4 ft) of all other interior lot lines;

(d) Within 3 m (10 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 of the exterior side lot line. (Bylaw 1581)

6.110.08 Landscape Screening

The relevant regulations of Section 3.21 of this Bylaw shall apply.

6.110.09 General

The relevant regulations of Part 3 of this Bylaw shall apply.
SCHEDULE 'C' to BYLAW No.300
CLUSTER HOUSING DENSITY FOR LOTS A & B
SCHEDULE "J" TO BYLAW No. 801
SCHEDULE L
SCHEDULE M
(SCHEDULE A TO BYLAW 628)
SCHEDULE "N" TO BYLAW No.300
SCHEDULE O

(Replaced by Bylaw 1623)
Schedule O-2
(Added by Bylaw 1623; Replaced by Bylaw 1768)
(Bylaw 1788)

Schedule "O-3" to Bylaw No.300

CD6A Zone Map

Goldstream Provincial Park

District of Highlands
RURAL AREAS
SCHEDULE "P" TO BYLAW No.300
SCHEDULE "Q" TO BYLAW No. 300

Legend

- **Area 1**: Single - Family Residential
- **Area 2**: Townhouse Residential

MXD Name: Schedule Q

Scale: N.T.S.

Last Revised: March, 2015

(Replaced by Bylaw 1562)
C3 ZONE ADDITIONAL USES (JACKLIN/ATTREE)
APPENDIX 1 TO BYLAW NO. 1146
SCHEDULE "S"

SUBJECT PROPERTIES

Zoning Bylaw No. 300
City of Langford

Schedule S
21 Apr 08
Appendix "A" to Bylaw 946
Schedule "T" to Bylaw No.300
Millstream East Business Park
SCHEDULE V

Legend
- Area 1 - Mixed Use Residential/Commercial
- Area 2 - Community Institutional
- Area 3 - Attached Housing A
- Area 4 - Apartments
- Area 5 - Housing B

North
(Replaced by Bylaw No. 1521, 1648)
Schedule "AC" to Bylaw No. 300

Area 1
3.16 hectares
Area 2
1.26 hectares

Legend
- Area 1 - Residential Use
- Area 2 - Amenity Area

(replaced by Bylaw 1349)
Section 1.0 – Amenity Contributions (Bylaw 1559)
Schedule AD - Table 1
(Bylaw 1320, Replaced by Bylaw 1473
– up to Bylaw 1440 as noted in the table below)

