

10.8.1 Purpose

The purpose of this zone is to provide for the orderly development of the “Latoria Walk” land within South Colwood. A base level of development is provided for which would permit the development of the land in the zone at rural density. Alternative regulations are specified for development at greater density, subject to the owner providing amenities and affordable housing as contemplated by Section 904 of the *Local Government Act*.

10.8.2 Rural Development

The land in this zone may be developed in accordance with section 5.1, except that the uses specified in sections 5.1.01(1) through 5.1.01(6) are not permitted.

10.8.3 Comprehensive Development

1. Despite the restrictions on residential use and density in Section 10.8.2 the uses in Sections 10.8.4 are permitted in accordance with Sections 10.8.5 through 10.8.8 if the Owner:
 - a. provides affordable housing by contributing to an affordable housing reserve fund of the City \$500 per detached and townhouse dwelling unit; and
 - b. provides community amenities by contributing to a community amenity reserve fund of the City \$2,500 per detached and townhouse dwelling unit and \$1,500 per apartment dwelling unit and for this purpose “community amenity” means land for parks or playing fields and/or for community building use and for the construction of community buildings such as a community centre, youth centre, theatre, recreational buildings and facilities, and assembly and meeting space.
2. Payment shall be made at the time of approval of the subdivision creating the lot on which the detached dwelling unit or dwelling units are permitted to be constructed and at the time of issuance of a building permit for an attached dwelling unit.
3. Section 10.8.3.1 is not applicable to the first 4 dwelling units created in the zone.

10.8.4 Permitted Uses

In addition to the uses permitted by Section 2.1.10 the following uses and no others are permitted in the CD3 Zone:

1. Within that portion of the lands identified as Area 1 on the CD3 Zone Map:
 1. Attached housing;
 2. Apartment;
 3. Bakery, not exceeding 200 sq. m in floor area;
 4. Community care facility;
 5. Daycare;
 6. Home occupation – office use only;
 7. Offices;
 8. Park and open space;
 9. Personal service;
 10. Places of indoor recreation; Post office;

11. Premises licensed pursuant to the *Liquor Control and Licensing Act*;
 12. Assembly and entertainment uses, limited to indoor movie theatres, auditoriums, billiard and pool halls, bowling alleys, catering establishments, dance and fitness studios, gymnasiums, martial arts studios, schools and assemblies for educational and philanthropic purposes;
 13. Restaurant;
 14. Retail stores (excluding any establishment that is open to the public between the hours of midnight to 6.00 a.m.);
 15. Accessory buildings and structures; and
 16. Accessory dwelling unit.
2. Within that portion of the lands identified as Area 2 on the CD3 Zone Map:
 1. Attached housing including duplex units;
 2. 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;
 3. Home occupation – office use only;
 4. Automatic telephone exchange building;
 5. Park and open space;
 6. Accessory buildings and structures; and
 7. Accessory dwelling unit.
 3. Within that portion of the lands identified as Area 3 on the CD3 Zone Map:
 1. Detached dwelling;
 2. Attached dwelling;
 3. 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;
 4. Home occupation – office use only;
 5. Automatic telephone exchange building;
 6. Park and open space;
 7. Accessory buildings and structures; and
 8. Secondary Suite and Accessory dwelling unit.
 4. Within that portion of the lands identified as Area 4 on the CD3 Zone Map:
 1. Detached dwelling;
 2. Attached dwelling;
 3. 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;
 4. Home occupation – office use only;
 5. Accessory buildings and structures; and
 6. Secondary Suite or Accessory Dwelling Unit

10.8.5 Permitted Development

1. The floor space permitted in Area 1 shall not exceed 8,509m² of residential floor space and 2,318 m² of commercial floor space.
2. The number of dwelling units permitted in Area 2 shall not exceed 44.
3. The number of dwelling units permitted in Area 3 shall not exceed 63 detached dwellings and 10 attached dwelling units.

4. The number of dwelling units permitted in Area 4 shall not exceed 3 detached dwellings for 5 attached dwelling units.

10.8.6 Landscaping and Screening

1. 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.
2. Wherever possible, landscape and screening areas will retain existing trees and native vegetation and add planting that enhances the natural environment.
3. On attached housing lots a landscape screen must be provided along any interior or rear lot line. It must consist of a continuous landscape and screening area of at least 1 m in width containing a decorative fence of a minimum height of 1.5 m and native vegetation planting.
4. A landscape screen not less than 3 m in width and 1.75 m in height at the time of planting shall screen any commercial parking area from any abutting residential use.
5. 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 these facilities, and they must have the following widths, on all boundaries of the lot on which the facility is located, and the following maximum heights:
 - a. Pumping stations – 1.5 m wide and 1.5 m high;
 - b. Reservoirs and storm water detention ponds – 1.5 m wide and 3 m high;
 - c. Accessory buildings – 1.5 m wide and 1.8 m high; and
 - d. Automatic telephone exchange buildings – 3 m wide and 1.8 m high

CD3 ZONE MAP



10.8.7 Regulatory Conditions

Regulatory conditions shall be as shown on the following table:

	Area 1 Commercial/ Apartment Lots	Area 2 Attached Lots	Area 3 Housing Detached Lots	Area 4 Housing Detached Lots
Minimum lot area	695 m ²	1400 m ²	695 m ²	550m ²
Minimum lot frontage	18 m	1800 m	16 m	12.9 m
Minimum lot width	18 m	18 m	16 m	12.9 m
Maximum FSR	n/a	0.4	0.4	0.45
Maximum building height	15 m or four storeys	9 m	9 m	9 m
Maximum lot coverage	80% (principal building)	40% (principal building)	40% (all buildings & structures)	40% & (all buildings & structures)
Minimum yard requirements For principal buildings:				
Front	4.5 m	4.5 m	7 m	7 m
Rear	4.5 m	4.5 m	7 m	7 m
Side	3.0 m	1.5 m	1.5 m	1.5 m
Side Total			4.5 m	3 m
Flanking street	6.0 m	4.5 m	6 m	6 m
Minimum yard requirements for accessory buildings				
Rear	1.0 m	1.0 m	3 m	3 m
Side	1.5 m	1.5 m	1 m	1 m
Maximum combined floor area all accessory buildings	N/A	37 m ²	N/A	N/A

Notes:

1. The required minimum lot frontages in Area 3 are hereby reduced 25% in respect of detached and duplex lots abutting the turnaround portion of a cul-de-sac.
2. Where rear lane access is available, no front access to vehicle parking spaces is permitted.
3. Panhandle lots may be permitted."

10.8.8 Private Amenity Space

All attached housing units shall have a private amenity space of not less than 15 m² and no dimension less than 3 m located to the rear of the dwelling unit. This space shall be designed and landscaped for the outdoor leisure activities of the residents of the dwelling unit. The amenity space may be located above grade where units are designed at different elevations, such as in stacked units.

10.8.9 General

The relevant provisions of Division 2 shall apply. In the case of a conflict between the provisions of Division 2 and the provisions of this zone, the latter shall prevail.