

# Notice of 1<sup>st</sup> Reading Binder

digital version

The general purpose of proposed “**Colwood Land Use Bylaw No. 151, 1989, Amendment No. 202 (CD37, 3211 Jacklin Road), Bylaw No. 1971, 2023**” is to amend the Colwood Land Use Bylaw No. 151, 1989 to enable the construction of a mixed-use apartment building consisting of a total of 52 apartment dwelling units and 503 m<sup>2</sup> of commercial space.

Within the binder, please find a copy of:

1. Staff Report to Council – 3211 Jacklin Road (February 13, 2022)
2. Staff Presentation – 3211 Jacklin Road (February 13, 2022)
3. Proposed Bylaw No. 1971 (Land Use Bylaw Amendment)
4. Notice of Amending Bylaw
5. Public Input

Minutes and videos of Council and Committee of the Whole meetings are publicly available, and can be accessed through the following link:

- [City of Colwood - Meeting Portal](#)



## City of Colwood STAFF REPORT

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**To:** Council  
**Date:** February 13, 2023  
**From:** Desiree Givens, Planner II  
**RE:** Rezoning Application RZ-21-006 for 3211 Jacklin Road  
**File:** RZ 21-006 (3211 Jacklin Road)

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### RECOMMENDATION

THAT Council consider the following staff recommendation:

THAT an amending bylaw be prepared and brought forward for 1<sup>st</sup> and 2<sup>nd</sup> reading consideration to rezone 3211 Jacklin Road from Residential 1 (R1) Zone to a new Comprehensive Development 37 (CD37) Zone;

AND THAT an amending bylaw be prepared and brought forward for 1<sup>st</sup> and 2<sup>nd</sup> reading consideration to include the new CD37 zone within Sign District D;

AND THAT prior to scheduling 3<sup>rd</sup> reading of the amending bylaws, a Traffic Impact Assessment is to be accepted, to the satisfaction of City of Colwood.

AND THAT prior to adoption of the amending bylaws, a Section 107 Plan showing the proposed road dedication along Sooke Road to achieve a cross-section as adopted by Council must be submitted to the Ministry of Transportation and Infrastructure for signature and registered at the BC Land Titles Office.

AND FURTHER THAT prior to adoption of the amending bylaws, the following long-term conditions be registered within a Development Agreement:

**Prior to the issuance of a Building Permit:**

The Owner covenants and agrees with the City that the Lands shall not be built upon, and the Owner agrees it is not entitled to a building permit, unless and until:

**OFF-SITE WORKS**

1. Frontage improvements on Jacklin Road and Sooke Road are to be completed, or enter into a servicing agreement, as required by applicable City of Colwood bylaws and in accordance with the City of Colwood's Transportation Master Plan, as amended from time to time. The works will also include any upgrades and recommendations contained in a Traffic Impact Assessment accepted by the City of Colwood's Engineering Department.

**FORM AND CHARACTER**

2. All exposed under building parking must be screened from the view of adjacent properties and the public road using opaque or semi-opaque screen walls, public art, or other permanent architecturally treated surfaces. Further, under building parking located on the ground level or first storey must be located behind a commercial use.

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**SUMMARY AND PURPOSE**

The purpose of this report is to present to Council Rezoning Application RZ-21-006, which is requesting an amendment to the Land Use Bylaw to rezone 3211 Jacklin Road from the Residential 1 (R1) Zone to a new Comprehensive Development 37 (CD37) zone. The new zone would enable the construction of a mixed-use apartment building consisting of approximately 503 m<sup>2</sup> (5,417 sq. ft.) of ground floor commercial space and 52 condominium units as shown in Appendix 1 – Architectural Plans and Appendix 2 – Renderings.

The proposal could provide entry-level homeownership options for couples without children, as well as small families or singles, which would meet an area of need identified in the 2020 Housing Needs Assessment. The proposed rezoning is consistent with the policies of the Transit Growth Area land use designation contained in the City of Colwood’s Official Community Plan, which supports a maximum Floor Area Ratio of approximately 2.5 and multi-unit buildings up to approximately 6 storeys (in limited situations).

**STRATEGIC PLAN AND RELATED POLICIES**

To support mobility and prosperity objectives, the City of Colwood’s Strategic Plan 2019-2023 encourages increasing the convenience of mass transit, improving walkability and accessibility, and diversifying the City’s tax base.

According to the City of Colwood Housing Needs Report (Urban Matters 2020), the affordability gap analysis showed that lone-parent families and non-census families (e.g., individuals living alone) are facing the greatest housing challenges. Based on the affordability threshold of housing costs being no more than 30% of gross household income, a single-detached home is out of reach for lone-parents and none-census family households making the median income, even couples with children who tend to make higher incomes than other household types.

Community engagement findings in the Housing Needs Report suggest that Westshore communities are feeling housing pressures; stakeholders expressed that some households (e.g. renters, younger adults) cannot afford to transition into entry-level homeownership. Further, according to the report, an opportunity area for addressing housing issues in Colwood could be to locate affordable housing close to transit, services and in a walkable environment to help reduce the burden of vehicle costs.

**BACKGROUND****Applicant Information**

Applicant: Ben Gulbrandsen  
Owner: Pacific Viking Group Properties Inc.  
Address: 3211 Jacklin Road

<u>Legal:</u>	SECTION 76 ESQUIMALT DISTRICT EXCEPT PARTS IN PLANS 1205 OS, 354 RW, 11805, 18419, 18706, 19305, 19454, 32654, 35287, 41983, 43852, 43853, 45660, 47557 AND 48292 AND EXCEPT THAT PART BOUNDED ON THE WEST BY PLAN 525 RW, ON THE NORTH BY PLAN 354 RW AND ON THE SOUTHEAST BY PLAN 112 RW AND THE PRODUCTION SOUTH WESTERLY OF THE NORTH WESTERLY BOUNDARY OF SAID PLAN 112 RW
<u>Current Zoning:</u>	Residential 1 (R1) Zone
<u>Proposed Zoning:</u>	<u>New</u> Comprehensive Development Zone
<u>Current OCP Designation:</u>	Transit Growth Area
<u>Proposed OCP Designation:</u>	No Change
<u>Development Permit Area:</u>	Form and Character – Neighbourhood

