

CITY OF COLWOOD
NOTICE OF PUBLIC HEARING
Monday, May 13, 2019 at 6:45 p.m.
3300 Wishart Road Colwood BC Council Chambers

THE PURPOSE OF THE PUBLIC HEARING IS TO HEAR PUBLIC COMMENTS ON BYLAW NO. 1759 CITED AS THE "COLWOOD LAND USE BYLAW NO. 151, 1989, AMENDMENT NO. 167 (CD13 ZONE-LATORIA AND BEZANTON), BYLAW NO. 1759, 2019"

Approved By: Director of Corporate Services

The general purpose of Bylaw No. 1759 is to amend the current Section 10.18 Comprehensive Development 13 (CD13) Zone, in its entirety, with the amended Section 10,18 Comprehensive Development 13 (CD13)-Latoria and Bezanton of the Colwood Land Use Bylaw No. 151, 1989 to provide for the orderly development of lands adjacent to Latoria Road and Bezanton Way in south Colwood.

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This Notice is posted in accordance with "Council/Committee Procedure Bylaw No. 754, 2004" and the *Community Charter*.



STATEMENT TO BE READ BY THE CHAIR OF THE PUBLIC HEARING

This Public Hearing is convened pursuant to Section 465 of the *Local Government Act* to allow the public to make the representations to Council respecting matters contained in the following proposed Bylaw:

- 1. “Colwood Land Use Bylaw No. 151, 1989, Amendment No. 167 (CD13 Zone-Latoria and Bezanton), Bylaw No. 1759, 2019”.**

Every one of you present who believes that your interest in the property is affected by the proposed bylaw, shall be given a reasonable opportunity to be heard or to present written submissions respecting matters contained in the proposed bylaw. None of you will be discouraged or prevented from making your views known. However, it is important that you restrict your remarks to matters contained in the proposed bylaw.

When speaking please commence your remarks by clearly stating your name and address.

After this public hearing has concluded, Council may, without further notice, give whatever effect Council believes proper to the representations made at this hearing.

As a matter of information, the bylaw is on the Agenda for consideration later this evening. Please be reminded that there will be **no** opportunity to speak to the bylaw during Council at that time. That opportunity is now.

I will now ask the Planner to introduce the bylaw.



**CITY OF COLWOOD
BYLAW NO. 1759**

A BYLAW TO AMEND BYLAW NO. 151 BEING THE “COLWOOD LAND USE BYLAW, 1989”

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

1. Bylaw No. 151, the “Colwood Land Use Bylaw, 1989” is amended by replacing the existing Section 10.18 Comprehensive Development 13 (CD13) Zone, in its entirety, with the Section 10.18 Comprehensive Development 13 (CD13) - Latoria and Bezanton that is attached to this Bylaw as Schedule 1.

2. CITATION

This bylaw may be cited for all purposes as **“Colwood Land Use Bylaw No. 151, 1989, Amendment No. 167 (CD13 Zone – Latoria and Bezanton), Bylaw No. 1759, 2019”**.

READ A FIRST TIME ON THIS 23RD DAY OF APRIL 2019.

READ A SECOND TIME THIS 23RD DAY OF APRIL 2019.

PUBLIC HEARING HELD THIS _____ DAY OF _____, 2019.

READ A THIRD TIME ON THIS _____ DAY OF _____, 2019.

ADOPTED BY THE MUNICIPAL COUNCIL OF THE CITY OF COLWOOD ON THIS _____ DAY OF _____, 2019.

MAYOR

CORPORATE OFFICER

SCHEDULE 1

SECTION 10.18 COMPREHENSIVE DEVELOPMENT 13 (CD13) LATORIA AND BEZANTON ZONE

10.18.1. Purpose

The purpose of this zone is to provide for the orderly development of lands adjacent to Latoria Road and Bezanton Way in south Colwood. A base level of development is provided for which would permit the development of the lands in the zone at a rural 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*.

