

BYLAW NO. 151
COLWOOD LAND USE BYLAW, 1989
CONSOLIDATED

This Bylaw is consolidated in accordance with Bylaw No. 756.

It includes amendments up to March 10, 2014 (Bylaw No. 1522)

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Comment [LG5]: Bylaw 388,
Amend. 30, August 19, 1997

Comment [LG6]: Bylaw 405,
Amend. 31, June 22, 1998

Comment [LG7]: Bylaw 550,
Amend. 40, Dec. 18, 2000

Comment [LG8]: Bylaw 763,
Amend. 63, Apr. 26, 2004

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Comment [LG9]: Bylaw 419,
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Comment [LG10]: Bylaw 157,
Amend. 1, Feb. 12, 1990

Comment [LG11]: Bylaw 315,
Amend. 24, Sept. 11, 1995

Comment [LG12]: Bylaw 1522,
Amend. 134, Mar. 10, 2014

Comment [LG13]: Bylaw 1027,
Amend. 102, Aug. 31, 2009

Comment [LG14]: Bylaw 429,
Amend. 34, June 22, 1998

Comment [LG15]: Bylaw 709,
Amend. 58, Dec. 22, 2003

Comment [LG16]: Bylaw 923,
Amend. 90, June 25, 2007

SECTION 5.6 RESIDENTIAL 1 (R1) ZONE

5.6.01 Permitted Uses

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

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

Comment [LG141]: Bylaw 173, Amend. 4, Oct. 22, 1990

Comment [LG142]: Bylaw 1494, Amend. 129, Jan. 28, 2013

Comment [LG143]: Bylaw 1145, Amend. 108, Oct. 26, 2009

5.6.01A 641 Latoria Road and 579 Bunker Road

1. On land legally described as Lot 2, Sections 60 and 61, Esquimalt District, Plan 9849 (641 Latoria Road) the number of dwelling units in all one-family dwelling and two-family dwelling units combined shall not exceed two.
2. On land legally described as Lot A, Section 61, Esquimalt District, Plan 35943 (579 Bunker Road) the number of dwelling units in all one-family dwelling and two-family dwelling units combined shall not exceed two.
3. Despite the restrictions in Subsection 5.6.01A(1) the density of development permitted by Section 5.6.08 is permitted on the land referred to in Subsections 5.6.01A(1) and 5.6.01A(2) if the Owner provides community amenities:
 - a) by contributing to a community amenity reserve fund of the City \$2,500 per dwelling unit and for this purpose "community amenity" means land for parks or playing fields or for community building use and the construction of community buildings such as a community centre, youth centre, theatre, recreational buildings and facilities, and assembly and meeting space; and
 - b) by contributing to an affordable housing reserve fund of the City \$500 per dwelling unit.
4. Payment shall be made at the time of subdivision approval, on the basis of the maximum number of dwelling units that are permitted by Subsection 5.6.08 on each parcel being created given the area of that parcel."

5.6.02 Number of Residential Buildings

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

5.6.03 Minimum Lot Area for a Two-family Dwelling

The minimum lot area required for a two-family dwelling shall be 1,100 m².

5.6.04 Location of Two-family Dwellings

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

5.6.05 Size and Shape of Buildings

1. The minimum ground floor area of a dwelling unit shall be 80 m².
2. The minimum average width of a dwelling unit shall be not less than 7 m.
3. The height of a building shall not exceed 8.5 m.
4. The floor area ratio of a residential building shall not exceed 0.4.
5. Notwithstanding Subsection (4), the maximum gross floor area of a residential building shall not exceed 350 m².
6. Notwithstanding Subsection (5.6.05(4), the maximum floor space ratio of a residential building on Strata Lot 2, Section 4, Esquimalt District, Strata Plan VIS4693 (85 Milburn Drive) shall not exceed 0.47.

5.6.06 Yard Requirements

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

- b) On a corner lot, a side yard of not less than 6 m in width shall be provided adjoining a flanking street.
- 3. A rear yard shall be provided of not less than 7.5 m in depth.

5.6.07 Lot Coverage

- 1. The maximum lot coverage for a one-family dwelling use shall be 35 percent of the lot.
- 2. The maximum lot coverage for a two-family dwelling use shall be 25 percent of the lot.

5.6.08 Subdivision Requirements

- 1. The minimum lot area that may be created by subdivision under the *Land Title Act* or *Condominium Act* shall be 695 m².
- 2. The minimum lot area that may be created by subdivision under the *Land Title Act* or the *Condominium Act* for a two-family dwelling use shall be 1,100 m².
- 3. The minimum highway frontage and lot width that may be created by subdivision under the *Land Title Act* or the *Condominium Act* shall be 16 m.
- 4. The minimum highway frontage and lot width that may be created by subdivision under the *Land Title Act* or the *Condominium Act* for a two-family dwelling use shall be 25 m.
- 5. Panhandle lots may be created under Section 994 of the *Municipal Act*.
- 6. Notwithstanding Subsection 5.6.09(1), the minimum lot area of a panhandle lot that may be created by subdivision under the *Land Title Act* or *Condominium Act* shall be 900 m².
- 7. Notwithstanding Subsection 5.6.08(1) and 5.6.08(3), the minimum lot area that may be created by subdivision is 408m² and the minimum frontage and lot width that may be created by subdivision is 12.8m on Strata Lots 1 and 2 together with Common Property of Section 4, Esquimalt District, Strata Plan VIS4693 (Milburn Drive).

Comment [LG144]: Bylaw 200,
Amend. 9, Sept. 23, 1991

5.6.09 General

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