**Application Review**

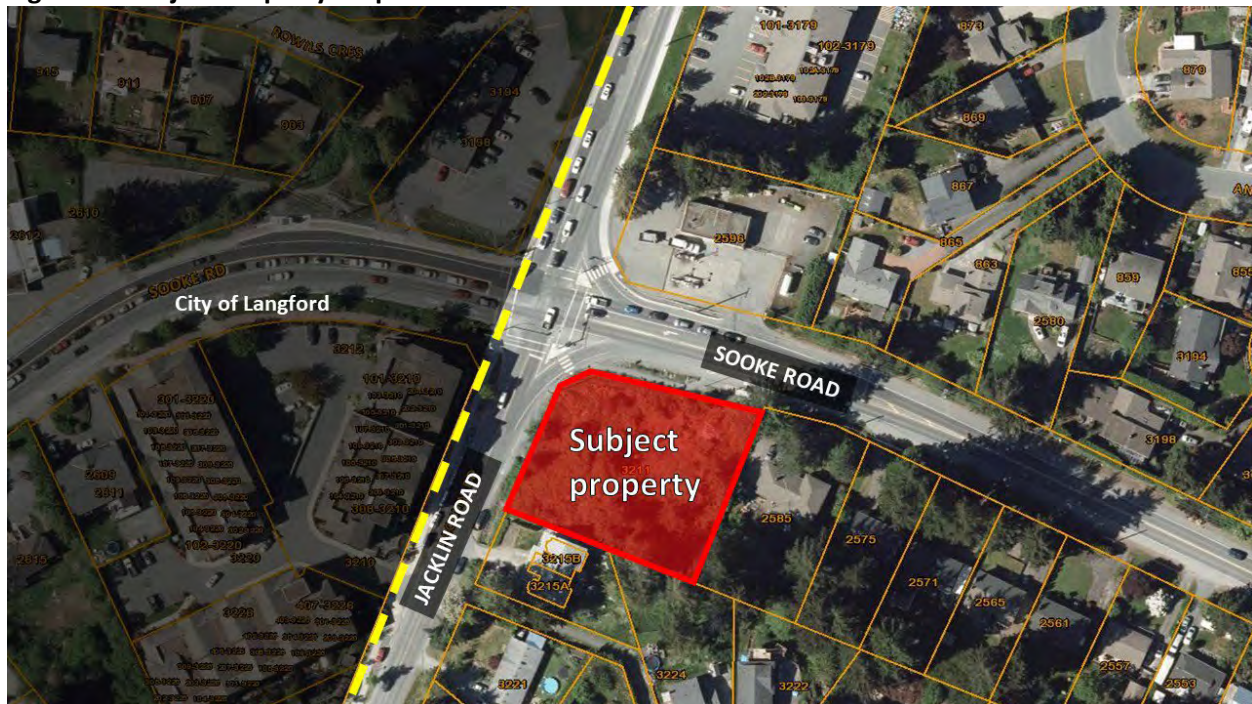
**1. Proposal**

The applicant is requesting an amendment to the Land Use Bylaw to rezone 3211 Jacklin Road from Residential 1 (R1) to a new comprehensive development zone that would enable the construction of a mixed-use apartment building consisting of approximately 503 m<sup>2</sup> (5,417 sq. ft.) of ground- and second-floor commercial space and 52 condominium units, including 40 one-bedroom units and 12 two-bedroom units.

**2. Site Context**

The subject property is located at the corner of Sooke Road and Jacklin Road. It is on the south side of Sooke Road and the east side of Jacklin Road as shown in Figure 1.

**Figure 1 - Subject Property Map**



The site is currently vacant. Table 1, below, shows the surrounding land uses.

**Table 1 – Existing Zoning and Uses of Adjacent Parcels**

Parcel(s)	Current Zoning	Current Land Use
North	Community Commercial (C2)	Fuel station (Columbia Fuels)
East	Residential 1 (R1)	Single family dwellings
South	Residential 1 (R1)	Single family dwellings
West	City of Langford, Comprehensive Development 7 (CD7) and District Commercial (C3)	Mixed use commercial residential apartment building

### 3. Land Use Bylaw No. 151

The subject property is currently zoned R1 zone, which permits a range of residential uses and accessory structures. The new comprehensive development zone would enable the construction of 52 apartment (condominium) units and a minimum of 500 m<sup>2</sup> of commercial space.

Table 2 compares the land use requirements imposed on the lands by the existing Residential 1 zone and the proposed requirements for the new CD37 zone.

**Table 2 – Comparison of Current and Proposed Zoning**

	Residential 1 Zone (Current)	New CD37 Zone (Proposed)
Minimum Lot Area	695 m <sup>2</sup> (Single family dwelling) 1,100 m <sup>2</sup> (Two family dwelling)	2,572 m <sup>2</sup>
Minimum Lot Width	16 m	40 m
Lot Coverage	Up to 35%	Up to 70%
Permitted Uses	One-family dwelling and two-family dwelling Group Home Use Home occupation Not more than 2 boarders or lodgers Accessory buildings & structures Secondary suite Accessory dwelling unit Show homes	Apartment Bakery Daycare Offices Personal Service Post Office Assembly and Entertainment Restaurants Retail Stores
Density	Not to exceed 0.4 FAR	Not to exceed 2.5 FAR
Height	8.5 m	20 m
Storeys	--	6 storeys
Parking	2 spaces per 1- and 2-family dwellings	As per Bylaw 1909, the Off-street Parking Regulations Bylaw
<b>Setbacks</b>		
Front	7.5 m	4.5 m
Rear	7.5 m	0 m
Interior Side	3 m	12.0 m (buildings) 2.0 m (parking structures)
Exterior Side	3 m	2.5 m
Side (All Others)	3 m	N/A

	Residential 1 Zone (Current)	New CD37 Zone (Proposed)
<b>Landscaping/Screening</b>		
<ol style="list-style-type: none"> <li>Whenever visible above finished grade from adjacent properties or public streets, loading areas, refuse removal areas and recycling containers must be screened by landscape or solid decorative fence or combination thereof; and,</li> <li>All mechanical, electrical, and other service equipment located outside or on the roof of a building must be screened from adjacent properties and streets by ornamental structures, landscaping, or other means.</li> </ol>		

**4. Official Community Plan (OCP) Bylaw No. 1700**

The subject property is designated as Transit Growth Area in the Official Community Plan (OCP). The Transit Growth Area land use designation supports low- to mid-scale, multi-unit residential uses at densities that support transit use along Sooke Road. This application is proposing a 6-storey mixed use residential building that is consistent with the character of the area and will provide housing choice to meet diverse household needs. Table 3, below, describes the OCP objectives for the land use designation and how the proposal aligns with those objectives.