10.18.2. Permitted Uses

- 1) In addition to the uses permitted by Section 2.1.10, the following uses and no others are permitted in the CD13 Zone:
 - a) Within that area of the lands identified as Area 1 on the CD13 Zone Map in section 10.18.11:
 - i. Apartment, including Senior Citizen Apartments
 - ii. Attached housing
 - iii. Accessory Dwelling Units
 - iv. Bakery, not exceeding 200 m² in floor area
 - v. Live / Work Studios
 - vi. Offices – commerce and professional only
 - vii. Premises licensed pursuant to the *Liquor Control and Licensing Act*, including a Public House or Brewhouse
 - viii. Restaurant
 - ix. Retail stores, excluding any establishment that is open to the public between the hours of 12:00 a.m. to 6:00 a.m.
 - x. Home occupations – office use only
 - xi. Sales centre not exceeding 180m²
 - xii. Accessory buildings and structures including recreation and amenity facilities
 - b) Within that area of the lands identified as Area 2 and 5 on the CD13 Zone Map in Section 10.18.11:
 - i. Park and Open Space

- c) Within that area of the lands identified as Area 3 and 4 on the CD13 Zone Map in Section 10.18.11:
 - i. Apartment (Senior Citizens)
 - ii. Attached housing
 - iii. Two-family dwellings
 - iv. Home occupations – office use only
 - v. Sales centre not exceeding 180m²
 - vi. Accessory buildings and structures including recreation and amenity facilities

10.18.3. Permitted Base Development

- 1) In the CD13 Zone the number of dwelling units shall not exceed 2 per lot.

10.18.4. Comprehensive Development Conditions

- 1) Notwithstanding the restriction in Subsection 10.18.3 (1), the density of development in Section 10.18.5 is permitted in the CD13 Zone in accordance with Sections 10.18.4 through 10.18.10 if the Owner:
 - a) contributes toward the Community Amenity Reserve Fund the amount of \$2,500 per attached dwelling unit and \$1,500 per apartment dwelling unit in excess of 2 dwelling units on the lands;
 - b) provides a minimum of 24% of the parent parcel for public open space and;
 - c) contributes toward the Latoria Road Capital Reserve in the amount of \$3,000 per townhouse unit and \$2,400 per apartment unit for the general improvements of Latoria Road.
- 2) Subsection 10.18.4. 1) is not applicable to the first 6 units in the CD13 Zone.

10.18.5. Permitted Density

- 1) In Area 1 the total number of dwelling units shall not exceed 29 and the maximum floor area for commercial uses shall not exceed 960 m².
- 2) In Area 3 the total number of dwelling units shall not exceed 64.
- 3) In Area 4 the maximum floor area ratio shall not exceed 1.2

10.18.6. Regulatory Conditions

- 1) Regulatory conditions shall be as shown on the following table:

	Area 1	Area 3	Area 4
Maximum building height (storeys)	4	7	3
Maximum lot coverage	40 %	40 %	40 %
Minimum yard requirements for principal buildings			
Front	7.5 m	7.5 m	7.5 m
Rear	7.5 m	7.5 m	7.5 m
Side (east property boundary)	4.5 m	4.5 m	4.5 m
Side (west property boundary)	4.5 m	4.5 m	4.5 m

10.18.7. Building Separations

- 1) Minimum building separations shall be as follows:
- a) Apartment to apartment: 10.0 m
 - b) Apartment to attached housing: 30.0 m
 - c) Attached housing to attached housing: 5.0 m

10.18.8. 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) Landscape and screening areas will retain existing trees and native vegetation and add planting that enhances the natural environment.
- 3) 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 such facilities, and they must have the following minimum 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) Water 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;
 - d) Telephone, radio and television transmission towers. 3m wide and 3m high

10.18.9. Subdivision Requirements

- 1) The minimum lot size that may be created by subdivision is 1,600 m².
- 2) The minimum lot frontage that may be created by subdivision is 25 m.

- 3) Land in the CD13 zone shall not be subdivided other than by building strata unless the owner grants to the City a covenant under s.219 of the Land Title Act allocating among the parcels created the density of development permitted by this bylaw in the CD13 Zone, including the base density permitted by Section 10.18.3 and the additional density permitted by Section 10.18.5, together with the attainable housing and amenity contributions required in relation to such additional density, such that the development of all of the subdivided parcels cannot exceed the overall limits for the CD13 zone established by this bylaw.

10.18.10. 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.

10.18.11. Zone Map

CD13 Zone Map



3900-20-LAN-16998-Land Use Bylaw No. 151-Amend. No. 167 (CD13 Zone-Latoria and Bezanton)