<table>
<thead>
<tr>
<th>Zone (Column 1)</th>
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</tr>
</thead>
<tbody>
<tr>
<td>RS2</td>
<td>1144</td>
<td>Lot 3, Section 84, Esquimalt District, Plan 20473, Except Part in Plan 48946 (936 Walfred Rd)</td>
<td>a) $5 000 towards the General Amenity Reserve Fund;</td>
<td></td>
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<tr>
<td></td>
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<td></td>
<td>b) $2 500 towards the General Amenity Reserve Fund (no playground); and</td>
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<td></td>
<td></td>
<td></td>
<td>c) $4.19 per m² of lot area towards the General Amenity Reserve Fund.</td>
<td></td>
</tr>
<tr>
<td>RS2</td>
<td>1282</td>
<td>Strata Lot 5, Section 1, Range 3W, Highland District, Strata Plan VIS4554(962 Whisperwind Place &amp; 990 Ironwood Court)</td>
<td>a) $7 300 per lot towards the General Amenity Reserve Fund; and</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>b) $20 000 towards the General Amenity Reserve Fund.</td>
<td></td>
</tr>
<tr>
<td>RS2</td>
<td>1302</td>
<td>Lot B, Section 84, Esquimalt District, Plan VIP51623 (930 Walfred Road)</td>
<td>a) $9 300 per lot towards the General Amenity Reserve Fund; and</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>b) $16 000 towards the General Amenity Reserve Fund.</td>
<td></td>
</tr>
<tr>
<td>R2A</td>
<td>1162</td>
<td>Lot 2, Section 84, Esquimalt District, Plan 20692, Except Parcel A (DD G78594) (955 Walfred Road)</td>
<td>a) $8 100 per lot towards the General Amenity Reserve Fund; and</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>b) $2.29 per m² of site area towards the General Amenity Reserve Fund.</td>
<td></td>
</tr>
<tr>
<td>R2A</td>
<td>1144</td>
<td>Lot 3, Section 84, Esquimalt District, Plan 20473, Except Part in Plan 48946 (936 Walfred Rd)</td>
<td>a) $7 100 per lot towards the General Amenity Reserve Fund; and</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>b) $4.19 per m² of site area towards the General Amenity Reserve Fund.</td>
<td></td>
</tr>
<tr>
<td>R2A</td>
<td>1103</td>
<td>Lot 7, Block E Sections 84, Metchosin District, Plan 1139, Except Those Parts in Plans 11198 and 14656(3458 Happy Valley Road)</td>
<td>a) $9 300 per lot towards the General Amenity Reserve Fund; and</td>
<td></td>
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<td></td>
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<td></td>
<td>b) $6 673.06 towards the General Amenity Reserve Fund.</td>
<td></td>
</tr>
<tr>
<td>R2A</td>
<td>1270</td>
<td>Lot A, Section 81, Metchosin District, Plan 42862 (1018 Loma Linda Drive)</td>
<td>a) $9 300 per lot towards the General Amenity Reserve Fund; and</td>
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<td></td>
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<td></td>
<td>b) $112 941.03towards the General Amenity Reserve Fund; and</td>
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<td></td>
<td></td>
<td></td>
<td>c) enters into a housing agreement and covenant for one affordable housing lot on the City’s standard terms.</td>
<td></td>
</tr>
<tr>
<td>RS3</td>
<td>1178</td>
<td>Lot 3, Block 1, Section 86, Metchosin District, Plan 1524 (3326 and 3328 Happy Valley Road)</td>
<td>a) $89 253.55 towards the General Amenity Reserve Fund.</td>
<td></td>
</tr>
<tr>
<td>Zone</td>
<td>Bylaw No.</td>
<td>Legal Description</td>
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<tr>
<td>RS3</td>
<td>1228</td>
<td>Lot 5, Section 85, Metchosin District, Plan 12293 (3380 Happy Valley Road)</td>
<td>a) $53 597.86 towards the General Amenity Reserve Fund.</td>
<td></td>
</tr>
</tbody>
</table>
|       | 1217      | Lot 1, Block J, Section 84, Esquimalt District, Plan 20692 (951 Walfred Road)     | a) enters into a housing agreement and covenant for one affordable housing lot on the City’s standard terms OR pays to the City $50,000 towards the Affordable Housing Reserve Fund; and  
  b) $164 514 towards the General Amenity Reserve Fund. |                                                                   |
| RS3   | 1261      | Lot 1, Section 84, Esquimalt District, Plan VIP86631 (957 Walfred Road)           | a) $9 300 per lot towards the General Amenity Reserve Fund;  
  b) $4.19 per m² of site area towards the General Amenity Reserve Fund; and  
  c) An amount equal to 10% of the assessed value (post-rezoning) of the parcel to be subdivided towards the General Amenity Reserve Fund. |                                                                   |
| RS3   | 1268      | Lot 4, Section 84, Esquimalt District, Plan 21075 (935 Walfred Road)              | a) enters into a housing agreement and covenant for 2 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) $9 300 per lot towards the General Amenity Reserve Fund;  
  c) $56 056 towards the General Amenity Reserve Fund; and  
  d) $4.19 per m² of site area towards the General Amenity Reserve Fund. |                                                                   |
| RT2   | 1304      | Lot 7, Section 84, Esquimalt District, Plan 10597 (3251 Happy Valley Road)        | a) $9 300 per dwelling unit towards the General Amenity Reserve Fund;  
  b) An amount equal to 5% of the assessed value (post-rezoning) of the parcel to be developed towards the General Amenity Reserve Fund prior to either the time of subdivision or Building Permit issuance; and  
  c) $4.19 per m² of site area towards the General Amenity Reserve Fund. |                                                                   |
| R4    | 1212      | Lot 3, Section 78, Esquimalt District, Plan 22056 (894 Walfred Road)              | a) $96 982.50 towards the General Amenity Reserve Fund;      
  b) $9 300 per lot towards the General Amenity Reserve Fund.       |                                                                   |
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</table>
| R4              | 1227                 | Lot 2, Section 78, Esquimalt District, Plan 21772 (918 Walfred Road) | a) $72 945.37 towards the General Amenity Reserve Fund; and  
                   b) $9 300 per lot towards the General Amenity Reserve Fund. | Bylaw No. 1559 |
| RM3A            | 1103                 | Lot 7, Block E, Section 84, Metchosin District, Plan 1139, Except Those Parts in Plan 11198 and 14656 (3458 Happy Valley Road) | a) $93 381.92 towards the General Amenity Reserve Fund; and  
                   b) One of the following:  
                   (i) conveyance of land in fee simple to the City, for the purpose of open space, of the portion of land designated as “Amenity Land” on the site plan prepared by McNeil Building Designs Limited and dated July 2008, or  
                   (ii) cash-in-lieu contribution to the City for the portion of land described in (i) above, calculated at $267.50 per square meter, to be deposited in the General Amenity Reserve Fund. | |
| RM7A            | 1256                 | Lot 2, Section 86, Metchosin District, Plan 12293 (3350 Happy Valley Road) | a) $8 800 per dwelling unit towards the General Amenity Reserve Fund;  
                   b) $20 018.56 towards the General Amenity Reserve Fund; and  
                   a) An amount equal to 10% of the assessed value (post-rezoning) of the parcel to be developed towards the General Amenity Reserve Fund. | |
| RM7A            | 1257                 | Lot 1, Section 86, Metchosin District, Plan 7488 (3365 Happy Valley Road) | a) $9 300 per dwelling unit towards the General Amenity Reserve Fund; and  
                   b) An amount equal to 10% of the assessed value (post-rezoning) of the parcel to be developed towards the General Amenity Reserve Fund. | |
<p>| RM7A            | 1197                 | Lot 1, Section 72, Esquimalt District, Plan 27931, (2729 Peatt Road); Lot 2, Section 72, Esquimalt District, Plan 27931 (2735 Peatt Road); and Lot 3, Section 72, Esquimalt District, Plan 8723 (2741 Peatt Road) (now known as 2733 Peatt Road) | a) $2 700 per dwelling unit towards the General Amenity Reserve Fund. | |</p>
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</table>
| C8A             | 1077                | Lot B, Section 5, Esquimalt District, Plan 24248 (867 Goldstream) | a) $600 per dwelling unit towards the General Amenity Reserve Fund;  
b) $80 000 towards the General Amenity Reserve Fund; and  
c) A piece of public art with a minimum fair market value of $15 000 in a location satisfactory to the City Planner. | |
| C8A             | 1132                | Lot A (DD S120688) Section 5, Esquimalt District, Plan 23245 (2787 Jacklin Road) | a) $1 950 per dwelling unit towards the General Amenity Reserve Fund. | |
| MU1A            | 1124                | Lot A, Section 5, Esquimalt District, Plan 19712 (2871 Jacklin Road) | a) $228 250 towards the General Amenity Reserve Fund. | |
| MU1A            | 1176                | Lot 20, Section 72, Esquimalt District, Plan 1954 (689 Hoffman Ave) | a) $1 350 per dwelling unit towards the General Amenity Reserve Fund; and  
b) $20 000 towards the General Amenity Reserve Fund. | |
| MU1A            | 1188                | Lot A, Section 72, Esquimalt District, Plan 12506, Except Part in Plan 36622 (685 Fairway Avenue) | a) $4 400 per dwelling unit towards the General Amenity Reserve Fund. | |
| MU1A            | 1190                | Lot 1, Section 109, Esquimalt District, Plan 37446; and Parcel B (DD D57399) of Lot A, Section 109, Esquimalt District, Plan 8488 (2697 and 2701 Peatt Road) | a) $2 400 per dwelling unit towards the General Amenity Reserve Fund; and  
b) $30 500 towards the General Amenity Reserve Fund. | |
| P1              | 1293                | Lot A, Section 81, Esquimalt District, Plan 26335, Except Part in Plan VIP82658 (911 Jenkins Ave) | a) $4 400 per dwelling unit towards the General Amenity Reserve Fund. | |
| RS2             | 1317                | Lot 4, Section 80, Metchosin District, Plan 10359 (1019 Fashoda Place) | a) $35,600 towards the General Amenity Reserve Fund;  
b) $9,300 per lot towards the General Amenity Reserve Fund;  
c) $4.19 per m² of site area towards the General Amenity Reserve fund | |
| RS3             | 1303                | Lot 2, Section 80, Metchosin District, Plan 10359 (1018 Fashoda Place) | a) $22 800 towards the General Amenity Reserve Fund  
b) $9 300 per lot towards the General Amenity Reserve Fund; and  
c) $4.19 per m² of site area towards the General Amenity Reserve fund | |
<p>| RT2             | 1343                | Lot 7, Block 3, Section 86, Metchosin District, Plan 1718 (1023 Marwood Avenue) | a) $9 300 per dwelling unit, in excess of 5, towards the General Amenity Reserve Fund | |</p>
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<thead>
<tr>
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<tr>
<td>RM7A 1338</td>
<td>Lot A, Section 109, Esquimalt District, Plan 20950 (2691 Peatt Road)</td>
<td>a) $4 400 per new residential unit towards the General Amenity Reserve Fund</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
| R2A 1365        | Lot A (DD H66959), Section 80, Metchosin District, Plan 10359 (1004 Fashoda Place) | a) $9 300 per lot, in excess of one, towards the General Amenity Reserve Fund;  
b) $6 475 towards the General Amenity Reserve Fund; and  
c) An amount equal to 6.3% of the assessed value (post rezoning) of the parcel to be developed towards the General Amenity Reserve Fund |                                                                                     |
| C6B 1580        | LOT 1, SECTIONS 112 AND 112-A, ESQUIMALT DISTRICT, PLAN 6252 (2326 Millstream Rd); and LOT 2, SECTIONS 112 AND 112A, ESQUIMALT DISTRICT, PLAN 6252 (2350 Millstream Rd) | a) $3,660 per unit to the General Amenity Reserve Fund  
b) $610 per unit to the Affordable Housing Reserve Fund |                                                                                     |
| MU1A 1358       | Lot B, Section 5, Esquimalt District, Plan 28421, Except Parts in Plans VIP62970, VIP65827 And VIP84875; Lot 3, Section 5, Esquimalt District, Plan 11861, Except Parcel A (DD 73969-W) Thereof and Except Parts in Plans VIP62939 and VIP65827; Parcel A (DD 73969-W) of Lot 3, Section 5, Esquimalt District, Plan 11861, Except Parts in Plans VIP62911 and VIP65827; Lot 1, Section 5, Esquimalt District, Plan 11379, Except Parts in Plans VIP62912 and VIP65827; Lot 2, Section 5, Esquimalt District, Plan 11379, Except Parts in Plans VIP62910 and VIP65827; Lot 3, Section 5, Esquimalt District, Plan 11379, Except Parts in Plans VIP62914 and VIP65827; and Lot A, Section 5, Esquimalt District, Plan VIP86897 | a) $4,400 per dwelling unit created, in excess of 1, towards the General Amenity Reserve Fund.  
b) Notwithstanding (a), for every dwelling unit created that will be rented at 20% below market rate for a minimum of 5 years and secured in a housing agreement registered to title, the amenity contribution for the construction of that unit shall be NIL. |                                                                                     |
<p>| MU1A 1364       | Lot 3, Section 5, Esquimalt District, Plan 8120 (2726 Peatt Road) | $2 700 per multi-family dwelling unit, in excess of one, towards the General Amenity Reserve Fund |                                                                                     |
| RS2 1318        | Lot 5, Section 72, Esquimalt District, Plan 17235 (727 Massie Dr) | $4,400 per dwelling unit towards the General Amenity Reserve Fund |                                                                                     |</p>
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<tbody>
<tr>
<td>C6A</td>
<td>1333</td>
<td>Lot A, (DD S81695) Section 1, Range 3 West, Highland District, Plan 38502 (2323 Millstream Road); Lot A Section 1, Range 3 West, Highland District, Plan VIP81886 (2315 Millstream Road); Lot B Section 1, Range 3 West, Highland District, Plan VIP81886 (2319 Millstream Road); Lot 7, Section 1, Range 3 West, Highland District, Plan 15514</td>
<td>$10,900 per new residential unit towards the General Amenity Reserve Fund</td>
<td></td>
</tr>
<tr>
<td>RS3</td>
<td>1344</td>
<td>Lot 10, Section 1, Range 3 West, Highland District, Plan 8530 Except Parcel A (DD35299W) (671 Hoylake Ave)</td>
<td>$10,900 per dwelling unit, in excess of 2, towards the General Amenity Reserve Fund</td>
<td></td>
</tr>
</tbody>
</table>
| CH4            | 1356                | Lot A, Section 85, Metchosin District, Plan 6532 (3385 Happy Valley Road)                                                                                                                                                                                                                                                                                                                                                                                   | a) $3,960 per one-family residential lot towards the General Amenity Reserve Fund;  
  b) $3,660 per townhouse/attached dwelling unit towards the General Amenity Reserve Fund;  
  c) $660 per one-family residential lot towards the Affordable Housing Reserve Fund;  
  d) $610 per townhouse/attached dwelling unit towards the General Amenity Reserve Fund;  
  e) $4.96 per m² of site area towards the General Amenity Reserve Fund, only if DCCs are paid pursuant to DCC Bylaw No. 26 up to and including Amendment No. 9.                                                                                     |                                                                                                                                                                                                                                                                   |
| CH4            | 1357                | Lot A, Section 85, Metchosin District, Plan VIP78500 (3371 Happy Valley Road); Strata Lot A, Section 85, Metchosin District, Strata Plan VIS3467 (3377 Happy Valley Road); and Strata Lot B, Section 85, Metchosin District, Strata Plan VIS3467 (3379 Happy Valley Road)                                                                                                                                                                                                                                              | a) $3,960 per one-family residential lot towards the General Amenity Reserve Fund;  
  b) $3,660 per townhouse/attached dwelling unit towards the General Amenity Reserve Fund;  
  c) $660 per one-family residential lot towards the Affordable Housing Reserve Fund;  
  d) $610 per townhouse/attached dwelling unit towards the General Amenity Reserve Fund;  
  e) $4.96 per m² of site area towards the General Amenity Reserve Fund, only if DCCs are paid pursuant to DCC Bylaw No. 26 up to and including Amendment No. 9.                                                                                     |                                                                                                                                                                                                                                                                   |
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<tr>
<td>RS3</td>
<td>1363</td>
<td>Parcel A (DD 18154W) of Lot 7, Block 2, Section 84, Esquimalt District, Plan 1524 (3262 Happy Valley Road); and That Part of Lot 7, Block 2, Section 84, Esquimalt District, Plan 1524, Lying to the South West of a Straight Boundary Joining the Points of Bisection of the North Westerly and South Easterly Boundaries of Said Lot (3264 Happy Valley Road)</td>
<td>a) $9,300 per single-family lot, in excess of two, towards the General Amenity Reserve Fund; b) $13,270 towards the General Amenity Reserve Fund; and c) An amount equal to 10% of the assessed value (post-rezoning) of the parcel to be developed towards the General Amenity Reserve Fund</td>
<td></td>
</tr>
<tr>
<td>Zone (Column 1)</td>
<td>Bylaw No. (Column 2)</td>
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<tr>
<td>RS3</td>
<td>1408</td>
<td>Lot 1, Section 84, Metchosin District, Plan 10609 (3497 Luxton Rd)</td>
<td>a) $610 per attached housing unit towards the Affordable Housing Reserve Fund; b) $3,660 per attached housing unit towards the General Amenity Reserve Fund; c) $660 per one-family residential lot ≤ 550 m² (5,920 ft²) created towards the Affordable Housing Reserve Fund; d) $3,960 per one-family residential lot ≤ 550 m² (5,920 ft²) created towards the General Amenity Reserve Fund; e) $1000 per one-family residential lot ≥ 550 m² (5,920 ft²) towards the Affordable Housing Reserve Fund; and f) $6000 per one-family residential lot &gt; 550 m² (5,920 ft²) towards the General Amenity Reserve Fund.</td>
<td></td>
</tr>
<tr>
<td>RR3</td>
<td>1419</td>
<td>Lot 6, Section 80, Metchosin District, Plan 7142 (3634 Happy Valley Road); Lot 1, Sections 80 And 81, Metchosin District, Plan 6887 (3660 Happy Valley Road)</td>
<td>a) $1,000 per one-family lot created towards the Affordable Housing Reserve Fund; b) $6,000 per one-family lot created towards the General Amenity Reserve Fund; and c) $2.29 per m² of site area towards the General Amenity Reserve Fund, only if DCCs are paid pursuant to DCC Bylaw No. 26 up to and including Amendment No. 9.</td>
<td></td>
</tr>
<tr>
<td>MU1A</td>
<td>1393</td>
<td>LOT 2, SECTION 5, ESQUIMALT DISTRICT, PLAN 26285 (997-999 Goldstream)</td>
<td>a) $1,000 per SFE created towards the Affordable Housing Reserve Fund; b) $4,200 per SFE created towards the General Amenity Reserve Fund; c) $10.75 per m² of commercial GFA towards the General Amenity Reserve Fund;</td>
<td></td>
</tr>
<tr>
<td>RM7A</td>
<td>1432</td>
<td>Lot 43, Section 80, Esquimalt District, Plan 12203, PID 004-973-348 (912 Jenkins Ave)</td>
<td>a) $610 per unit towards the Affordable Housing Reserve Fund; and b) $2,562 per unit towards the General Amenity Reserve Fund.</td>
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</tr>
<tr>
<td>Zone  (Column 1)</td>
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</table>
| RR3              | 1418                 | Lot 5, Section 80, Metchosin District, Plan 7142, Except Parcel “A” (DD 247137-I) Thereof; (3622 Happy Valley Road) | a) $1,000 per one-family lot created towards the Affordable Housing Reserve Fund;  
b) $660 per ½ duplex towards the Affordable Housing Reserve Fund;  
c) $6,000 per one-family lot created towards the General Amenity Reserve Fund; and  
d) $3,960 per ½ duplex towards the General Amenity Reserve Fund | |
| RS2              | 1433                 | Lot A, Sections 85 and 116, Esquimalt District, Plan VIP89359, PID 028-807-855 (2800 Lake End Rd) | a) $660 per unit towards the Affordable Housing Reserve Fund or 1 affordable housing unit for every 15 single-family dwellings; and  
b) $3,960 per unit towards the General Amenity Reserve Fund. | |
| MU1A             | 1440                 | Lot 18, Section 72, Esquimalt District, Plan 6981 (679 Wagar Avenue)                          | a) $2,562 per unit, in excess of one, towards the General Amenity Reserve Fund; and  
b) $610 per unit, in excess of one, towards the Affordable Housing Reserve Fund. | |
| RS3              | 1469                 | Lot A Section 84 Esquimalt District Plan VIP72667 Except That Part in Plan VIP74637 (974 Walfred Rd) | a) $660 per unit towards the Affordable Housing Reserve Fund; and  
b) $3,960 per unit towards the General Amenity Reserve Fund. | |
| MU1A             | 1392                 | Lot 4, Section 5, Esquimalt District, Plan 8120 (2720 Peatt Rd)                              | (a) $610 per dwelling unit towards the Affordable Housing Reserve Fund; and  
(b) $1,525 per dwelling unit towards the General Amenity Reserve Fund. | |
| R1               | 1455                 | Lot 3, Section 78, Esquimalt District, Plan 22056 (894 Walfred Rd)                           | a) $1,000 per unit towards the Affordable Housing Reserve Fund; and  
b) $6,000 per unit towards General Amenity Reserve Fund. | |
| RS3              | 1462                 | Strata Lot 4 Section 1 Range 3W Highland District Strata Plan Vis4554 Together With An Interest In The Common Property In Proportion To The Unit Entitlement Of The Strata Lot As Shown On Form 1 (952 Whisperwind Pl) | a) $660 per unit towards the Affordable Housing Reserve Fund; and  
b) $3,960 per unit towards the General Amenity Reserve Fund; | |
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</table>
| RS2            | 1475                 | Lot 26 Section 84 Esquimalt District Plan 27333 (975 Walfred Rd) | a) $660 per unit towards the Affordable Housing Reserve Fund; and  
b) $3,960 per unit towards the General Amenity Reserve Fund; |  
| RS2            | 1502                 | Lot 1, Section 83, Esquimalt District, Plan, 30905, PID No. 000-084-522 (3187 Glen Lake Rd) | a) $2772 per new lot created towards the General Amenity Reserve Fund; and  
b) $660 per new lot created towards the Affordable Housing Reserve Fund; |  
| R2A            | 1511                 | Lot A, Section 109, Esquimalt District, Plan VIP64878 Except Plan VIP78821 (2506 Selwyn Rd) | (a) $4,200 per dwelling unit towards the General Amenity Reserve Fund; and  
(b) $1,000 per dwelling unit towards the Affordable Housing Reserve Fund; |  
| RR2 / RS3      | 1428                 | Lot A, Section 83, Metchosin District, Plan 18993, PID 003-673-413 (3504 Happy Valley Rd);  
Lot D, Section 83 and 84, Metchosin District, Plan 26941 except Plan VIP64069, PID 002-489-104 (3508 Happy Valley Rd);  
Lot 1, Sections 83 and 84, Metchosin District, Plan VIP64069, PID 023-541-580 (3512A Happy Valley Rd) | a) $660 per unit towards the Affordable Housing Reserve Fund or 1 affordable housing unit for every 15 single-family dwellings; and  
b) $3,960 per unit towards the General Amenity Reserve Fund; |  
| RM7A           | 1486                 | That Part of Lot 7, Section 5, Esquimalt District, Plan 7089 lying South of a straight boundary joining the points of bisection of the Easterly and Westerly boundaries of said Lot (2737 Jacklin Rd) | a) $2,562 per dwelling unit towards the General Amenity Reserve Fund; and  
b) $610 per dwelling unit towards the Affordable Housing Reserve Fund; |  
| RM9            | 1496                 | Lot 4, Section 5, Esquimalt District, Plan 7089 (2771 Jacklin Rd) | a) $2,562 per dwelling unit towards the General Amenity Reserve Fund; and  
b) $610 per dwelling unit towards the Affordable Housing Reserve Fund; |  