**Table 3 – Compliance of Proposed Development with OCP Policies**

	Transit Growth Area OCP Policy	Proposal	Staff Comment
<b>Land Uses</b> Policy 7.2.23	<ul style="list-style-type: none"> <li>Multi-unit residential</li> <li>Live/work and home occupations</li> <li>Institutional</li> <li>Limited commercial and mixed-use, on a case-by-case basis</li> </ul>	Mixed-use Multi-unit residential Commercial	Policy met
<b>Built form</b> Policy 7.2.24.a	Ground-oriented buildings up to approximately four storeys & six storeys in limited situations, only when enhanced urban design mitigates impact of additional vertical impact.	6-storey building fronting Sooke Road set back approximately 13 metres (42 feet) from the south property line and 4.5 metres (14 feet) from the east property line.	Policy met
<b>Density</b> Policy 7.2.24.b	Floor area ratio (FAR) ranging up to approximately 2.5	2.47 FAR	Policy met
Policy 7.2.25 (a)	Providing access to and support for frequent transit, as part of the Transit Growth Area shown on Figure 8: Land Use	Proposed density and residential/commercial uses will provide future residents, tenants and visitors access to and support for frequent transit on Sooke Road.	Policy met
Policy 7.2.25 (b)	Sensitively increasing density while providing a gentle transition in scale to existing predominantly single-detached residential areas, as illustrated in the “Scale Transition” diagram in this sub-section.	Density is consistent with other proposed development on Sooke Road.	Policy met
Policy 7.2.25 (c)	Improving the public realm for pedestrians and transit users, with sidewalk amenities and improved transit facilities.	Frontage improvements will be installed on Sooke and Jacklin Road in accordance with the Transportation Master Plan and recommendations in an approved Traffic Impact Assessment, including	Policy met



Transit Growth Area OCP Policy		Proposal	Staff Comment
		sidewalks, bike lanes, and landscaped boulevards.	
Policy 7.2.25 (d)	Creating and maintaining a high degree of permeability – including walking connections – with adjacent residential areas leading to/from the frequent transit service.	Pathways, sidewalks, and patio spaces connect the adjacent residential areas to City sidewalks to maintain a high degree of permeability with the frequent transit service along Sooke Road.	Policy met
Policy 7.2.25 (e)	Enabling limited small-scale, neighbourhood-serving retail uses where there is a demand and where they do not compromise the viability of established centres and other commercial areas.	503 m <sup>2</sup> of limited neighbourhood oriented commercial proposed in an area that is in close proximity to multi-unit residential and commercial uses that complement the proposal.	Policy met
Policy 7.2.25 (f)	Designing buildings, public open spaces, and transportation networks to protect natural assets, consistent with site adaptive policies in Section 11: Park Areas and Natural Assets.	Not applicable as this site is not within an environmentally sensitive area and does not contain natural assets to protect.	Policy met

This application is also meeting broader city-wide OCP objectives and policies, including:

- Policy 6.2.1.2 Focus commercial growth and the greatest residential densities in 'Intended Growth Areas' (which includes lands designated as Transit Growth Area).
- Policy 6.2.3.1 Support increased transit demand by focusing residential growth within 200 metres of real travel distance of the Transit Growth Area identified on Figure 8: Land Use. Target a minimum overall gross density of 45 people per hectare. Based on Colwood's current average household size, this translates into a minimum density of approximately 17 units per hectare. *For reference, the applicant is proposing a density of 203 units per hectare.*
- Policy 8.2.4.2 Support BC Transit's Rapid and Frequent Transit Network.

## 5. Site Adaptive Planning

OCP Policy 11.2.2.3 encourages the application of site adaptive planning and design principles on all greenfield and hillside development sites. Given that this site is not greenfield and is not located within an environmentally sensitive or hazard development permit area, there is limited applicability of the principles seeking to preserve natural features and sensitive ecosystems. That said, the proposed built form would work with the site's topography and use a semi-sunken parkade structure and building foundation to retaining the slopes.

## 6. Off-Site Works

Frontage improvements along the property's frontage on Sooke and Jacklin Road are to be completed in accordance with the standards contained in the City of Colwood's Subdivision Servicing Bylaw No. 285, Transportation Master Plan (as amended from time to time), and any recommendations contained within an approved Traffic Impact Assessment (TIA).

Jacklin Road is categorized as a collector/arterial road that could potentially require up to a 25-metre right-of-way in the future. As Council has not yet considered or adopted a cross-section for Jacklin Road, any frontage improvements on Jacklin Road must comply with recommendations in an approved TIA.

Sooke Road is also categorized as a collector/arterial road in the Transportation Master Plan and is under the jurisdiction of the Ministry of Transportation and Infrastructure. In May 2022, the Transportation Committee considered several options for the long-term cross section of Sooke Road. Council has not yet endorsed the ultimate cross section for Sooke Road, but the Transportation Committee previously recommended a 30-metre right-of-way. The applicant's proposed road dedication on Sooke Road aligns with the Transportation Committee's recommendation as the site plan was designed to accommodate a 30-metre right-of-way by achieving 15 m from the centre line of the road.

At building permit the developer would be required to improve Sooke Road and Jacklin Road to the standards included in the City of Colwood Transportation Master Plan (as amended from time to time).

### Traffic Impact Assessment

The applicant has commissioned WATT Consulting to prepare a Traffic Impact Assessment (TIA) that reviews and comments on the surrounding road network and related intersections. Staff have reviewed the TIA and provided comments to the traffic consultant. Approval of the TIA is required prior to 3rd reading of the amending bylaw.

Recommendations in an approved TIA regarding road dedication and infrastructure improvements will form part of the requirements of the Development Agreement. Any required road dedication and frontage improvements would need to be provided or secured prior to final adoption of the amending bylaw.

### 7. Site Servicing

The site can be serviced by municipal water. Sewer will need to be extended to the site. The applicant is aware that water and sanitary capacity will need to be confirmed during the design stage, in advance of Building Permit consideration so the works can be available for connection.

### 8. Building And Life Safety

All upgrades necessary to serve the development are the responsibility of the developer. A Fire Underwriters Survey (FUS) report would be required if the development proceeds to the development permit stage. An approved FUS report is required prior to Building Permit approval.

### 9. Community Amenity Contributions

At its regular meeting on February 14, 2022, Council adopted an interim Community Amenity Contribution policy to guide negotiations with developers during rezoning consideration. The applicant is proposing to meet Council's policy as identified in **Table 1**.

**Table 1: Comparison of Contributions Proposed to Requirements in CAC Policy**

Contributions by type	Current Council Policy Requirements	Applicant's Proposed Contributions
Community Amenity Fund	\$4,500 per apartment dwelling unit	\$4,500* per apartment dwelling unit
Attainable Housing Policy	1 unit per every 10 residential dwellings must be provided to the City	\$1,500 *towards the Affordable Housing Reserve Fund <u>in lieu of</u> an in-kind unit



		contribution.
Fire Hall Fund	\$525*/dwelling *Subject to annual CPI increase	\$583*/dwelling

\* All contribution amounts shall increase annually effective on January 1st of each calendar year in which the amending bylaw is adopted as per the Victoria Consumer Price Index (CPI).

### 10. Legal Encumbrances

A Development Agreement would need to be registered on the property's title as a section 219 covenant outlining the long-term conditions associated with the proposal. Additional legal charges, including but not limited to a statutory right of way and private access easement, may also need to be registered on the lands once a recommendation for the application is endorsed by Council.

### 11. Public Engagement

As required by Development Application Consultation Policy DEV 001, the applicant conducted neighbourhood consultation in May 2021 by going door-to-door to hand deliver information packages to all property owners within 100 metres of the subject property and within Colwood's borders. Property owners of the adjacent properties were invited to participate in conversations with the applicant and provide comments and feedback on the application. A summary of the applicant's neighbourhood engagement strategy is included in Appendix 3.

Official community input will be gathered either through an opportunity for public input or through a public hearing. Please refer to the Communications section, below, for more information.

### OPTIONS / ALTERNATIVES

Council may wish to consider one of the following options:

**OPTION 1 - Please refer to the staff recommendation. Under this option opportunity for public input is provided prior to 1st reading**

**OPTION 2 - Staff Recommendation with the added requirement of holding a Public Hearing.**

THAT an amending bylaw be prepared and brought forward for 1<sup>st</sup> and 2<sup>nd</sup> reading consideration to rezone 3211 Jacklin Road from Residential 1 (R1) Zone to a new Comprehensive Development 37 (CD37) Zone;

AND THAT an amending bylaw be prepared and brought forward for 1<sup>st</sup> and 2<sup>nd</sup> reading consideration to include the new CD37 zone within Sign District D;

AND THAT a public hearing be scheduled prior to 3<sup>rd</sup> reading of the amending bylaws;

AND THAT prior to holding a public hearing, an approved Traffic Impact Assessment is accepted, to the satisfaction of City of Colwood.

AND THAT prior to adoption of the amending bylaws, a Section 107 Plan showing the proposed road dedication along Sooke Road to achieve a cross-section as adopted by Council must be submitted to the Ministry of Transportation and Infrastructure for signature and registered at the BC Land Titles Office.

AND FURTHER THAT prior to adoption of the amending bylaws, the following long-term conditions be registered within a Development Agreement:

**Prior to the issuance of a Building Permit:**

The Owner covenants and agrees with the City that the Lands shall not be built upon, and the Owner agrees it is not entitled to a building permit, unless and until:

**OFF-SITE WORKS**

1. Frontage improvements on Jacklin Road and Sooke Road are to be completed, or enter into a servicing agreement, as required by applicable City of Colwood bylaws and in accordance with the City of Colwood's Transportation Master Plan, as amended from time to time. The works will also include any upgrades and recommendations contained in a Traffic Impact Assessment accepted by the City of Colwood's Engineering Department.

**FORM AND CHARACTER**

2. All exposed under building parking must be screened from the view of adjacent properties and the public road using opaque or semi-opaque screen walls, public art, or other permanent architecturally treated surfaces. Further, under building parking located on the ground level or first storey must be located behind a commercial use.

**OPTION 3 - THAT the application be deferred for further information.**

**OR**

**OPTION 4 - THAT the application be denied.**

**COMMUNICATION**

A development notification sign was posted on the subject property as required under Bylaw 427 (Colwood Land Use Application Procedures Bylaw).

The application and supporting documents are also available for public viewing on the City's website and in person at City Hall during office hours.

The City has mailed notice to owners and occupants within a 75-metre radius of the subject property and posted notice on the City's website and in two consecutive issues of a local newspaper. The notice invited the public to provide comment on the application during the public participation portion of the meeting.