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<tr>
<th>Zone (Column 1)</th>
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<tr>
<td>R2A</td>
<td>1507</td>
<td>Lot 8, Sections 85 and 116, Esquimalt District, Plan 3594, Except Part in Plan VIP84313, PID 006-189-652; Lot B, Sections 85 and 116, Esquimalt District, Plan 30746, PID 000-353-523 (1166-68 Goldstream); Lot 1, Sections 85 and 116, Esquimalt District, Plan 6639, Except Part in Plan 751 RW, PID 005-887-941 (1176 Goldstream); Lot E, Section 85, Esquimalt District, Plan 2436 Except Part in Plan 990 RW, PID 000-604-623 (1210 Goldstream)</td>
<td>a) $4,200 per Single Family Equivalent towards the General Amenity Reserve Fund; b) $1,000 per Single Family Equivalent towards the Affordable Housing Reserve Fund;</td>
<td></td>
</tr>
<tr>
<td>C9A</td>
<td>1510</td>
<td>Lot 3, Section 72, Esquimalt District, Plan 9002 (784 Hockley Ave)</td>
<td>a) $1,525 per unit towards the General Amenity Reserve Fund; b) $610 per unit towards the Affordable Housing Reserve Fund; c) $10.75 per m² of commercial floor area; and d) $10,000 and covering the cost of removing the Garry Oak tree, and plant a minimum of two (2) boulevard trees with a minimum caliper size of 8cm (DBH) to the satisfaction of the Parks Manager should the applicant damage the Garry Oak tree on City Boulevard, all of which shall be determined prior to issuance of a building permit above foundation.</td>
<td></td>
</tr>
<tr>
<td>RR6A</td>
<td>1518</td>
<td>Lot 7, Section 70, Metchosin District, Plan 1957 (760 Latoria Rd)</td>
<td>a) $6,000 towards the General Amenity Reserve Fund; and b) $1,000 towards the Affordable Housing Reserve Fund.</td>
<td></td>
</tr>
<tr>
<td>RR6A</td>
<td>1517</td>
<td>Lot 1, Section 70, Metchosin District, Plan 22654 (757 Latoria Rd)</td>
<td>c) $6,000 towards the General Amenity Reserve Fund; and d) $1,000 towards the Affordable Housing Reserve Fund.</td>
<td></td>
</tr>
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<tr>
<td>RR6</td>
<td>1415</td>
<td>Lot 1, Section 70, Metchosin District, Plan 39879 (709 Latoria Rd); and Lot 6, Section 70, Metchosin District, Plan 1957 (774 Latoria Rd)</td>
<td>c) $6,000 towards the General Amenity Reserve Fund; and d) $1,000 towards the Affordable Housing Reserve Fund.</td>
<td></td>
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<tr>
<td>RM7A</td>
<td>1526</td>
<td>Lot B, Section 79, Esquimalt District, Plan 26384 (944 Dunford Ave)</td>
<td>a) $2,562 per dwelling unit towards the General Amenity Reserve Fund; and b) $610 per dwelling unit towards the Affordable Housing Reserve Fund.</td>
<td></td>
</tr>
<tr>
<td>RR6A</td>
<td>1516</td>
<td>Lot 15, Section 70, Metchosin District, Plan 1957 (815 Latoria Rd); and Lot 16, Section 70, Metchosin District, Plan 1957 (835 Latoria Rd)</td>
<td>a) $6,000 towards the General Amenity Reserve Fund; and b) $1,000 towards the Affordable Housing Reserve Fund.</td>
<td></td>
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<tr>
<td>C9A</td>
<td>1534</td>
<td>Lot 5, Section 72, Esquimalt District, Plan 9002 (772 Hockley Ave)</td>
<td>a) $1,525 per unit towards the General Amenity Reserve Fund; and b) $610 per unit towards the Affordable Housing Reserve Fund.</td>
<td></td>
</tr>
<tr>
<td>R2A</td>
<td>1541</td>
<td>Lot A, Section 81, Metchosin District, Plan 33925 (3670 Happy Valley Rd)</td>
<td>a) $6,000 per dwelling unit towards the General Amenity Reserve Fund; b) $1,000 per dwelling unit towards the Affordable Housing Reserve Fund; c) $60,000 towards the General Amenity Reserve Fund.</td>
<td></td>
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<tr>
<td>RR6A</td>
<td>1442</td>
<td>Lot 3, Section 70, Metchosin District, Plan 1957 (820 Latoria Rd)</td>
<td>a) $6,000 towards the General Amenity Reserve Fund; and b) $1,000 towards the Affordable Housing Reserve Fund.</td>
<td></td>
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<tr>
<td>C9A</td>
<td>1557</td>
<td>Lot 5, Section 72, Esquimalt District, Plan 9002 (772 Hockley Ave)</td>
<td>a) $1,525 per dwelling unit towards the General Amenity Reserve Fund; and b) $610 per dwelling unit towards the Affordable Housing Reserve Fund.</td>
<td>Yes</td>
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<tr>
<td>C6A</td>
<td>1498</td>
<td>Lot 8, Section 1, Range 3 West, Highland District, Plan 8530 (691 Hoylake Ave); and Lot 1, Section 1, Range 3 West, Highland District, Plan 25339 (697 Hoylake Ave)</td>
<td>a) $660 per single-family small lot towards the City’s Affordable Housing Reserve Fund; b) $610 per multi-family residential unit towards the City’s Affordable Housing Reserve Fund; c) $3,960 per single-family small lot towards the City’s General Amenity Reserve Fund; d) $3,660 per multi-family residential unit towards the City’s General Amenity Reserve Fund.</td>
<td>Yes, Column 4 of Table 2 only</td>
</tr>
<tr>
<td>CD8</td>
<td>1562</td>
<td>Lots 6, 7, 8, 9, 10, 11, 12 Section 81, Metchosin District, Plan EPP9765 (919, 923, 927, 931, 935, 939 and 943 Wild Ridge Way)</td>
<td>a) $3,660 per dwelling unit towards the General Amenity Reserve Fund; b) $660 per dwelling unit towards the Affordable Housing Reserve Fund</td>
<td></td>
</tr>
<tr>
<td>RR6</td>
<td>1484</td>
<td>LOT 10, SECTION 79, METCHOSIN DISTRICT, PLAN 7510, PID 005-655-960 (935 Latoria Rd.) PARCEL D (DD 144079I), SECTION 79, METCHOSIN DISTRICT, EXCEPT PARCEL NO. 1 (DD 150993I) THEREOF AND EXCEPT PART IN PLAN VIP74070, PID 009-879-986 (3579 Happy Valley Road)</td>
<td>a) $1,000 per unit towards the Affordable Housing Fund; b) $6,000 per unit towards the General Amenity Reserve Fund (less the cost of the green buffer along Latoria Rd)</td>
<td></td>
</tr>
<tr>
<td>RR6A</td>
<td>1536</td>
<td>LOT B, SECTION 70, METCHOSIN DISTRICT, PLAN 49917 (720 Latoria Rd)</td>
<td>a) $6,000 towards the General Amenity Reserve Fund; and b) $1,000 towards the Affordable Housing Reserve Fund</td>
<td></td>
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<tr>
<td>C6C</td>
<td>1554</td>
<td>That Part Of Lot 14, Section 112, Esquimalt District, Plan 6637 Lying To The North Of Plan 990 Rw And Except Part In Plan Vip71963 (2658 Secretariat Way); Lot A Section 112 Esquimalt District Plan Vip71971 (2662 Secretariat Way); Lot 16, Section 112, Esquimalt District, Plan 6637 Except That Part Described As Commencing At The South East Corner Of Said Lot, Thence Northerly Along The Easterly Boundary Of Said Lot A Distance Of 110 Feet, Thence Westerly And Parallel To The Southerly Boundary Of Said Lot A Distance Of 70 Feet Thence Southerly And Parallel To The Said Easterly Boundary To An Intersection With The Said Southerly Boundary, Thence Easterly Along The Said Southerly Boundary To The Point Of Commencement, Except Parts In Plans 990 RW And VIP71964 (2666 Secretariat Way); Lot 17, Sections 112 And 112-A, Esquimalt District, Plan 6637 Except Those Parts In Plans 990rw And VIP64841 (2670 Secretariat Way); And Lot 18, Section 112a, Esquimalt District, Plan 6637, Except Part In Plan 990 Rw, And Except Part In Plan VIP62096 (899 McCallum Rd)</td>
<td>a) $610 per dwelling unit towards the Affordable Housing Reserve Fund; b) $3,660 per dwelling unit towards the General Amenity Reserve Fund.</td>
<td>Yes; Column 4 of Table 2 only</td>
</tr>
<tr>
<td>Zone (Column 1)</td>
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| RM7A           | 1561                | LOT 2, SECTION 99, ESQUIMALT DISTRICT, PLAN 8086 (1021 Springboard Pl); and LOT 1, SECTION 99, ESQUIMALT DISTRICT, PLAN 8086, EXCEPT PARCEL A (DD C2828) AND EXCEPT PART IN PLAN 36400 (1027 Springboard Pl) | a) $3,660 per dwelling unit towards the General Amenity Reserve Fund;  
b) $610 per dwelling unit towards the Affordable Housing Reserve Fund. |                                                                                  |
| RS4 & RM7A     | 1568                | LOT 3 SECTION 108 ESQUIMALT DISTRICT PLAN 15809 EXCEPT PARTS IN PLANS VIP71966 AND VIP71969 (300 Phelps Ave); and LOT 2 SECTIONS 108 AND 109 ESQUIMALT DISTRICT PLAN 15809 EXCEPT PART IN PLAN VIP71969 AND EPP39558 (301 Phelps Ave) | a) $6,000 towards the General Amenity Reserve Fund per single family equivalent (SFE) created beyond a base density of 11 SFE units on 301 Phelps and 6 SFE units on 300 Phelps Ave;  
b) $1,000 towards the Affordable Housing Reserve Fund per SFE created beyond a base density of 11 SFE units on 301 Phelps and 6 SFE units on 300 Phelps Ave. |                                                                                  |
| MU1A           | 1549                | LOT 2 SECTION 5 ESQUIMALT DISTRICT PLAN 9265 (2819 Jacklin Rd) | a) $1,525 per unit towards the General Amenity Reserve Fund;  
b) $610 towards the Affordable Housing Reserve Fund. |                                                                                  |
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<tr>
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| RS3 & RM7A | 1567     | LOT 2 SECTION 109 ESQUIMALT DISTRICT PLAN 10426 EXCEPT PART IN PLAN VIP63579 (687 Strandlund Ave); and LOT A SECTION 109 ESQUIMALT DISTRICT PLAN 30133 EXCEPT PLAN VIP64113 (699 Strandlund Ave) | a) Paving of the multi-use trail on the north side of Strandlund Ave for the full frontage of the subject properties and further south along Strandlund to the existing BC Transit bus stop, as well as performing improvements to the bus stop, to the satisfaction of the Director of Engineering;  
  b) $4,200 towards the General Amenity Reserve Fund per single family equivalent (SFE) created, less the actual cost of the works mentioned in item a) above, as constructed by the applicant to the satisfaction of the Director of Engineering;  
  c) $1,000 towards the Affordable Housing Reserve Fund per SFE created. | Yes |
| C9A       | 1575     | LOT 4 SECTION 72 ESQUIMALT DISTRICT PLAN 9002 (778 Hockley Ave)                     | a) $1,525 per dwelling unit towards the General Amenity Reserve Fund; and  
  b) $610 per dwelling unit towards the Affordable Housing Reserve Fund. | |
| R2A       | 1468     | LOT B SECTION 3 RANGE 3 WEST HIGHLAND DISTRICT PLAN 14368 (2150 Millstream Rd)      | a) $6,000 per dwelling unit towards the General Amenity Reserve Fund; and  
  b) $1,000 per dwelling unit towards the Affordable Housing Reserve Fund | |
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<tr>
<td>RS3</td>
<td>1583</td>
<td>THE NORTHERLY 74.6 FEET OF LOT 2, BLOCK 1, SECTION 86, METCHOSIN DISTRICT, PLAN 1524 (3306 Happy Valley Rd); LOT 2, BLOCK 1, SECTION 86, METCHOSIN DISTRICT, PLAN 1524, EXCEPT THE NORTHERLY 74.6 FEET (3310 Happy Valley Rd); LOT 3, BLOCK 1, SECTION 86, METCHOSIN DISTRICT, PLAN 1524 (3326 &amp; 3328 Happy Valley Rd); STRATA LOT 1, SECTION 86, METCHOSIN DISTRICT, STRATA PLAN VIS2845 TOGETHER WITH AN INTEREST IN THE COMMON PROPERTY IN PROPORTION TO THE UNIT ENTITLEMENT OF THE STRATA LOT AS SHOWN ON FORM 1 (3338 Happy Valley Rd); STRATA LOT 2, SECTION 86, METCHOSIN DISTRICT, STRATA PLAN VIS2845 TOGETHER WITH AN INTEREST IN THE COMMON PROPERTY IN PROPORTION TO THE UNIT ENTITLEMENT OF THE STRATA LOT AS SHOWN ON FORM 1 (3340 Happy Valley Rd); and LOT 1, SECTION 86, METCHOSIN DISTRICT, PLAN 12293 (3344 Happy Valley Rd)</td>
<td>a) $3,660 per townhouse unit towards the General Amenity Reserve Fund; and b) $610 per townhouse unit towards the Affordable Housing Reserve Fund.</td>
<td></td>
</tr>
<tr>
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<tr>
<td>RS3</td>
<td>1384</td>
<td>LOTS 1, 2 AND 3, BLOCK 1, SECTION 86, METCHOSIN DISTRICT, PLAN 1524 AND THE NORTHERLY 74.6 FEET OF LOT 2, BLOCK 1, SECTION 86, METCHOSIN DISTRICT, PLAN 1524 (3300, 3310, 3326/3328 and 3306 Happy Valley Rd); AND STRATA LOTS 1 AND 2, SECTION 86, METCHOSIN DISTRICT, STRATA PLAN VIS2845 (3338 and 3340 Happy Valley Rd)</td>
<td>a) $660 per unit towards Affordable Housing Reserve Fund (one family dwellings); b) $3,960 per unit towards the General Amenity Reserve Fund (one family dwellings).</td>
<td>No</td>
</tr>
<tr>
<td>CD10</td>
<td>1592</td>
<td>LOT 1 SECTION 86 METCHOSIN DISTRICT PLAN EPP28579, PID 029-135-311 (3342 Turnstone Dr); and LOT 23 SECTION 86 METCHOSIN DISTRICT PLAN EPP14196 PID 028-726-294 (3348 Vision Way); and LOT 24 SECTION 86 METCHOSIN DISTRICT PLAN EPP14196, EXCEPT PART IN PLAN EPP28579, PID 028-726-260 (903 Tayberry Terr)</td>
<td>a) $3,960 per dwelling unit towards the General Amenity Reserve Fund; and b) $660 towards the Affordable Housing Reserve Fund.</td>
<td>No</td>
</tr>
<tr>
<td>RS3</td>
<td>1544</td>
<td>LOT A SECTION 84 ESQUIMALT DISTRICT PLAN VIP72866 (3275 Walfred Pl)</td>
<td>a) $3,960 towards the General Amenity Reserve Fund. b) $660 towards the Affordable Housing Reserve Fund.</td>
<td>No</td>
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<tr>
<td>RR7</td>
<td>442</td>
<td>LOT 23 SECTION 70 METCHOSIN DISTRICT PLAN 23855 (881 Klahanie Dr)</td>
<td>a) $6,000 towards the General Amenity Reserve Fund per new lot created; and b) $1,000 towards the Affordable Housing Reserve Fund per new lot created.</td>
<td>No</td>
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<tr>
<td>MU1A</td>
<td>1605</td>
<td>LOT 25 SECTION 5 ESQUIMALT DISTRICT PLAN 16167 (2781 Strathmore Rd)</td>
<td>a) $1,525 per unit towards the General Amenity Reserve Fund; b) $610 per unit towards the Affordable Housing Reserve Fund.</td>
<td>No</td>
</tr>
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<tr>
<td>RS3</td>
<td>1597</td>
<td>PARCEL A (DD G360) OF LOT 1 SECTION 85 METCHOSIN DISTRICT PLAN 12469; PID NO.: 000-156-884 (3416 Hazelwood Rd)</td>
<td>a) $3,660 per townhouse unit towards General Amenity Reserve Fund; b) $610 per townhouse unit towards the Affordable Housing Reserve Fund; c) $3,960 per one-family dwelling lot towards the General Amenity Reserve Fund; d) $660 per one-family dwelling lot towards the Affordable Housing Reserve Fund.</td>
<td>No</td>
</tr>
<tr>
<td>MU1A</td>
<td>1495</td>
<td>LOT 2 SECTION 81 ESQUIMALT DISTRICT PLAN 32515 (3030 Jacklin Rd)</td>
<td>a) $2,526 per dwelling unit towards the General Amenity Reserve Fund; and b) $610 per dwelling unit towards the Affordable Housing Reserve Fund.</td>
<td></td>
</tr>
<tr>
<td>RS3</td>
<td>1611</td>
<td>LOT 11 SECTION 1 RANGE 2 WEST HIGHLAND DISTRICT PLAN 13385 (566 Treanor Ave)</td>
<td>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.</td>
<td>No</td>
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<tr>
<td>RT1</td>
<td>1613</td>
<td>LOT 1 SECTION 84 METCHOSIN DISTRICT PLAN VIP67043 (3483 Happy Valley Rd)</td>
<td>a) $661 per dwelling unit towards the Affordable Housing Reserve Fund; and b) $3,660 per dwelling unit towards the General Amenity Reserve Fund</td>