**FINANCIAL CONSIDERATION**

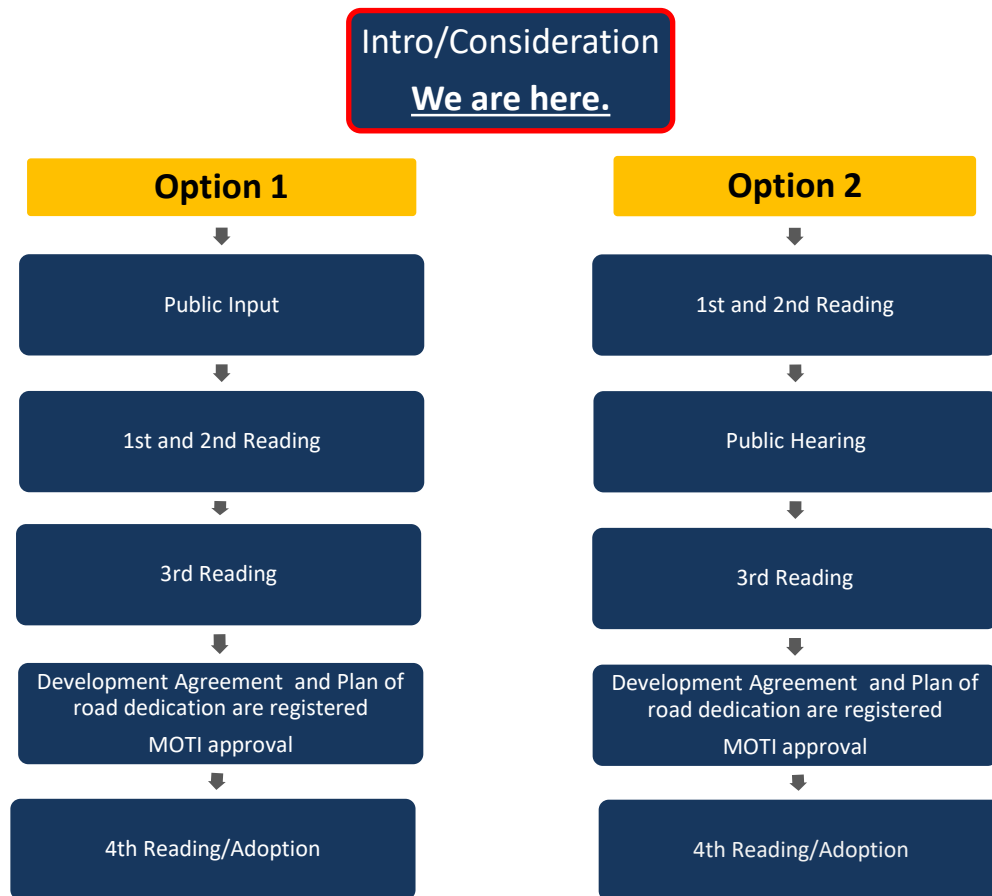
Rezoning the subject vacant site to enable residential development will increase the assessed value of lands, thus increasing taxable value. Table 2 provides a preliminary estimate of the developer contributions for the proposed 52 apartment dwelling units.

**Table 2: Preliminary Summary of Developer Contributions**

Contributions by Type	Rate per unit	Total	Bylaw/Policy Reference
CAC Fund	\$4,500*/unit	\$225,000	Policy C003
Affordable Housing Reserve Fund	\$1,500*/unit	\$75,000	Policy C003
Fire Hall Fund	\$583*/unit	\$30,316	Policy C003 (as amended)
School DCCs (payable to SD62)	\$700/unit	\$36,400	CRD Bylaw No. 2019-01
Road DCCs	\$4,264.60/unit	\$221,759	Bylaw No. 1839
Water DCCs (payable to CRD)	\$1,644/unit	\$85,488	CRD Bylaw No. 2758
Sewer enhancement fees	\$1,178/unit	\$61,256	Bylaw No. 1500

\* Subject to annual CPI increases

**TIMELINE**



**CONCLUSION**

The proposed development aligns with the policy objectives of the Transit Growth Area land use designation as well as the City’s broader OCP goals of increasing housing choices that meets a range of needs and lifestyles. Council may wish to consider endorsing the staff recommendation.

Respectfully submitted,

Reviewed By:

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Desiree Givens, MCRP  
Development Services Planner II

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Yazmin Hernandez, MCIP RPP  
Manager of Development Services

**ADMINISTRATORS COMMENTS:**

I have read the report and endorse the recommendation.

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Robert Earl  
Chief Administrative Officer

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**Attachments:**

**APPENDIX 1: Architectural Plans**

**APPENDIX 2: Renderings**

**APPENDIX 3: Summary of applicant-led neighborhood engagement**

**Staff Presentation**

# 3211 Jacklin Road

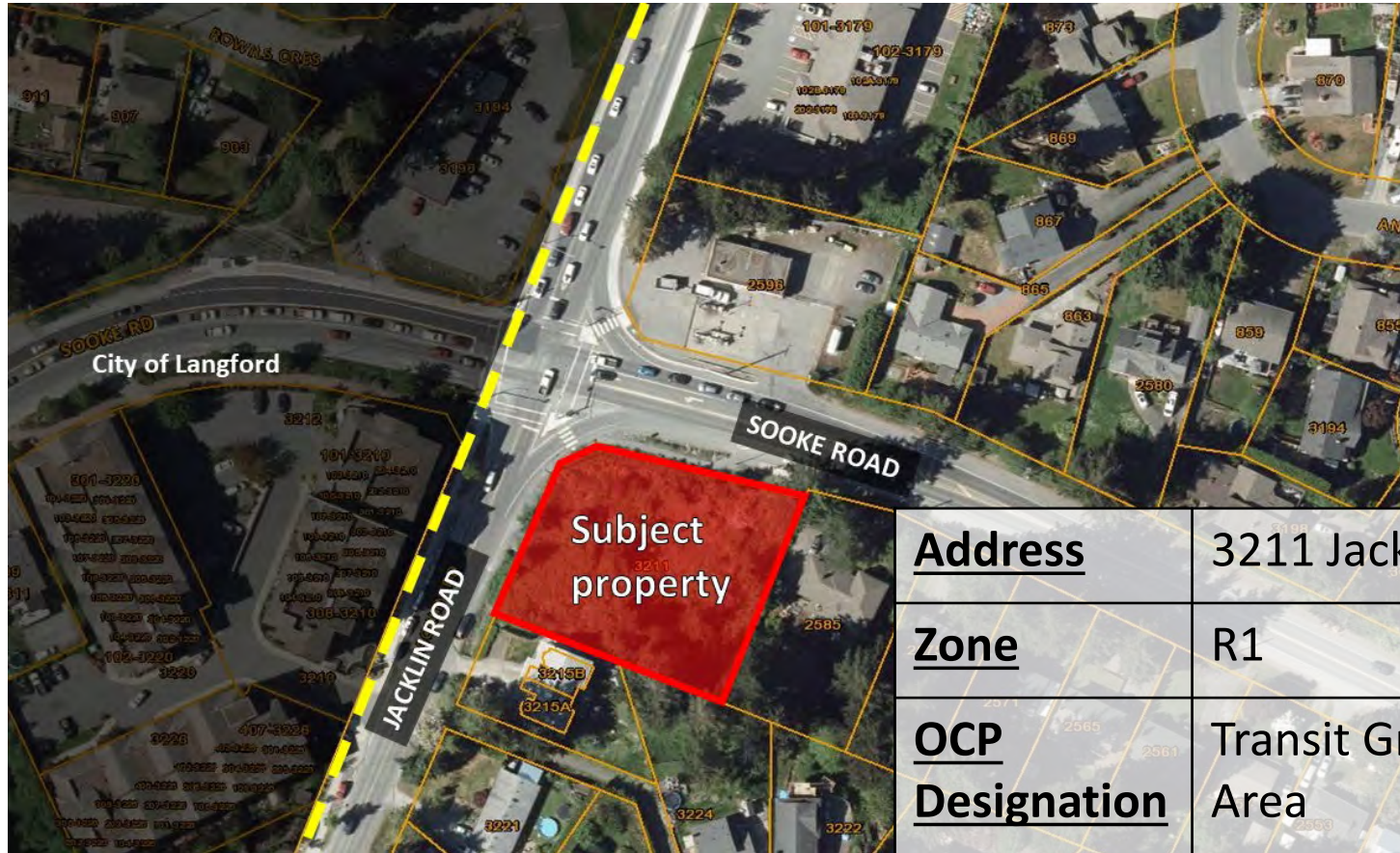
Rezoning Application

Council Meeting

February 13<sup>th</sup>, 2023



# Site Context



<b><u>Address</u></b>	3211 Jacklin Rd.
<b><u>Zone</u></b>	R1
<b><u>OCP Designation</u></b>	Transit Growth Area



# Proposal



\*\* This rendering is conceptual only. The building's materials, colours, and architectural details are subject to change.

# OCP Review: Built Form

## Transit Growth Areas



- Supports ground-oriented and **low-rise** buildings
- Up to approximately 4 storeys and 6 storeys in limited situations
- Floor Area Ratio up to 2.5

# OCP Review: Built Form

## 3211 Jacklin Road



6 storey mixed-use  
low-rise apartment  
building

Floor area ratio of  
2.47



# OCP Review: Public Realm

## Transit Growth Areas



Proposals should demonstrate improved public realm for pedestrians and transit users

# OCP Review: Public Realm

## 3211 Jacklin Road



Proposing new concrete sidewalk on Sooke Road and Jacklin Road

Other improvements to include bike lane and landscaped boulevards

# OCP Review: Natural Assets

## Transit Growth Areas



Design buildings, public open spaces and transportation networks to protect natural assets



# OCP Review: Natural Assets

## 3211 Jacklin Road



# Proposed New Zone

## Permitted Uses



- Apartment
- Bakery
- Daycare
- Offices
- Personal Service
- Post Office
- Assembly and Entertainment
- Restaurants
- Retail Stores

# Proposed New Zone

## Siting Regulations



**Height:**

6 storeys  
(18 metres)



**Density:**

2.47 FAR



# Communication



- Sign was posted on subject property in June 2021
- Applicant conducted neighbourhood consultation in May 2021
- Notices were sent out in advance of this meeting

# Timelines

Public Input /  
Consideration  
by Council  
We are here.

1<sup>st</sup> and 2<sup>nd</sup>  
Reading

Traffic Impact  
Assessment  
must be  
approved by  
Colwood's  
Engineering  
Department

3<sup>rd</sup> Reading

Register  
Development  
Agreement  
and Plan of  
Road  
Dedication

4<sup>th</sup> Reading /  
Adoption

# Options

**Option 1** Staff recommendation (public input)

**Option 2** Staff recommendation + public hearing

**Option 3** Defer the request for further information

**Option 4** Deny the application



**Thank you!**



**CITY OF COLWOOD  
BYLAW NO. 1971**

**A BYLAW TO AMEND THE “COLWOOD LAND USE BYLAW, 1989”**

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The City of Colwood Council, in open meeting assembled hereby enacts as follows:

**1. CITATION**

This bylaw may be cited as **“Colwood Land Use Bylaw, Bylaw No. 151, 1989, Amendment No. 202 (CD37 Zone – 3211 Jacklin Road), Bylaw No. 1971, 2023.”**

**2. AMENDMENT**

Bylaw No. 151, the **“Colwood Land Use Bylaw, 1989”** is amended as follows:

- a) Amend Schedule “A” (Zoning Map) by deleting from the Residential (R1) Zone and adding to the Comprehensive Development 37 (CD37) Zone, the properties shown in Schedule 1 attached to this bylaw and legally described as “Section 76 Esquimalt District Except Parts in Plans 1205 OS, 354 RW, 11805, 18419, 18706, 19305, 19454, 32654, 35287, 41983, 43852, 43853, 45660, 47557 AND 48292 and Except That Part Bounded on the West by Plan 525 RW, on the North by Plan 354 RW and on the South East BY Plan 112 RW and the Production South Westerly of the North Westerly Boundary of Said Plan 112 RW, PID 000-935-271.”
- b) In section 1.2 “Definitions”, add under the heading “COMPREHENSIVE DEVELOPMENT ZONES” and after “CD36” insert “CD37”.
- c) In section 1.2 “Definitions”, insert the following definition after “ATTACHED HOUSING”

**“ASSEMBLY AND ENTERTAINMENT”**  
means a use providing for the gathering of people or artifacts for scientific, educational, cultural, religious, philanthropic, charitable, or recreational purposes.
- d) In section 1.3.09 under the heading “SHORT FORM” and after “CD37” insert “CD36” and under the heading “ZONE” and after “Comprehensive Development 36” insert “Comprehensive Development 37”.
- e) After Section 10.41, add Section 10.42 “Comprehensive Development 37 (CD37) Zone, as per Schedule 2 of this bylaw.