<td>No</td>
</tr>
<tr>
<td>MU2</td>
<td>1615</td>
<td>LOT A SECTION 72 ESQUIMALT DISTRICT PLAN EPP51751, PID No. 029-580-749 (772 Hockley Ave); LOT 4, SECTION 72, ESQUIMALT DISTRICT, PLAN 6434, PID No. 005-832-110 (777 Hockley Ave); LOT 4 SECTION 72 ESQUIMALT DISTRICT PLAN 9002 EXCEPT PART IN PLAN EPP54965, PID No. 005-504-988 (778 Hockley Ave); And LOT 3 SECTION 72 ESQUIMALT DISTRICT PLAN 9002 EXCEPT PART IN PLAN EPP31313, PID No. 002-621-134 (784 Hockley Ave)</td>
<td>a) $1,525 per unit towards the General Amenity Reserve Fund; and b) $610 per unit towards the Affordable Housing Reserve Fund.</td>
<td>Yes</td>
</tr>
<tr>
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| RR6A            | 1596                 | LOT 1 SECTIONS 70 AND 71 METCHOSIN DISTRICT PLAN VIP56431 (734 Latoria Rd) | a) $6,000 towards the General Amenity Reserve Fund; and  
b) $1,000 towards the Affordable Housing Reserve Fund | No                                                             |
| RM7A BP1A       | 1642                 | LOT 15 SECTION 109 ESQUIMALT DISTRICT PLAN 12187 EXCEPT PART IN PLAN VIP71967, PID NO. 004-982-215 (647 Redington Ave);  
LOT 1 SECTION 109 ESQUIMALT DISTRICT PLAN 15552 EXCEPT PART IN PLAN VIP71965, PID NO.: 004-570-651 (667 Redington Ave);  
LOT 17 SECTION 109 ESQUIMALT DISTRICT PLAN 12187, PID NO.: 004-984-714 (2478 Selwyn Rd); and  
LOT 16 SECTION 109 ESQUIMALT DISTRICT PLAN 12187 EXCEPT PART IN PLAN VIP71967, PID NO.: 004-982-231 (2482 Selwyn Rd) | a) $3,660 per dwelling unit towards the General Amenity Reserve Fund  
(Less the cost of the trail connection); and  
b) $661 per dwelling unit towards the Affordable Housing Reserve Fund. | No                                                             |
| R2A             | 1633                 | PARCEL A (DD 1606151) OF LOTS5 AND 6 BLOCK D SECTIONS 85 AND 88 METCHOSIN DISTRICT PLAN 1139 EXCEPT PARTS IN PLANS 10158, 10380 AND 19997, PID NO.: 002-080-893 (1021 Englewood Ave); and  
LOT A SECTION 88 METCHOSIN DISTRICT PLAN 10380, PID NO.: 000-690-538 (1053 Englewood Ave) | a) $6,000 towards the General Amenity Reserve Fund  
b) $1,000 towards the Affordable Housing Reserve Fund | No                                                             |
| MU1A And CS1    | 1638                 | LOTS 1, 2 AND 3, SECTION 72, ESQUIMALT DISTRICT, PLAN 15185 (720, 724 & 732 Meaford Ave); and  
LOT 2 and 1, DISTRICT LOT 72, ESQUIMALT DISTRICT, PLAN 27017 (2848 & 2852 Millstream Rd) | a) $2,562 towards the General Amenity Reserve Fund; and  
b) $610 towards the Affordable Housing Reserve Fund | No                                                             |
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<tr>
<td>BT1</td>
<td>1531</td>
<td>LOT B SECTION 99 ESQUIMALT DISTRICT PLAN EPP20282 (2757 Leigh Rd) And LOT F SECTION 99 ESQUIMALT DISTRICT PLAN EPP20282 (2763 Leigh Rd)</td>
<td>a) $2,562 per dwelling unit towards the General Amenity Reserve Fund; b) $610 per dwelling unit towards the Affordable Housing Reserve Fund;</td>
<td>n/a</td>
</tr>
<tr>
<td>MU2</td>
<td>1552</td>
<td>STRATA LOTS 1 and 2, SECTION 5, ESQUIMALT DISTRICT, STRATA PLAN VIS2796, TOGETHER WITH AN INTEREST IN THE COMMON PROPERTY IN PROPORTION TO THE UNIT ENTITLEMENT OF THE STRATA LOT AS SHOWN ON FORM 1 (2854 and 2856 Peatt Rd); and AMENDED LOT 16 (DD 1907491) and AMENDED LOT 17 (DD 190326I), SECTION 5, ESQUIMALT DISTRICT, PLAN 1776 (815 &amp; 819 Hockley Ave) LOT 2, SECTION 5, ESQUIMALT DISTRICT, PLAN 10944 (823 Hockley Ave)</td>
<td>a) $1,525 per dwelling unit towards the General Amenity Reserve Fund; b) $10.75 per m² of commercial GFA towards the General Amenity Reserve Fund; c) $610 per dwelling unit towards the Affordable Housing Reserve Fund;</td>
<td>Yes</td>
</tr>
<tr>
<td>RM7A</td>
<td>1660</td>
<td>LOT 10, SECTION 5, ESQUIMALT DISTRICT, PLAN 10444 (2822 &amp; 2824 Knotty Pine Rd)</td>
<td>a) $2,562 per townhouse unit towards the General Amenity Reserve Fund; b) $610 per townhouse unit towards the Affordable Housing Reserve Fund.</td>
<td>No</td>
</tr>
<tr>
<td>RR7</td>
<td>1616</td>
<td>LOT 19, SECTIONS 69 AND 70, METCHOSIN DISTRICT, PLAN 23855 (892 Klahanie Dr)</td>
<td>a) $6,000 towards the General Amenity Reserve Fund per new lot created; and b) $1,000 towards the Affordable Housing Reserve Fund per new lot created</td>
<td>No</td>
</tr>
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<td>Zone (Column 1)</td>
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<tr>
<td>RS3</td>
<td>1650</td>
<td>LOT 1 SECTION 109 ESQUIMALT DISTRICT PLAN 7061 EXCEPT PART IN PLAN VIP62938 (2555 Millstream Rd) and LOT 2 SECTION 109 ESQUIMALT DISTRICT PLAN 7061 EXCEPT PART IN PLANS VIP62949 AND VIP69760 (2559 Millstream Rd)</td>
<td>a) $2772 per new lot created towards the General Amenity Reserve Fund; b) $660 per new lot created towards the Affordable Housing Reserve Fund</td>
<td>No</td>
</tr>
<tr>
<td>RS3</td>
<td>1646</td>
<td>LOT 9 SECTION 84 ESQUIMALT DISTRICT PLAN 22027 (967A Isabell Ave)</td>
<td>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.</td>
<td>No</td>
</tr>
<tr>
<td>RM7A</td>
<td>1664</td>
<td>LOT 4 SECTION 1 RANGE 3 WEST HIGHLAND DISTRICT PLAN 38045 (694 Hoylake Ave)</td>
<td>a) $3660 per unit towards the General Amenity Reserve Fund; and b) $610 per unit towards the Affordable Housing Reserve Fund.</td>
<td>No</td>
</tr>
<tr>
<td>RS4</td>
<td>1694</td>
<td>THAT PORTION OF THE SOUTHERLY 11 CHAINS OF SECTION 81, METCHOSIN DISTRICT, LYING WESTERLY OF THE HAPPY VALLEY ROAD, EXCEPT THOSE PARTS IN PLANS 28272 AND VIP52319 (3690 Happy Valley Rd); and LOT 1, SECTION 81, METCHOSIN DISTRICT, PLAN 28272 EXCEPT THAT PART IN PLAN VIP74006 (3694 Happy Valley Rd)</td>
<td>a) $1000 per one-family lot greater than or equal to 550 m2 towards the Affordable Housing Reserve Fund; b) $6000 per one-family lot greater than or equal to 550 m2 towards the General Amenity Reserve Fund; c) $660 per one-family lot less than 550 m2 towards the Affordable Housing Reserve Fund; d) $3960 per one-family lot less than 550 m2 towards the General Amenity Reserve Fund e) $610 per townhouse unit towards the Affordable Housing Reserve Fund; and f) $3660 per townhouse unit towards the General Amenity Reserve Fund.</td>
<td>No</td>
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<tr>
<td>Zone (Column 1)</td>
<td>Bylaw No. (Column 2)</td>
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<tr>
<td>RS4</td>
<td>1703</td>
<td>THAT PORTION OF THE SOUTHERLY 11 CHAINS OF SECTION 81, METCHOSIN DISTRICT, LYING WESTERLY OF THE HAPPY VALLEY ROAD, EXCEPT THOSE PARTS IN PLANS 28272 AND VIP52319 (3690 Happy Valley Rd)</td>
<td>a) $1000 per one-family lot greater than or equal to 550 m² towards the Affordable Housing Reserve Fund; b) $6000 per one-family lot greater than or equal to 550 m² towards the General Amenity Reserve Fund; c) $660 per one-family lot less than 550 m² towards the Affordable Housing Reserve Fund; d) $3960 per one-family lot less than 550 m² towards the General Amenity Reserve Fund; e) $610 per townhouse unit towards the Affordable Housing Reserve Fund; and f) $3660 per townhouse unit towards the General Amenity Reserve Fund.</td>
<td>No</td>
</tr>
<tr>
<td>RM7A</td>
<td>1673</td>
<td>LOT 1, SECTION 72, ESQUIMALT DISTRICT, PLAN 45918 (616 Goldstream Ave)</td>
<td>a) $610 per dwelling unit towards the Affordable Housing Reserve Fund; and b) $1,525 per dwelling unit towards the General Amenity Reserve Fund.</td>
<td>Yes, Column 5 of Table 2 Only</td>
</tr>
<tr>
<td>RS1</td>
<td>1679</td>
<td>LOT 1, SECTION 1, RANGE 2 WEST, HIGHLAND DISTRICT, PLAN VIP55565 (592 Phelps Ave)</td>
<td>a) $3,960 per lot towards the General Amenity Reserve Fund; and b) $660 per lot towards the Affordable Housing Reserve Fund.</td>
<td>No</td>
</tr>
<tr>
<td>MU2</td>
<td>1681</td>
<td>THAT PART OF LOT 6 SECTION 72 ESQUIMALT DISTRICT PLAN 3544 LYING TO THE NORTH OF A STRAIGHT BOUNDARY JOINING THE POINTS OF BISECTION OF THE NORTH WESTERLY AND SOUTH EASTERLY BOUNDARIES OF SAID LOT (2762 Claude Rd); and THAT PART OF LOT 6, SECTION 72, ESQUIMALT DISTRICT, PLAN 3544, LYING TO THE SOUTH OF A STRAIGHT BOUNDARY JOINING THE POINTS OF BISECTION OF THE NORTH WESTERLY AND SOUTH EASTERLY BOUNDARIES OF SAID LOT (2768 Claude Rd)</td>
<td>1. a) $1,525 per unit towards the General Amenity Reserve Fund; and b) $610 per unit towards the Affordable Housing Reserve Fund. c) Notwithstanding Section 1 above, if the project is secured as rental housing, the following contributions are required: d) $381.25 per unit towards the General Amenity Reserve Fund; and e) $152.50 per unit towards the Affordable Housing Reserve Fund.</td>
<td>Yes</td>
</tr>
<tr>
<td>Zone (Column 1)</td>
<td>Bylaw No. (Column 2)</td>
<td>Legal Description (Column 3)</td>
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<tr>
<td>RM7A</td>
<td>1695</td>
<td>LOT A, SECTION 84, ESQUIMALT DISTRICT, PLAN VIP51623 (3296 Jacklin Rd)</td>
<td>a) $3,660 per townhouse unit towards the Affordable Housing Reserve Fund; and b) $610 per townhouse unit towards the General Amenity Reserve Fund.</td>
<td>No</td>
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<tr>
<td>RS2</td>
<td>1695</td>
<td>LOT A, SECTION 84, ESQUIMALT DISTRICT, PLAN VIP51623 (3296 Jacklin Rd)</td>
<td>a) $3,960 per one-family dwelling towards the Affordable Housing Reserve Fund; and b) $660 per one-family dwelling towards the General Amenity Reserve Fund.</td>
<td>No</td>
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<td>MU1A</td>
<td>1702</td>
<td>LOT A, SECTION 72, ESQUIMALT DISTRICT, PLAN 44443 (731 Station Ave)</td>
<td>a) $610 per dwelling unit towards the Affordable Housing Reserve Fund; and b) $1,525 per dwelling unit towards the General Amenity Reserve Fund.</td>
<td>Yes, Column 5 of Table 2 only</td>
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<td>RM7A</td>
<td>1677</td>
<td>LOT 3, SECTION 111, ESQUIMALT DISTRICT, PLAN 12071 (817 Armcote Ave)</td>
<td>a) $2,562 per new unit created towards the General Amenity Reserve Fund; and b) $610 per new unit created towards the Affordable Housing Reserve Fund.</td>
<td>No</td>
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<td>RR6A</td>
<td>1705</td>
<td>LOT 1, SECTION 81, METCHOSIN DISTRICT, PLAN 51070 (656 Frederic Rd); and LOT 4, SECTIONS 68 AND 69, METCHOSIN DISTRICT, PLAN 23855 (765 Willing Dr)</td>
<td>a) $6,000 per lot towards the General Amenity Reserve Fund; and b) $1,000 per lot towards the Affordable Housing Reserve Fund.</td>
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<td>RM7A</td>
<td>1692</td>
<td>LOT B, SECTION 82, ESQUIMALT DISTRICT, PLAN 8784 EXCEPT PART IN PLANS 28273 AND 31489 (3130 Jacklin Rd)</td>
<td>a) $2562 per unit to the General Amenity Reserve Fund b) $610 per unit to the Affordable Housing Reserve Fund.</td>
<td>Yes</td>
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<td>MU2</td>
<td>1710</td>
<td>LOT 1, 2 &amp; 3, SECTION 5, ESQUIMALT DISTRICT, PLAN 20800 (862, 864 &amp; 866 Orono Ave); and LOT A, SECTION 5, ESQUIMALT DISTRICT, PLAN 27399 (2839 Jacklin Rd)</td>
<td>a) $610 per unit towards the Affordable Housing Reserve Fund; and b) $1525 per unit towards the General Amenity Reserve Fund.</td>
<td>Yes</td>
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<td>MU1</td>
<td>1721</td>
<td>LOT A SECTION 72 ESQUIMALT DISTRICT PLAN EPP61132 (732 Meaford Ave)</td>
<td>a) $2,562 towards the General Amenity Fund; b) $610 towards the Affordable Housing Reserve Fund</td>
<td>Yes</td>
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| RS2             | 1720                 | LOT 24, BLOCK 3, DISTRICT LOT 87, METCHOSIN DISTRICT, PLAN 1718, PID No. 007-069-251 (3343 Luxton Rd); LOT 23, BLOCK 3, SECTION 87, METCHOSIN DISTRICT, PLAN 1718, PID No. 007-069-201; | a) $3,960 per new unit created towards the General Amenity Reserve Fund; and  
b) $660 per new unit created towards the Affordable Housing Reserve Fund. | No |
| RM2A            | 1720                 | LOT 22, BLOCK 3, SECTION 87, METCHOSIN DISTRICT, PLAN 1718, PID No. 007-069-189 (3359 Luxton Rd) | a) $3,660 per new unit created towards the General Amenity Reserve Fund; and  
b) $610 per new unit created towards the Affordable Housing Reserve Fund. | No |
| RS4             | 1731                 | LOT 1, SECTION 26, GOLDSTREAM DISTRICT, PLAN 24172, PID No. 002-981-220 (2955 Irwin Rd) | a) $6,000 per one-family lot greater than or equal to 550 m2 towards the General Amenity Reserve Fund; and  
b) $1,000 per one-family lot greater than or equal to 550 m2 towards the Affordable Housing Reserve Fund.  
c) $3,960 per one-family lot less than 550 m2 towards the General Amenity Reserve Fund; and  
d) $660 per one-family lot less than 550 m2 towards the Affordable Housing Reserve Fund. | No |
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<tbody>
<tr>
<td>MU2</td>
<td>1680</td>
<td>LOT A, SECTION 72, ESQUIMALT DISTRICT, PLAN 25643 EXCEPT PART IN PLAN VIP70235, PID 002-627-086 (767 Hockley Ave); STRATA LOT 2, SECTION 72, ESQUIMALT DISTRICT, STRATA PLAN VIS2233 TOGETHER WITH AN INTEREST IN THE COMMON PROPERTY IN PROPORTION TO THE UNIT ENTITLEMENT OF THE STRATA LOT AS SHOWN ON FORM 1, PID 017-583-977 (769 Hockley Ave); and STRATA LOT 1, SECTION 72, ESQUIMALT DISTRICT, STRATA PLAN VIS2233 TOGETHER WITH AN INTEREST IN THE COMMON PROPERTY IN PROPORTION TO THE UNIT ENTITLEMENT OF THE STRATA LOT AS SHOWN ON FORM 1, PID 017-583-969 (771 Hockley Ave)</td>
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<td>a) $1,525 per unit towards the General Amenity Reserve Fund; and</td>
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<td>b) $610 per unit towards the Affordable Housing Reserve Fund.</td>
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<td>2. Notwithstanding Section 1 above, if the project is secured as rental housing, the following contributions are required:</td>
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<td>a) $381.25 per unit towards the General Amenity Reserve Fund; and</td>
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<td>b) $152.50 per unit towards the Affordable Housing Reserve Fund.</td>
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<tr>
<td>RS3</td>
<td>1723</td>
<td>LOT 2, SECTION 84, ESQUIMALT DISTRICT, PLAN 22196 (967 Walfred Rd)</td>
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<td></td>
<td>a) $3,960 per lot created towards the General Amenity Reserve Fund; and</td>
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<td>b) $660 per lot created towards the Affordable Housing Reserve Fund.</td>
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</table>

<p>| Eligible for Reduction in Section 2 of Schedule AD (Column 5) (Bylaw No. 1559) |
|------------------------|------------------------|
| MU2                    | Yes                    |
| RS3                    | No                     |</p>
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</table>
| MU1A           | 1747                 | LOT A, SECTIONS 79 AND 99, ESQUIMALT DISTRICT, PLAN 12587, PID No. 004-787-480 (1067 Goldstream Ave); and THAT PART OF LOT 1, SECTION 79, ESQUIMALT DISTRICT, PLAN 4284, LYING NORTHERLY OF A BOUNDARY PARALLEL TO AND PERPENDICULARLY DISTANT 100 FEET FROM THE SOUTHERLY BOUNDARY OF SAID LOT, PID No. 006-077-722; and THAT PART OF SECTION 99, ESQUIMALT DISTRICT, LYING SOUTH OF THE ISLAND HIGHWAY AND WEST OF PLAN 4284, PID No.009-427-457 (1077 Goldstream Ave) | a) $2,562 per new unit created towards the General Amenity Reserve Fund; and  
b) $610 per new unit created towards the Affordable Housing Reserve Fund. | Yes |
| RS4            | 1741                 | LOT 1, SECTION 87, METCHOSIN DISTRICT, PLAN 31715 EXCEPT: PLANS EPP70874 AND EPP74392, PID No. 001-138-138 (4342 West Shore Pkwy) | a) $6,000 per new Single Family Equivalent (SFE) towards the General Amenity Reserve Fund; and  
b) $1,000 per new Single Family Equivalent (SFE) towards the Affordable Housing Reserve Fund. | No |
| RS1            | 1745                 | LOT A, SECTION 109, ESQUIMALT DISTRICT, PLAN 20731, PID No. 000-424-391 (681 Rockingham Rd) | a) $2,772 towards the General Amenity Reserve Fund per lot above and beyond 2 lots;  
b) $660 towards the Affordable Housing Reserve Fund per lot above and beyond 2 lots. | No |
| MU1A           | 1748                 | LOT 3, DISTRICT LOT 72, ESQUIMALT DISTRICT, PLAN 27017; PID No.: 002-522-144 (2844 Millstream Rd) | a) $2563 per unit towards the General Amenity Fund;  
b) $610 per unit towards the Affordable Housing Reserve Fund. | Yes |
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<tr>
<td>RS4</td>
<td>1740</td>
<td>LOT 28, SECTION 85 AND 116, ESQUIMALT DISTRICT, PLAN 885, PID No. 004-300-033 (1253 Goldstream Avenue)</td>
<td>a) $3,960 towards the General Amenity Reserve Fund per lot above and beyond 4 lots; b) $660 towards the Affordable Housing Reserve Fund per lot above and beyond 4 lots.</td>
<td>No</td>
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<tr>
<td>RM2A</td>
<td>1744</td>
<td>AMENDED LOT 2 (DD 163574-I), SECTION 85, ESQUIMALT DISTRICT, PLAN 885, PID No. 008-239-339 (1177 Goldstream Ave)</td>
<td>a) $2,562 towards the General Amenity Reserve Fund per unit; b) $610 towards the Affordable Housing Reserve Fund per unit.</td>
<td>No</td>
</tr>
<tr>
<td>C8</td>
<td>1739</td>
<td>LOT A (DD B21103), BLOCK 1, SECTION 72, ESQUIMALT DISTRICT, PLAN 1739 EXCEPT PART IN PLAN VIP67418, PID No. 006-991-971 (694 Goldstream Ave) and LOT 3, BLOCK 1, SECTION 72, ESQUIMALT DISTRICT, PLAN 1739 PID No. 006-991-963 (688 Granderson Rd)</td>
<td>a) $1525 per new unit towards the General Amenity Reserve Fund; b) $610 per new unit towards the Affordable Housing Reserve Fund; c) $10.75 per square metre for any additional commercial space towards the General Amenity Fund;</td>
<td>Yes</td>
</tr>
<tr>
<td>RT1</td>
<td>1719</td>
<td>LOT A, SECTION 3, RANGE 3 WEST, HIGHLAND DISTRICT, PLAN 14368, PID No. 004-414-497 (2148 Millstream Rd) and LOT B, SECTION 3, RANGE 3 WEST, HIGHLAND DISTRICT, PLAN 14368 EXCEPT PART ON PLAN EPP51813, PID No. 004-402-944 (2150 Millstream Rd)</td>
<td>a) $3660 per unit towards the General Amenity Reserve Fund b) $610 per unit towards the Affordable Housing Reserve Fund</td>
<td>No</td>
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<td>C9</td>
<td>1767</td>
<td>LOT 2, SECTION 83, ESQUIMALT DISTRICT, PLAN 5785, PID No.: 000-204-153 (2668 Sooke Rd) And LOTS 3, 4, 5, 7 &amp; 8, SECTION 83, ESQUIMALT DISTRICT, PLAN 7362, PID No. 005-723-400,005-723-426, 005-723-442, 005-723-451, 000-204-137 (2674, 2686, 2684, 2682 &amp; 2706 Sooke Rd); And LOTS 1 &amp; 2 SECTION 83 ESQUIMALT DISTRICT PLAN 8145, PID No. 005-465-818, 005-465-834 (2702 &amp; 2696 Sooke Rd)</td>
<td>a) $2,074 per new residential unit created towards the General Amenity Reserve Fund; b) $610 per new residential unit created towards the Affordable Housing Reserve Fund</td>
<td>No</td>
</tr>
<tr>
<td>RM2A</td>
<td>1727</td>
<td>Lot 4, Section 87, Metchosin District, Plan VIP72303, PID No. 025-020-633 (1300 Glenshire Dr)</td>
<td>a) $6,000 per Single Family Equivalent (SFE) towards the General Amenity Reserve Fund; and b) $1,000 per SFE towards the Affordable Housing Reserve Fund.</td>
<td>No</td>
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<td>C9B</td>
<td>1750</td>
<td>LOT 1 SECTION 72 ESQUIMALT DISTRICT PLAN VIP69262 EXCEPT THAT PART IN PLAN VIP72059; PID No.: 024-562-203 (798 Goldstream Ave); LOT 8, SECTION 72, ESQUIMALT DISTRICT, PLAN 7165, PID No. 004-151-976 (2747 Peatt Rd); AMENDED LOTS 5, 7 (DD 248521I), SECTION 72, ESQUIMALT DISTRICT, PLAN 7165, PID No. 005-756-847, 005-756-693 (2753, 2761 Peatt Rd); LOTS 3 and 4, SECTION 72, ESQUIMALT DISTRICT, PLAN 7165, PID No. 005-109-736, 000-244-317 (2769, 2779 Peatt Rd); THAT PART OF LOT 9, SECTION 72, ESQUIMALT DISTRICT, PLAN 3544, LYING TO THE NORTH EAST OF A STRAIGHT BOUNDARY JOINING POINTS ON THE SOUTH EASTERLY AND NORTH WESTERLY BOUNDARIES OF SAID LOT DISTANT 50 FEET, AND 50 FEET RESPECTIVELY FROM THE MOST EASTERLY AND MOST NORTHERLY CORNERS OF SAID LOT, PID No. 006-227-856, (2734 Claude Rd);</td>
<td>a) 1,525 per new residential unit created towards the General Amenity Reserve Fund; b) $610 per new residential unit created towards the General Amenity Fund; c) $10.75 per m² of commercial space created towards the General Amenity Reserve Fund.</td>
<td>Yes</td>
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1750 | LOT 1 SECTION 72 ESQUIMALT DISTRICT PLAN VIP69262 EXCEPT THAT PART IN PLAN VIP72059; PID No.: 024-562-203 (798 Goldstream Ave); LOT 8, SECTION 72, ESQUIMALT DISTRICT, PLAN 7165, PID No. 004-151-976 (2747 Peatt Rd); AMENDED LOTS 5, 7 (DD 248521I), SECTION 72, ESQUIMALT DISTRICT, PLAN 7165, PID No. 005-756-847, 005-756-693 (2753, 2761 Peatt Rd); LOTS 3 and 4, SECTION 72, ESQUIMALT DISTRICT, PLAN 7165, PID No. 005-109-736, 000-244-317 (2769, 2779 Peatt Rd); THAT PART OF LOT 9, SECTION 72, ESQUIMALT DISTRICT, PLAN 3544, LYING TO THE NORTH EAST OF A STRAIGHT BOUNDARY JOINING POINTS ON THE SOUTH EASTERLY AND NORTH WESTERLY BOUNDARIES OF SAID LOT DISTANT 50 FEET, AND 50 FEET RESPECTIVELY FROM THE MOST EASTERLY AND MOST NORTHERLY CORNERS OF SAID LOT, PID No. 006-227-856, (2734 Claude Rd); | a) 1,525 per new residential unit created towards the General Amenity Reserve Fund; b) $610 per new residential unit created towards the General Amenity Fund; c) $10.75 per m² of commercial space created towards the General Amenity Reserve Fund. | Yes |
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<tr>
<td>RM2A</td>
<td>1757</td>
<td>THAT PART OF LOT 9, SECTION 72, ESQUIMALT DISTRICT, PLAN 3544, LYING TO THE SOUTH WEST OF A STRAIGHT BOUNDARY JOINING POINTS ON THE SOUTH EASTERLY AND NORTH WESTERLY BOUNDARIES OF SAID LOT DISTANT 50 FEET, AND 50 FEET RESPECTIVELY FROM THE MOST EASTERLY AND MOST NORTHERLY CORNERS OF SAID LOT, PID No. 006-227-945 (2738 Claude Rd); LOT 8, SECTION 72, ESQUIMALT DISTRICT, PLAN 3544, EXCEPT PART IN PLAN 7819, PID No. 000-006-921 (2742 Claude Rd); LOT A and B, SECTION 72, ESQUIMALT DISTRICT, PLAN 7819, PID No. 001-386-425, 001-743-929 (2746 and 2750 Claude Rd); PARCEL A (DD 14738W) OF LOT 7, SECTION 72, ESQUIMALT DISTRICT, PLAN 3544, PID No. 006-227-520 (2756 Claude Rd)</td>
<td>a) $6,000 per Single Family Equivalent (SFE) towards the General Amenity Reserve Fund; and b) $1,000 per SFE towards the Affordable Housing Reserve Fund</td>
<td>No</td>
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<td>Zone (Column 1)</td>
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| RM2A           | 1766                 | LOTS 37 and 38, SECTION 80, ESQUIMALT DISTRICT, PLAN 12203, PID No. 004-973-291 & 004-973-305 (942 & 948 Jenkins Ave) | a) $3,660 per unit; and  
b) $610 per unit                               | No                                                                            |
| MU1A           | 1782                 | LOT B, SECTION 5, ESQUIMALT DISTRICT, PLAN 19336, PID No. 003-715-663 (832 Hockley Ave) | a) $750 per unit towards the Affordable Housing Reserve Fund;  
b) $2850 per dwelling unit towards the General Amenity Reserve Fund for any units up to and including the 4th storey of any building;  
c) $1425 per dwelling unit towards the General Amenity Reserve Fund for any dwelling units on the 5th and 6th storey of any building; and  
d) $712.50 per dwelling unit for any dwelling unit above the 6th storey of any building; and  
e) All contributions to the General Amenity Reserve Fund, shall be reduced by the cost to extend a sidewalk from the edge of the property frontage at 828 Hockley Avenue to Peatt Road should the owner wish to provide this work in lieu of amenity. | No                                                                            |
| RS4            | 1762                 | LOT 4, SECTION 2, RANGE 3 WEST, HIGHLAND DISTRICT, PLAN 8864 (2158 Millstream Rd) | a) $660 per small lot towards the Affordable Housing Reserve Fund;  
b) $3,960 per small lot towards the General Amenity Reserve Fund;                                                                      | No                                                                            |
<table>
<thead>
<tr>
<th>Zone</th>
<th>Bylaw No.</th>
<th>Legal Description</th>
<th>Amenity Contributions</th>
<th>Eligible for Reduction in Section 2 of Schedule AD (Bylaw No. 1559)</th>
</tr>
</thead>
<tbody>
<tr>
<td>RR6</td>
<td>1698</td>
<td>LOT 1, SECTION 70, METCHOSIN DISTRICT, PLAN 1957 (866 Latoria Rd)</td>
<td>a) $6,000 per lot towards the General Amenity Reserve Fund;</td>
<td>No</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>b) $1,000 per lot towards the Affordable Housing Reserve Fund.</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>c) $3,660 per townhouse unit towards the General Amenity Reserve Fund;</td>
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</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>d) $610 per townhouse unit towards the Affordable Housing Reserve Fund.</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>e) $136,000 towards the General Amenity Reserve Fund.</td>
<td></td>
</tr>
<tr>
<td>RM2A</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>MU1A</td>
<td>1774</td>
<td>LOTS 1, 2, 3, SECTION 5, ESQUIMALT DISTRICT, PLAN 12186, PID No. 000-241-083, 004-981-456, 004-981-430 (852, 856, 858 Orono Ave); And LOT 4, SECTION 5, ESQUIMALT DISTRICT, PLAN 20800, PID No. 003-599-566 (860 Orono Ave)</td>
<td>a) $750 per unit towards the Affordable Housing Reserve Fund;</td>
<td>No</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>b) $2850 per unit towards the General Amenity Reserve Fund;</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>c) Despite b) above, if a Building Permit is issued prior to December 2018 and the owner registers a covenant restricting use to rental accommodation for no less than 10 years, the amount referenced in b) may be reduced by 69%</td>
<td></td>
</tr>
<tr>
<td>C8A</td>
<td>1756</td>
<td>Strata Lot 1, Section 72, Esquimalt District, Strata Plan VIS5806 Together With an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form V, PID No. 026-326-752 (721 Station Avenue).</td>
<td>a) $1,000 per Single Family Equivalent (SFE) toward the Affordable Housing Reserve Fund;</td>
<td>No</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>b) $4,200 per SFE toward the General Amenity Reserve Fund;</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>c) $10.75 per m² ($1.00 per ft²) of commercial Gross Floor Area (GFA) toward the General Amenity Reserve Fund.</td>
<td></td>
</tr>
<tr>
<td>Zone (Column 1)</td>
<td>Bylaw No. (Column 2)</td>
<td>Legal Description (Column 3)</td>
<td>Amenity Contributions (Column 4)</td>
<td>Eligible for Reduction in Section 2 of Schedule AD (Column 5) (Bylaw No. 1559)</td>
</tr>
<tr>
<td>-----------------</td>
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<td>-----------------------------</td>