## SCHEDULE 2

### SECTION 10.42 COMPREHENSIVE DEVELOPMENT 37 (CD 37 – 3211 Jacklin) ZONE

#### 10.42.1 Purpose

The purpose of this zone is to provide for the orderly development of the lands at 3211 Jacklin Road in Colwood. A base level of development is provided for which would permit the development of the lands in the zone at a low density. Alternative regulations are specified for development at greater density, subject to the owner providing amenity contributions as contemplated by Section 482 of the *Local Government Act*.

#### 10.42.2 Permitted Uses

- 1) In addition to the uses permitted by Section 2.1.10, the following uses and no others are permitted in the CD33 Zone:
  - i. Apartments
  - ii. Bakery
  - iii. Daycare
  - iv. Offices
  - v. Personal Service
  - vi. Post Office
  - vii. Assembly and Entertainment
  - viii. Restaurants
  - ix. Retail Stores

#### 10.42.3 Permitted Base Development

In the CD37 Zone the number of dwelling units shall not exceed 2.

#### 10.42.4 Comprehensive Development

- 1) Notwithstanding Section 10.42.3, the density of development in Section 10.42.5 is permitted on the lands shown on the CD37 Zone Map if the Owner:
  - a) Contributes to the Affordable Housing Fund \$1,500 per additional residential unit;
  - b) Contributes to the Community Amenity Fund \$4,500 per additional dwelling unit for an apartment;
  - c) Contributes to the Fire Hall Fund \$583 per additional dwelling unit;
- 2) All dollar amounts referred to in Section 10.42.4 (1) are the 2022 baseline rates and shall increase annually starting on January 1<sup>st</sup> of each year starting on January 1, 2023 as per the Victoria Consumer Price Index (CPI).

- 3) Payment of the contributions in Section 10.42.4 (1) shall be made at the time of issuance of a building permit.

#### 10.42.5 Development Regulations

- 1) Ground-floor residential uses are prohibited within 6 metres of any wall of a mixed-use building that abuts a street or pedestrian walkway.
- 2) A minimum commercial floor space of 500 m<sup>2</sup> shall be provided.
- 3) Regulation Table:

Regulation	General
Minimum Lot Area	2,500 m <sup>2</sup>
Minimum Lot Frontage	40.0 m
Maximum Floor Area Ratio	2.5
Maximum Lot Coverage	75 %
Maximum Building Height	6 storeys (up to a maximum of 20 m)
<b>Minimum Building Setbacks</b>	
Front	4.5 m
Interior Side	2 m (storeys 1 and 2) 13 m (storey 3 and above)
Exterior side	2.5 m
Rear	0 m

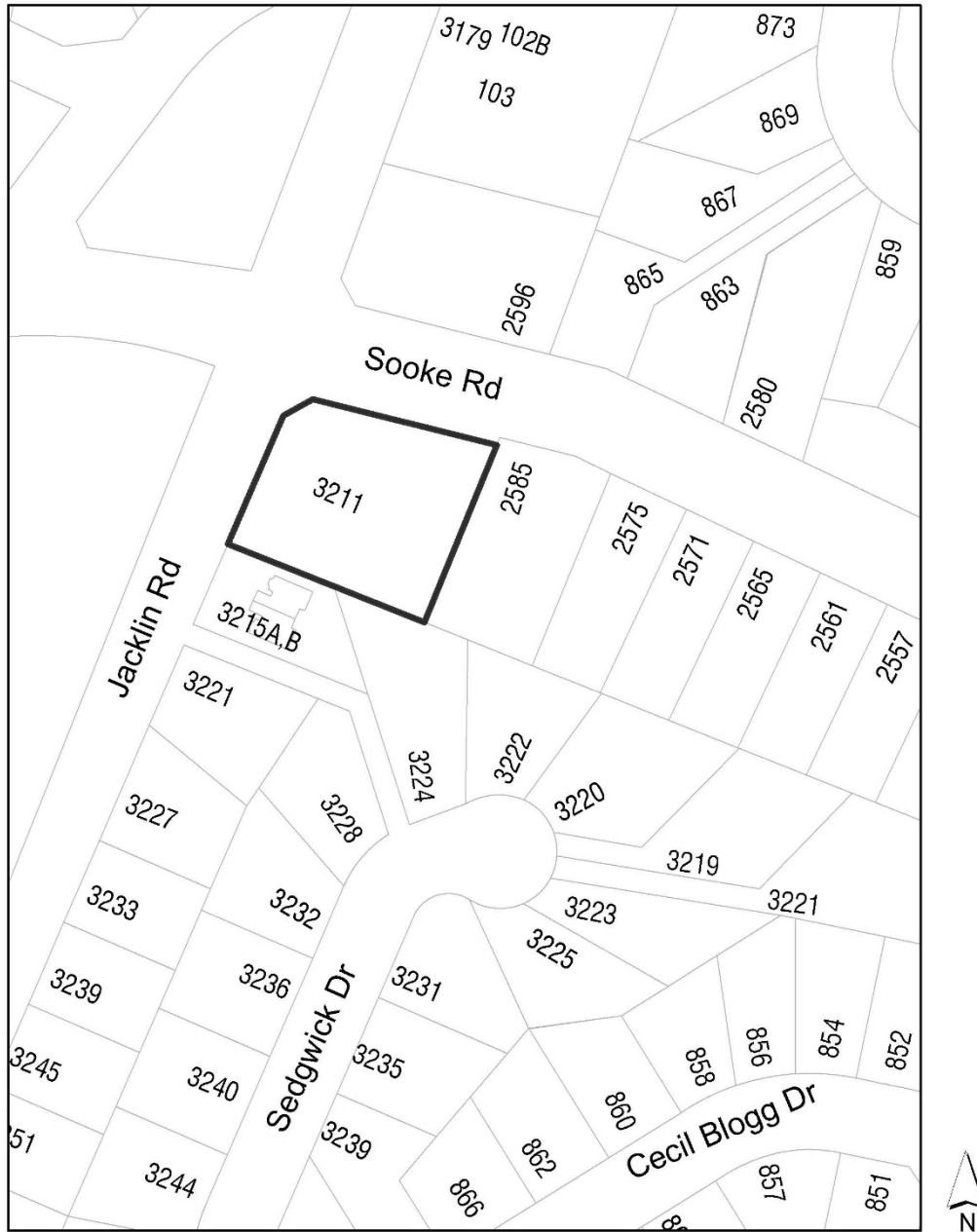
#### 10.42.6 Landscaping and Screening

- 1) Whenever visible above finished grade from adjacent properties or public streets, parking and loading areas, refuse removal areas and recycling containers must be screened by landscape or solid decorative fence or combination thereof; and,
- 2) All mechanical, electrical, and other service equipment located outside or on the roof of a building must be screened from adjacent properties and streets by ornamental structures, landscaping, or other means.