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<td>----------------------------------------------------------------------------</td>
</tr>
<tr>
<td>MU2</td>
<td>1682</td>
<td>STRATA LOT 1 SECTION 72 ESQUIMALT DISTRICT STRATA PLAN VIS2887 TOGETHER WITH AN INTEREST IN THE COMMON PROPERTY IN PROPORTION TO THE UNIT ENTITLEMENT OF THE STRATA LOT AS SHOWN ON FORM 1 (2845 Bryn Maur Rd); STRATA LOT 2, SECTION 72, ESQUIMALT DISTRICT, STRATA PLAN VIS2887, TOGETHER WITH AN INTEREST IN THE COMMON PROPERTY IN PROPORTION TO THE UNIT ENTITLEMENT OF THE STRATA LOT AS SHOWN ON FORM 1 (2847 Bryn Maur Rd); LOT 6, SECTION 72, ESQUIMALT DISTRICT, PLAN 6319 EXCEPT PART IN PLAN 25643 (2850 Bryn Maur Rd); and LOT 1 SECTION 72 ESQUIMALT DISTRICT PLAN VIP71257 (portion of 737 Goldstream Ave)</td>
<td>1. a. $1,525 per unit towards the General Amenity Reserve Fund; and b. $610 per unit towards the Affordable Housing Reserve Fund. 2. Notwithstanding Section 1 above, if the project is secured as rental housing, the following contributions are required: a) $381.25 per unit towards the General Amenity Reserve Fund; and b) $152.50 per unit towards the Affordable Housing Reserve Fund.</td>
<td>Yes</td>
</tr>
<tr>
<td>Zone (Column 1)</td>
<td>Bylaw No. (Column 2)</td>
<td>Legal Description (Column 3)</td>
<td>Amenity Contributions (Column 4)</td>
<td>Eligible for Reduction in Section 2 of Schedule AD (Column 5) (Bylaw No. 1559)</td>
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<tr>
<td>-----------------</td>
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</tr>
</tbody>
</table>
| MU1A            | 1793                | LOT A OF SECTION 99, ESQUIMALT DISTRICT, PLAN 13266 EXCEPT PARCEL A (DD 300197-I), PID No. 004-739-990 (1062 Goldstream Ave) | a) $2,850 per new unit created on the 1st to 4th storeys of the building towards the General Amenity Reserve Fund; and  
b) $1,425 per new unit created on the 5th and 6th storeys of the building towards the General Amenity Reserve Fund; and  
c) $712.50 per new unit created on the 7th storey of the building towards the General Amenity Reserve Fund; and  
d) $750 per new unit created towards the Affordable Housing Reserve Fund; and  
e) $7,500 per required parking stall not provided towards the General Amenity Reserve Fund. | No                                          |
| MU1A            | 1805                | PARCEL A (DD 300197I) OF LOT A, SECTION 99, ESQUIMALT DISTRICT PLAN 13266, PID No. 000-024-503 (1064 Goldstream Ave) | a) $2,850 per new unit created on the 1st to 4th storeys of the building towards the General Amenity Reserve Fund; and  
b) $1,425 per new unit created on the 5th and 6th storeys of the building towards the General Amenity Reserve Fund; and  
c) $712.50 per new unit created on the 7th storey of the building towards the General Amenity Reserve Fund; and  
d) $750 per new unit created towards the Affordable Housing Reserve Fund; | No                                          |
<table>
<thead>
<tr>
<th>Zone (Column 1)</th>
<th>Bylaw No. (Column 2)</th>
<th>Legal Description (Column 3)</th>
<th>Amenity Contributions (Column 4)</th>
<th>Eligible for Reduction in Section 2 of Schedule AD (Column 5) (Bylaw No. 1559)</th>
</tr>
</thead>
</table>
| RS3             | 1808                 | LOT 1, SECTION 116, ESQUIMALT DISTRICT, PLAN 22391, PID NO.: 003-239-276 (2786 Wenger Terr) | a) $660 towards the Affordable Housing Reserve Fund;  
b) $3960 towards the General Amenity Fund | No |
| RS3             | 1794                 | LOT 4, SECTION 84, ESQUIMALT DISTRICT, PLAN 21075; PID.: 000-173-738 (935 Walfred Rd) | a) $3960 per unit towards the General Amenity Reserve Fund;  
b) $56,056 towards the General Amenity Reserve Fund; and  
c) $660 per unit towards the Affordable Housing Reserve Fund | No |
| C9              | 1806                 | LOT 1, SECTION 83, ESQUIMALT DISTRICT, PLAN 7362, PID No. 005-723-370 (2690 Sooke Road)  
And  
LOT 2, SECTION 83, ESQUIMALT DISTRICT, PLAN 7362, PID No. 005-723-388 (2688 Sooke Road) | a) $2,074 per new unit created on the 1st to 4th storeys of the building towards the General Amenity Reserve Fund; and  
b) $1,037 per new unit created on the 5th and 6th storeys of the building towards the General Amenity Reserve Fund; and  
c) $518.50 per new unit created on the 7th storey of the building towards the General Amenity Reserve Fund; and  
d) $610 per new unit created towards the Affordable Housing Reserve Fund | No |
| RS3             | 1792                 | LOT 3, SECTIONS 108 AND 109, ESQUIMALT DISTRICT, PLAN 22999, EXCEPT THOSE PARTS IN PLANS 28050 AND 37232, PID NO. 004-136-110 (2512 DUNCAN PL) | 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. | No |
<table>
<thead>
<tr>
<th>Zone (Column 1)</th>
<th>Bylaw No. (Column 2)</th>
<th>Legal Description (Column 3)</th>
<th>Amenity Contributions (Column 4)</th>
<th>Eligible for Reduction in Section 2 of Schedule AD (Bylaw No. 1559)</th>
</tr>
</thead>
</table>
| RS4             | 1785                 | LOT 1, SECTION 70, METCHOSIN DISTRICT, PLAN VIP56431 EXCEPT PLAN EPP63057 (734 LATORIA RD) | a) $1,000 per SFE created towards the Affordable Housing Reserve Fund;  
b) $6,000 per SFE created towards the General Amenity Reserve Fund;  
c) $6.72 per m² of gross land area, for exclusion from the Agricultural Land Reserve, towards the General Amenity Reserve Fund prior to subdivision approval for the creation of more than one lot located north of the SPEA on the subject site and the creation of more than one lot located south of the SPEA on the subject site. | No                                                                   |
| RS3             | 1826                 | LOT A, SECTION 5, ESQUIMALT DISTRICT, PLAN 37721; PID.: 001-033-743 (939 Walfred Rd)        | a) $3,960 per lot towards the General Amenity Reserve Fund  
b) $660 per lot towards the Affordable Housing Reserve Fund | No                                                                   |
| RR7             | 1810                 | LOT 22 SECTIONS 69 AND 70 METCHOSIN DISTRICT PLAN 23855, PID No. 003-154-262 (887 Klahanie Dr) | a) $6,000 per new lot created towards the General Amenity Reserve Fund;  
b) $1,000 per new lot created towards the Affordable Housing Reserve Fund; | No                                                                   |
<table>
<thead>
<tr>
<th>Zone (Column 1)</th>
<th>Bylaw No. (Column 2)</th>
<th>Legal Description (Column 3)</th>
<th>Amenity Contributions (Column 4)</th>
<th>Eligible for Reduction in Section 2 of Schedule AD (Column 5) (Bylaw No. 1559)</th>
</tr>
</thead>
</table>
| MU1A | 1777 | THAT PART OF LOT 4, SECTION 111, ESQUIMALT DISTRICT, PLAN 12071 LYING TO THE SOUTH EAST OF A BOUNDARY PARALLEL TO AND PERPENDICULARLY DISTANT 67.5 FEET FROM THE NORTH WESTERLY BOUNDARY OF SAID LOT; PID No.: 004-961-072 (2670 Peatt Rd); and PARCEL A (DD 395073I) OF LOT 4, SECTION 111, ESQUIMALT DISTRICT, PLAN 12071; PID No.: 001-195-484 (813 Arncote Ave) | a) $2,562 per unit towards the General Amenity Reserve Fund; 
b) $610 per unit towards the Affordable Housing Reserve Fund. | Yes |
| RS3 | 1798 | Lot 1, Section 109, Esquimalt District, Plan 24285, PID No. 003-008-517 (2439 Selwyn Road) | a) $3,960 per new lot created towards the General Amenity Reserve Fund; 
b) $660 per new lot created towards the Affordable Housing Reserve Fund. | No |
| RS3 | 1825 | LOT 1 SECTIONS 85 AND 116 ESQUIMALT DISTRICT PLAN 21226, PID No.: 000-029-645 (1234 Goldstream Ave) | a) $3,960 per new lot created towards the General Amenity Reserve Fund; and 
b) $660 per new lot created towards the Affordable Housing Reserve Fund | No |
| RS3 | 1814 | LOT B SECTION 84 ESQUIMALT DISTRICT PLAN VIP88158, PID No. 028-329-091 (3238 Lodmell Road) | a) $3,960 per new lot created towards the General Amenity Reserve Fund; 
b) $660 per new lot created towards the Affordable Housing Reserve Fund. | No |
<table>
<thead>
<tr>
<th>Zone (Column 1)</th>
<th>Bylaw No. (Column 2)</th>
<th>Legal Description (Column 3)</th>
<th>Amenity Contributions (Column 4)</th>
<th>Eligible for Reduction in Section 2 of Schedule AD (Column 5) (Bylaw No. 1559)</th>
</tr>
</thead>
</table>
| MU2             | 1839                 | LOT 2, SECTION 5, ESQUIAMLT DISTRICT, PLAN 6064, PID No. 005921937 (801 Goldstream Ave); AMENDED PARCEL A (DD 2026221) OF LOT 3, SECTION 5, ESQUIAMLT DISTRICT, PLAN 6064, PID No. 005921961 (2816 Peatt Rd); PARCEL B (DD 202291-I) OF LOT 3, SECTION 55, ESQUIAMLT DISTRICT, PLAN 6064, PID No. 001981251 (2822 Peatt Rd); THE SOUTHERLY 100 FEET OF AMENDED LOT 1 (DD 72133I) OF SECTION 5 ESQUIAMLT DISTRICT PLAN 1776, PID No. 006854095 (2826 Peatt Rd); STRATA LOTS 1 & 2, SECTION 5, ESQUIAMLT DISTRICT, STRATA PLAN VIS2475 TOGETHER WITH AN INTEREST IN THE COMMON PROPERTY IN PROPORTION TO THE UNIT ENTITLEMENT OF THE STRATA LOT AS SHOWN ON FORM 1, PID No. 017946531 & 017946522 (2832 2834 Peatt Rd); LOT B, SECTION 5, ESQUIAMLT DISTRICT, PLAN 18265, PID No. 003879143 (2838 Peatt Rd); PARCEL A (DD 219466I) OF LOT 14, SECTION 5, ESQUIAMLT DISTRICT, PLAN 1776, PID No. 006855172 (2844 Peatt Rd); STRATA LOTS 1 & 2 SECTION 5 ESQUIAMLT DISTRICT STRATA PLAN VIS4986 TOGETHER WITH AN INTEREST IN THE COMMON PROPERTY IN PROPORTION TO THE UNIT ENTITLEMENT OF THE STRATA LOT AS SHOWN ON FORM 1, PID No. 024809233 & 024809241 (818 & 816 Hockley Rd) | a) $2,850 per new unit created on the 1st to 4th storeys of the building towards the General Amenity Reserve Fund; and  
b) $1,425 per new unit created on the 5th and 6th storeys of the building towards the General Amenity Reserve Fund; and  
c) $712.50 per new unit created on the 7th storey or higher of the building towards the General Amenity Reserve Fund; and  
d) $750 per new unit created on the 1st to 4th storeys of the building towards the Affordable Housing Reserve Fund; and  
e) $375 per new unit created on the 5th and 6th storeys of the building towards the Affordable Housing Reserve Fund; and  
f) $187.50 per new unit created on the 7th storey or higher of the building towards the Affordable Housing Reserve Fund; and  
g) $10.75 per square metre of commercial space in the building towards the General Amenity Reserve Fund. | No |
<table>
<thead>
<tr>
<th>Zone (Column 1)</th>
<th>Bylaw No. (Column 2)</th>
<th>Legal Description (Column 3)</th>
<th>Amenity Contributions (Column 4)</th>
<th>Eligible for Reduction in Section 2 of Schedule AD (Column 5) (Bylaw No. 1559)</th>
</tr>
</thead>
</table>
| R1             | 1854                 | LOT B (DD H20822), SECTION 1, GOLDSTREAM DISTRICT, PLAN 2726; PID No.: 006-326-498 (2849 Lake End Rd) | a) $6,000 General Amenity Reserve Fund; and  
b) $1,000 Affordable Housing Reserve Fund. | No |
| R2             | 1859                 | LOT A, SECTION 82, ESQUIMALT DISTRICT, PLAN 23215, PID No. 003-064-417 (3030 Glennan Rd) | a) $6,000 General Amenity Reserve Fund; and  
b) $1,000 Affordable Housing Reserve Fund. | No |
| RM7A           | 1853                 | Common Property Plan VIS1876 (1000 Citation Rd) | a) $610 per new unit created towards the Affordable Housing Fund  
b) $3,660 per new unit created towards the General Amenity Fund | No |
<table>
<thead>
<tr>
<th>Zone (Column 1)</th>
<th>Bylaw No. (Column 2)</th>
<th>Legal Description (Column 3)</th>
<th>Amenity Contributions (Column 4)</th>
<th>Eligible for Reduction in Section 2 of Schedule AD (Column 5) (Bylaw No. 1559)</th>
</tr>
</thead>
</table>
| RM7A            | 1853                 | Common Property Plan VIS5695 (2691 Secretariat Way) | a) $610 per new unit created on the 1st to 4th storeys of the building towards the Affordable Housing Fund; and  
b) $305 per new unit created on the 5th and 6th storeys of the building towards the Affordable Housing Fund; and  
c) $152.50 per new unit created on the 7th storey or higher of the building towards the Affordable Housing Fund; and  
d) $3,660 per new unit created on the 1st to 4th storeys of the building towards the General Amenity Fund; and  
e) $1,830 per new unit created on the 5th and 6th storeys of the building towards the General Amenity Fund; and  
f) $915 per new unit created on the 7th storey or higher of the building towards the General Amenity Fund | No |
Section 2.0 – Amenity Contribution Reductions (Bylaw No. 1559)

2.1 The amount specified in Column 4 of Table 1 of Schedule AD may be reduced if ALL of the following conditions have been met by the amount specified in Table 2:

(a) The legal description of the subject property is listed in Table 1 of Schedule AD with “Yes” indicated in Column 5;
(b) Where Column 5 of Table 1 of Schedule AD restricts the permitted amenity contribution reduction to a certain column (or columns) of Table 2, the owner is only entitled to the reduction authorized by the stated column(s) of Table 2 and no others;
(c) The subject property is directly adjacent to a public sidewalk or bike lane (same side of the street), or on a BC Transit bus route. If a public sidewalk or bike lane has not been constructed directly adjacent to the property, the owner must extend the public sidewalk and/or bike lane to the property from the nearest existing public sidewalk/bike lane; and;
(d) The building has a height of no less than four storeys; and
(e) A Section 219 Covenant is registered on the title of the subject property, prior to the issuance of a Building Permit, securing the dwelling units to rental tenure, non-market housing tenure OR for senior’s housing for a period of no less than 10 years;

Table 2 Replaced by Bylaw No. 1673

<table>
<thead>
<tr>
<th>(Column 1)</th>
<th>Multi-family residential building that is compliant with Section 2.1(a)-(d) (Column 2)</th>
<th>Mixed-use multi-family/commercial building compliant with Section 2.1(a)-(d) (Column 3)</th>
<th>Rental Housing, Seniors’ Housing compliant with Section 2.1(a)-(e) (Column 4)</th>
<th>Non-Market Housing compliant with Section 2.1(a)-(e) (Column 5)</th>
<th>Offices for Provincial or Federal Government or their Agencies Section 2.1(a)-(d) (Column 6)</th>
</tr>
</thead>
<tbody>
<tr>
<td>% reduction to total required contribution per Table 1</td>
<td>35% reduction to the contribution specified in Table 1;</td>
<td>50% reduction for the multi-family contribution specified in Table 1 and no reduction for the commercial contribution</td>
<td>75% reduction to the contribution specified in Table 1;</td>
<td>100% reduction to the contribution specified in Table 1;</td>
<td>75% reduction to the contribution specified in Table 1;</td>
</tr>
</tbody>
</table>
The following Green Development Checklist creates a sustainability standard for development projects within the City of Langford. All comprehensive development projects will be required to obtain either LEED certification or the minimum Level 1 rating set out in the Green Development Checklist as a condition of rezoning. This Checklist is optional for all other new development projects. Council may decrease the amenity contributions required pursuant to the Amenity Contribution Policy according to the Incentives for Achieving Green Development Project Rating table on the Green Development Checklist Scoring page for development projects that achieve the corresponding rating category of the Checklist.

P = Prerequisite

Section 1 – Official Community Plan

<table>
<thead>
<tr>
<th>Features</th>
<th>Point Value</th>
<th>Points Earned</th>
<th>Supporting Comments and Documentation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Official Community Plan</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>1.1 The development site is located within the City Centre Official Community Plan designation.</td>
<td>8</td>
<td></td>
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</tr>
<tr>
<td>1.2 The development site is located within the Pedestrian Downtown or Sooke Road Revitalization Area.</td>
<td>12</td>
<td></td>
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</tr>
<tr>
<td>1.4 The development proposal provides greater environmental protection than required by the current Environmentally Sensitive Area Development Permit Area Guidelines.</td>
<td>5</td>
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<tr>
<td>Base points earned</td>
<td>25</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Section 2 – Site Planning

<table>
<thead>
<tr>
<th>Features</th>
<th>Point Value</th>
<th>Points Earned</th>
<th>Supporting Documentation and/or Proposed Method of Implementation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Neighbourhood Context</td>
<td></td>
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</tr>
<tr>
<td>2.1 Development is located on or adjacent to a site served by existing CRD water and municipal sewer infrastructure that meets the standards of the Subdivision and Development Servicing Bylaw.</td>
<td>10</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.3 Development is not located within the 200-year floodplain.</td>
<td>1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.4 Heritage features have been preserved and/or enhanced, or no heritage features exist on the site.</td>
<td>1</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
2.5 An archaeological overview assessment has been conducted by a qualified professional.

**Pedestrian Focused Design**

2.10 For larger developments\(^2\), a bicycle and pedestrian master plan is provided to create opportunities for walking and cycling within the development as well as linkages to existing or anticipated pedestrian and bicycle routes outside of the development site.

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<thead>
<tr>
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<tbody>
<tr>
<td>P</td>
<td>Y or N</td>
<td></td>
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</table>

2.11 Sidewalks are provided to a width at least 10% greater than required by the Subdivision and Development Servicing Bylaw.

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2.12 Sidewalks are provided in more locations than required by the Subdivision and Development Servicing Bylaw (i.e. on both sides of the street where one side of the street is required)

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<td>5</td>
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2.13 Laneways and/or shared driveways are provided to minimize sidewalk crossings.

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<tbody>
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</table>

2.14 New pedestrian routes connect to existing or anticipated pedestrian routes on adjacent sites.

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<td>5</td>
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2.15 If a multi-family residential development includes ground floor residential units, individual, ground oriented entrances are provided.

<p>| |</p>
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2.16 Development contains both residential and commercial land uses.

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<tbody>
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<td>1</td>
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</table>

**Transportation Demand Management**

2.17 Covered and secure bicycle storage is provided in addition to other storage lockers for multi-family residential units (including those in mixed-use buildings)

<p>| | |</p>
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<tbody>
<tr>
<td>P</td>
<td>Y or N</td>
</tr>
</tbody>
</table>

2.18 The development incorporates Transportation Demand Management measures, such as:

- providing free transit passes to each residential occupant;
- providing free membership to a local car share and providing at least one dedicated car share parking space on-site; or if no such community car share program is available, purchase a car and create a carshare program for the building’s residential occupants;
- or other equivalent TDM

- 10 points - Free transit passes or carshare member-ship is valid for at least 1 year;
- BONUS 10 points - Free transit passes or carshare member-ship

---

\(^2\) Larger Developments" are generally multi-phase, multi-land use, long term build-out projects that have comprehensive development zoning. Please contact the Planning Department to determine if your project is considered a "larger development" project.
<table>
<thead>
<tr>
<th>Features</th>
<th>Point Value</th>
<th>Points Earned</th>
<th>Supporting Documentation and/or Proposed Method of Implementation</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>400m (5 minute) connectivity</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3.1 The development site is located within 400 m of a public transit bus stop.</td>
<td>2</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3.2 The development site is located within 400 m of recreational trails.</td>
<td>2</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3.3 The development site is located within 400 m of the Galloping Goose or other regional trail.</td>
<td>2</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3.4 The development site is located within 400 m of a clearly defined commercial area containing at least 5 distinct commercial and/or institutional uses.</td>
<td>2</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3.5 The development site is located within 400 m of a minimum of two of the above criteria.</td>
<td>10</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>800m (10 minute) connectivity</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3.6 The development site is located within 800 m of a grocery store.</td>
<td>1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3.7 The development site is located within 800 m of a clearly defined commercial area containing at least 5 distinct commercial and/or institutional uses.</td>
<td>1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3.8 The development site is located within 800 m of a school.</td>
<td>1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3.9 The development site is located within 800 m of a child care facility.</td>
<td>1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3.10 The development site is located within 800 m of a health service.</td>
<td>1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3.11 The development site is located within 800 m of a park or indoor recreational facility.</td>
<td>1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3.12 The development site is located within 800 m of a recreational trail.</td>
<td>1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3.13 The development site is located within 800m of the Galloping Goose or other regional trail.</td>
<td>1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3.14 The development site is located within 800 m of a public transit bus stop.</td>
<td>1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3.15 The development site is located within 800 m of a minimum of four of the above criteria.</td>
<td>10</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Site Connectivity</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3.16 New roads created within the development</td>
<td>● 10 pts; or</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
site connect through to other existing or planned roads.

- BONUS 5 points for developments located in the City Centre OCP designation.

Where site conditions do not allow for a through-road, a through-pedestrian route is incorporated.

### Section 4 – Social and Economic Sustainability

<table>
<thead>
<tr>
<th>Features</th>
<th>Point Value</th>
<th>Points Earned</th>
<th>Supporting Documentation and/or Proposed Method of Implementation</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Local Economic Benefits</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4.1</td>
<td>Commercial uses are included within the development.</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>4.2</td>
<td>There is a minimum 1.0 Floor Area Ratio of commercial uses included within the development.</td>
<td>10</td>
<td></td>
</tr>
<tr>
<td>4.3</td>
<td>There is greater than 1.0 Floor Area ratio of commercial uses included within the development.</td>
<td>BONUS 1 pt for every additional 0.1 FAR above the 1.0 FAR to a max of 10 pts</td>
<td></td>
</tr>
<tr>
<td>4.4</td>
<td>Majority of building materials are purchased from local stores within the Capital Regional District (CRD).</td>
<td>4</td>
<td></td>
</tr>
<tr>
<td><strong>Diverse Housing Types</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4.6</td>
<td>Development includes at least one affordable housing unit for the City’s Affordable Housing Program.</td>
<td>10</td>
<td></td>
</tr>
<tr>
<td>4.7</td>
<td>Development includes more than one affordable housing unit for the City’s Affordable Housing Program.</td>
<td>BONUS 10 points</td>
<td></td>
</tr>
<tr>
<td>4.8</td>
<td>At least 10% of the development consists of another form of non-market ownership housing.</td>
<td>10</td>
<td></td>
</tr>
<tr>
<td>4.9</td>
<td>At least 10% of the development consists of rental housing.</td>
<td>10</td>
<td></td>
</tr>
<tr>
<td>4.10</td>
<td>A Housing Agreement will be registered on title to guarantee a minimum of ten years of rent control.</td>
<td>5</td>
<td></td>
</tr>
<tr>
<td>4.11</td>
<td>The development includes a variety of housing types (i.e. a mix of townhouse, apartment, and/or single-family units) and sizes (i.e. variety of 1 bedroom, 2 bedroom, and/or 3 bedroom units).</td>
<td>5</td>
<td></td>
</tr>
</tbody>
</table>

**Accessibility**

| 4.12 | At least 20% of the residential units within the development incorporate: | - |
| 4.13 | • the “Access” adaptable design standards of the BC Building Code | 2 |
| 4.14 | • the “Suite Doors and Doorways” adaptable design standards of the BC Building Code. | 2 |
| 4.15 | • the “Bathroom” adaptable design standards of the BC Building Code. | 1 |
| 4.16 | • the “Kitchen” adaptable design standards of the BC Building Code. | 1 |

**Private and Public Amenity Space**

| 4.17 | The development includes 5-10% open space dedication. | 10 |
| 4.18 | The development includes 10-15% open space dedication. | 15 |
| 4.19 | The development includes 15-20% open space dedication. | 20 |
| 4.20 | The development includes more than 20% open space dedication. | BONUS 1 point for every additional 1% to a max of 20 points |
| 4.21 | Public art (i.e. sculptures, fountains etc.) is provided. | 1 |
| 4.22 | Public amenities (i.e. benches, public plaza, public park space, etc) beyond Subdivision and Development Servicing Bylaw requirements are provided. | 1 |
| 4.23 | A child care facility is integrated into the development. | 10 |
| 4.24 | A school site of adequate size and location will be retained for acquisition by School District No. 62 within 10 years of rezoning approval. | 10 |
| 4.25 | Common amenity space (such as indoor or outdoor recreational / gathering space, garden plots, green roofs with usable space, etc) is provided in multi-family or mix-use developments. | 3 |
| 4.26 | A public community garden is created, or another contribution to community gardening | 3 |
is provided (to be approved by Council).