#### 10.42.7 General

The relevant provisions of Divisions 1 and 2 shall apply. In the case of a conflict between the provisions of Division 1 and 2 and the provisions of this zone, the latter shall prevail.

COMPREHENSIVE DEVELOPMENT 37 (CD37-3211 JACKLIN) ZONE





# NOTICE OF AMENDING BYLAWS

Colwood Land Use Bylaw No. 1958 (CD13 Zone – Text Amendment)  
Colwood Land Use Bylaw No. 1971 (CD37 - 3211 Jacklin Road)

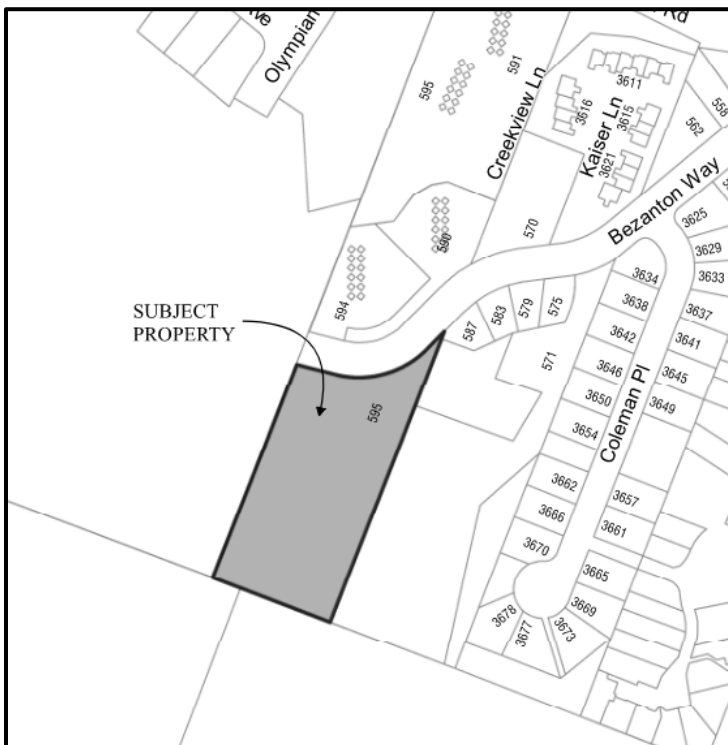
<b>MEETING:</b>	<b>Regular Meeting of Council</b>
<b>DATE and TIME:</b>	<b>Monday, February 13, 6:30 pm</b>
<b>PLACE:</b>	<b>Council Chambers, 3300 Wishart Road, Colwood BC</b>

NOTICE IS GIVEN that Council of the City of Colwood will consider First and Second Reading at the Regular Meeting of Council on Monday, February 13, 2023, at 6:30 pm in relation to the following bylaws:

## Colwood Land Use Bylaw No. 151, 1989, Amendment No. 199 (CD13 Zone - Text Amendment), Bylaw No. 1958, 2023

**PURPOSE:** To amend the permitted uses, height and front-yard setback in Area 4 of the CD13 Zone in the Colwood Land Use Bylaw to enable the construction of a six-storey building with 142 units.

**SUBJECT PROPERTY:** This Bylaw applies to the land legally described as “Lot C Section 60 Esquimalt Plan EPP23032, PID 001-125-354 (595 Bezanton Way).”



**INSPECTION OF MATERIALS:** Copies of the proposed bylaws and related materials can be viewed at [www.colwood.ca/publicnotices](http://www.colwood.ca/publicnotices) or in person at Colwood City Hall from February 2 to February 13, 2023 between 8:30 am and 4:30 pm, Monday to Friday excluding statutory holidays.

## We want to hear from you!

### WRITE TO US

The deadline for written submissions is 12:00 pm on the day of the meeting and must include your name and civic address.

- Email [corporateservices@colwood.ca](mailto:corporateservices@colwood.ca)
- Mail/Drop-off: City of Colwood, 3300 Wishart Road, Colwood, BC V9C 1R1

**NEED MORE INFORMATION?** Contact Development Services at 250-294-8153 or [planning@colwood.ca](mailto:planning@colwood.ca)

## Colwood Land Use Bylaw No. 151, 1989, Amendment No. 202 (CD37, 3211 Jacklin Road), Bylaw No. 1971, 2023

**PURPOSE:** To amend the Colwood Land Use Bylaw No. 151, 1989 to enable the construction of a mixed-use apartment building consisting of a total of approximately 52 apartment dwelling units and 502 m<sup>2</sup> of commercial space.

**SUBJECT PROPERTY:** This Bylaw applies to the land legally described as “Section 76 Esquimalt District Except Parts in Plans 1205 OS, 354 RW, 11805, 18419, 18706, 19305, 19454, 32654, 35287, 41983, 43852, 43853, 45660, 47557 AND 48292 and Except That Part Bounded on the West by Plan 525 RW, on the North by Plan 354 RW and on the South East BY Plan 112 RW and the Production South Westerly of the North Westerly Boundary of Said Plan 112 RW., PID- 000-935-271 (3211 Jacklin Road).”



### SPEAK TO COUNCIL

**In Person:** The public is welcome to provide comments in person during the public participation portion of the meeting.

**Electronically:** To pre-register to speak please contact [corporateservices@colwood.ca](mailto:corporateservices@colwood.ca) up until noon on the day of the meeting.