4.27 Trees added to landscaped areas have a minimum height of 2m or greater at time of planting.  2

4.28 Large diameter trees or significant environmental features are maintained and/or enhanced within common or private amenity areas.  2

Planning Process

4.29 A community meeting was held to solicit public input prior to submitting a rezoning application to the City, and this input resulted in modifications or enhancements to the development proposal.  3

| Base points earned | /141 |
| Bonus points earned | /40 |

Section 5 – Environmental Sustainability

<table>
<thead>
<tr>
<th>Features</th>
<th>Point Value</th>
<th>Points Earned</th>
<th>Supporting Documentation and/or Proposed Method of Implementation</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Wildlife Habitat and Sensitive Ecosystems</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Prerequisite - All proposals must achieve a minimum of 10 points in this category (only one point value for each high and moderate value ecosystem categories will be counted)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5.1 The development site does not contain any wildlife habitat or sensitive ecosystems, as determined through an environmental assessment prepared by a Registered Professional Biologist.</td>
<td>10</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5.2 Development has been sited to preserve 100% of the highest value(^3) ecosystems located on the site.</td>
<td>10</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5.3 Development has been sited to preserve 90% of the highest value ecosystems located on the site.</td>
<td>9</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5.4 Development has been sited to preserve 80% of the highest value ecosystems located on the site.</td>
<td>8</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5.5 Development has been sited to preserve 70% of the highest value ecosystems located on the site.</td>
<td>7</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5.6 Development has been sited to preserve 60% of the highest value ecosystems located on the site.</td>
<td>6</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5.7 Development has been sited to preserve 50% of the highest value ecosystems located on the site.</td>
<td>5</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>High value ecosystem preservation subtotal</strong></td>
<td>/10</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

\(^3\) A report prepared by a Registered Professional Biologist shall designate ecosystem value into High, Moderate, and Low categories based on factors such as: ecosystem size, structural stage, degree of site disturbance, connectivity to adjacent habitat, wildlife habitat rating, wildlife occurrence/probability, rare plant occurrence/probability, occurrence of introduced/invasive species.
<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
<th>Points</th>
</tr>
</thead>
<tbody>
<tr>
<td>5.8</td>
<td>Development has been sited to preserve 100% of the moderate value ecosystems located on the site.</td>
<td>7</td>
</tr>
<tr>
<td>5.9</td>
<td>Development has been sited to preserve 90% of the moderate value ecosystems located on the site.</td>
<td>6</td>
</tr>
<tr>
<td>5.10</td>
<td>Development has been sited to preserve 80% of the moderate value ecosystems located on the site.</td>
<td>5</td>
</tr>
<tr>
<td>5.11</td>
<td>Development has been sited to preserve 70% of the moderate value ecosystems located on the site.</td>
<td>4</td>
</tr>
<tr>
<td>5.12</td>
<td>Development has been sited to preserve 60% of the moderate value ecosystems located on the site.</td>
<td>3</td>
</tr>
<tr>
<td>5.13</td>
<td>Development has been sited to preserve 50% of the moderate value ecosystems located on the site.</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>Moderate value ecosystem preservation subtotal</td>
<td>/7</td>
</tr>
<tr>
<td>5.14</td>
<td>Any loss of sensitive ecosystems on the site is offset by an increase to the ecosystem value of retained sensitive ecosystems (e.g. from low to moderate or moderate to high) through planting of native species and removal of invasive species in accordance with a compensation plan prepared by a Registered Professional Biologist.</td>
<td>5</td>
</tr>
<tr>
<td></td>
<td>Minimum 10 points achieved?</td>
<td>P</td>
</tr>
</tbody>
</table>

**Wildlife and Riparian Corridors**

<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
<th>Points</th>
</tr>
</thead>
<tbody>
<tr>
<td>5.15</td>
<td>Development is located on a site without any watercourses or is fully compliant with the Riparian Areas Regulations (RAR).</td>
<td>P</td>
</tr>
<tr>
<td>5.16</td>
<td>Development will protect a SPEA at least 10% larger than that designated in accordance with the RAR.</td>
<td>1 pt for every 5% increase in SPEA width (max 5 pts)</td>
</tr>
<tr>
<td>5.17</td>
<td>Vegetated wildlife corridors with a minimum width of 10m, as identified through an environmental assessment prepared by a Registered Professional Biologist, have been retained within the site.</td>
<td>2</td>
</tr>
<tr>
<td>5.18</td>
<td>Such wildlife corridors and/or riparian corridors (SPEAs) link areas of protected ecosystems through the interior of the development site, and are not just located around the perimeter of the site.</td>
<td>5</td>
</tr>
</tbody>
</table>

**Ecosystem Restoration**

<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
<th>Points</th>
</tr>
</thead>
<tbody>
<tr>
<td>5.19</td>
<td>Invasive species will be removed from park</td>
<td>P</td>
</tr>
</tbody>
</table>
or amenity land dedicated to the City within the development site.  

5.20 Previously damaged wetlands, watercourses, or sensitive ecosystems on the site will be restored.  

Base points earned  

<table>
<thead>
<tr>
<th>Features</th>
<th>Point Value</th>
<th>Points Earned</th>
<th>Supporting Documentation and/or Proposed Method of Implementation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Green Building Certification</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6.1 An approved green building consultant (i.e. LEED AP, Built Green Certified Builder, or other approved consultant) is directly involved in project coordination/planning.</td>
<td></td>
<td>5</td>
<td></td>
</tr>
<tr>
<td>6.2 All one-family dwellings, two-family dwellings and townhouses within the development are certified as Built Green bronze (or higher rating), or an equivalent certification under a third-party certification system approved by the City.</td>
<td></td>
<td>P</td>
<td>Y or N (n/a if no such dwellings are proposed)</td>
</tr>
<tr>
<td>6.3 All other buildings within the development are LEED certified, or have achieved an equivalent certification under a third-party certification system approved by the City.</td>
<td></td>
<td>5</td>
<td></td>
</tr>
<tr>
<td>6.4 All buildings within the development are certified as Built Green and/or LEED silver, or have achieved an equivalent certification under a third-party certification system approved by the City</td>
<td></td>
<td>10</td>
<td></td>
</tr>
<tr>
<td>6.5 All buildings within the development are certified as Built Green and/or LEED gold, or have achieved an equivalent certification under a third-party certification system approved by the City</td>
<td></td>
<td>15</td>
<td></td>
</tr>
<tr>
<td>6.6 All buildings within the development are certified as Built Green and/or LEED platinum, or have achieved an equivalent certification under a third-party certification system approved by the City</td>
<td></td>
<td>20</td>
<td></td>
</tr>
<tr>
<td>On-site Stormwater Management</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6.7 Rain gardens, detention ponds and</td>
<td></td>
<td>9</td>
<td></td>
</tr>
</tbody>
</table>

Section 6 – Climate and Resource Sustainability
other on-site stormwater management features are incorporated into landscaped areas.

| 6.8 | A Green Roof is installed to a minimum of 50% of the total roof area. | 15 |
| 6.9 | A minimum of 50% of all hard surfaces utilize porous / permeable paving materials. | 10 |

**Water Efficiency**

| 6.10 | The landscaping plan consists of a majority of native or drought-tolerant plants. | 1 |
| 6.11 | Irrigation system utilizes captured rainwater, recycled wastewater, or other non-potable water source. | 10 |
| 6.12 | Irrigation systems for all non-grass planted areas are high efficiency (i.e. drip or trickle) only, or no irrigation system is required due to use of only drought tolerant plants. | 5 |
| 6.13 | Low flow fixtures (toilets, sink faucets, showerheads) that exceed the requirements of the BC Building Code are installed in all bathrooms and kitchens | 1 |

**Resource Conservation**

| 6.14 | Renewable or recycled materials, or materials with recycled content, are used in construction. | 2 |
| 6.15 | Durable and long-lasting construction materials are used. | 1 |
| 6.16 | A minimum of 25% recycled content is incorporated into on-site hard surfaces (driveways, parking areas, sidewalks, patios, etc) | 2 |
| 6.17 | At least 50% of the construction waste generated will be diverted to recycling or salvage facilities. | 3 |
| 6.18 | All multi-family and mixed-use buildings contain facilities for the collection and separation of recyclable and compostable materials. In the absence of such services at the time of construction, the future installation of these facilities is accommodated in the design, and they will be installed when the services are available. | 10 |

**Energy Conservation**

| 6.19 | All buildings achieve the minimum energy efficiency standard specified in the Built Green or LEED certification standards, as applicable. | 10 |
| 6.20 | All buildings are sited to optimize | 1 |
orientation for the use of passive and active solar power (the longest axis of the building is within 15° of geographical east-west).

<table>
<thead>
<tr>
<th></th>
<th>6.21 All buildings are district energy or solar ready.</th>
<th>5</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>6.22 An on-site renewable energy source (solar, wind, geothermal, or other approved source) will fulfill the energy needs of each building individually.</td>
<td>10</td>
</tr>
<tr>
<td></td>
<td>6.23 A neighbourhood scale district heating and cooling system is designed and installed to serve all buildings within the proposed development.</td>
<td>15</td>
</tr>
<tr>
<td></td>
<td>6.24 A neighbourhood district heating and cooling system is designed and installed to serve all buildings within the proposed development and has also been designed such that lands beyond the development can connect in at a later date.</td>
<td>BONUS 20 points</td>
</tr>
<tr>
<td></td>
<td>6.25 BONUS POINTS - To be multiplied against the total score achieved in this Section:</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• 25% - For development sites located within the Pedestrian Downtown Area -</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• 20% - For development located within the Sooke Road Revitalization Area or a Larger Development Site.</td>
<td></td>
</tr>
</tbody>
</table>

| Base points earned | /165 |
| Bonus points earned | /61.25 |

Section 7 – Third Party Certification

<table>
<thead>
<tr>
<th>Features</th>
<th>Point Value</th>
<th>Points Earned</th>
<th>Supporting Documentation and/or Proposed Method of Implementation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Certification</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7.1 The City will require third party certification and/or post development audits to confirm compliance with the commitments secured through this Checklist</td>
<td>P</td>
<td>Y or N</td>
<td></td>
</tr>
</tbody>
</table>
Section 8 – Innovation of Design

<table>
<thead>
<tr>
<th>Features</th>
<th>Point Value</th>
<th>Points Earned</th>
<th>Supporting Documentation and/or Proposed Method of Implementation</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Innovation of Design</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8.1 Development adds other unique or innovative features not covered by the above checklist. Provide details.</td>
<td></td>
<td></td>
<td>Point value for items not included in this checklist will be reviewed and approved by Council and added to this Checklist as part of a rezoning application.</td>
</tr>
</tbody>
</table>

Green Development Checklist Scoring

Project Scoring Summary

<table>
<thead>
<tr>
<th>Section</th>
<th>Prerequisites Achieved?</th>
<th>Base Points Achievable</th>
<th>Total Base Points Achieved</th>
<th>Bonus Points Achieved</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 - OCP</td>
<td>-</td>
<td>25</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2 – Site Planning</td>
<td>Y or N</td>
<td>41</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3 – Neighbourhood Connectivity</td>
<td>-</td>
<td>53</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4 – Social and Economic Sustainability</td>
<td>-</td>
<td>141</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5 – Environmental Sustainability</td>
<td>Y or N</td>
<td>37</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6 – Climate and Resource Sustainability</td>
<td>Y or N</td>
<td>165</td>
<td></td>
<td></td>
</tr>
<tr>
<td>7 – Third Party Certification</td>
<td>Y or N</td>
<td>-</td>
<td></td>
<td></td>
</tr>
<tr>
<td>8 – Innovation of Design</td>
<td>-</td>
<td>TBD</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Total Points Achieved __________________________
All prerequisites met __________________________

Project Rating __________________________
Green Development Rating System

<table>
<thead>
<tr>
<th>Overall Project Rating</th>
<th>% of Total Possible Base Points</th>
<th># Points Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>Level 1</td>
<td>30%</td>
<td>139</td>
</tr>
<tr>
<td>Level 2</td>
<td>50%</td>
<td>231</td>
</tr>
<tr>
<td>Level 3</td>
<td>70%</td>
<td>323</td>
</tr>
<tr>
<td>Level 4</td>
<td>90%</td>
<td>416</td>
</tr>
</tbody>
</table>

Incentives for Achieving Green Development Project Rating

<table>
<thead>
<tr>
<th>Overall Project Rating</th>
<th>% Reduction to the Required Contributions of Council’s Amenity Contribution Policy</th>
</tr>
</thead>
<tbody>
<tr>
<td>Level 1</td>
<td>10%</td>
</tr>
<tr>
<td>Level 2</td>
<td>15%</td>
</tr>
<tr>
<td>Level 3</td>
<td>25%</td>
</tr>
<tr>
<td>Level 4</td>
<td>50%</td>
</tr>
</tbody>
</table>