
THE CORPORATION OF THE DISTRICT OF CENTRAL SAANICH

BYLAW NO. 2196

A Bylaw to Amend Zoning Bylaw
(Bill 44 – Housing Amendments for Small Scale Multi-Unit Housing,
Inside Urban Containment Boundary)

WHEREAS the Council by Bylaw No. 2180, 2024 adopted the Zoning Bylaw and deems it appropriate to amend the Zoning Bylaw;

WHEREAS the Province of British Columbia has enacted Bill 44 Housing Statutes (Residential Development) Amendment Act, 2023, which amends the *Local Government Act* by adding section 481.3 (4) requiring local governments to exercise their zoning powers under section 479 to permit at least the prescribed number of housing units within a restricted zone within an urban containment boundary;

WHEREAS the Province of British Columbia prohibits the holding of a public hearing for the sole purpose of complying with section 481.3 of the *Local Government Act*;

WHEREAS Bylaw No. 2196 proposes amendments that are beyond the minimum requirement of section 481.3 of the Local Government Act that a public hearing to hear on elements of the bylaw is permitted;

NOW THEREFORE the Council of the Corporation of the District of Central Saanich, in open meeting assembled, enacts as follows:

1. TEXT AMENDMENT

Appendix A, to Zoning Bylaw No. 2180, 2024, as amended, is hereby amended as follows:

a) Amend the definition of “Lot” to read as follows: Lot means the smallest unit into which land is subdivided into a single real estate entity as shown on records of the Land Title and Survey Authority as a fee simple or bare land parcel, and excludes any land identified as common property or limited common property on a bare land strata plan and does not include building strata lots.”

b) Inserting to Part 1, Definitions in the correct alphabetical order the following:

“Duplex” – see Residential Two Family.

“Small Scale Multi-Unit Development” means residential developments located on lands with a Land Use Designation in the Official Community Plan of Neighbourhood Residential or Corridor Residential having a minimum of three dwelling units.

c) Amend 3.7.2 which allows non-conforming lots to be developed under different zoning regulations by deleting paragraphs 3.7.2(1) “all existing lots less than 660 m2 in area may be developed only in accordance with the provisions of the R-1S Zone” and 3.7.2(2) “existing lots equal to or greater than 660 m2 but less than 1560m2 in area may be developed only in accordance with the provisions of the R-1 Zone.”

d) Amend 4.2.1 by replacing “Not more than one principal building shall be located on any lot in an R or RE zone” with “Not more than one principal building shall be located on any lot in an RE zone.”

e) Amend 4.4.4 by replacing “Residential Single Family and Residential Two Family uses” with “residential zones” such that it reads “In the case of residential zones, an unlicensed vehicle shall not be parked or stored in the required Front Yard of a lot.”

f) Amend 4.7.1:

- i. Paragraph (1) by replacing “in an A, C, P or I zone...” with “in an Agricultural, Commercial, Institutional or Industrial zone....”,
- ii. Paragraph (2) by replacing “in an R zone....” with “in a Residential zone...”
- iii. Paragraph (3) by replacing “in an or P zone...” with “in a Residential or Institutional zone...”

g) Delete Part 4, Section 12 and replace with the following:

12 ACCESSORY DWELLING UNIT

1. General:

- (1) Accessory Dwelling Units shall be occupied for residential purposes only and shall not be rented for an occupancy period of less than 30 days.
- (2) An Accessory Dwelling Unit shall not be used as a Bed and Breakfast or short-term vacation rental.
- (3) Off-street parking for an Accessory Dwelling Unit shall be provided in accordance with this Bylaw.
- (5) Secondary service connections from municipal systems to serve a Detached Accessory Dwelling is prohibited.

Information Note: *upgrades to the existing services may be required due to the increased demand, including for private septic systems or potable water supply. Confirmation of adequate services will be required as part of the Building Permit application.*

2. Where permitted inside the Urban Containment Boundary:

- (1) A Secondary Suite is permitted in a residential zone in this Bylaw and must be wholly contained within the principal dwelling.
- (2) No Secondary Suite may be stratified, subdivided, or otherwise legally separated from the principal residential dwelling.

3. Where permitted outside the Urban Containment Boundary:

- (1) Where an accessory dwelling unit is permitted in a residential zone in this Bylaw, only one accessory dwelling unit is permitted per lot in the form of a secondary suite wholly contained within the principal single family dwelling, or as a Detached Accessory Dwelling unit in accordance with Section 12 of this Part.
- (2) A Detached Accessory Dwelling is permitted in the form of a one-storey cottage or two-storey carriage house.
- (3) Detached Accessory Dwellings shall not include any basement area.
- (4) Where a Detached Accessory Dwelling is permitted and the accessory dwelling unit is sited within a building containing another accessory use, there shall be no internal connection between the accessory use and dwelling unit and each use

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- (5) shall have its' own separate entrance.
No Accessory Dwelling Unit may be stratified, subdivided, or otherwise legally separated from the principal residential dwelling.

- h) Delete Part 4, Section 13.
- i) Amend Part 5, by deleting the following zones in their entirety:
- i. Large Lot Single Family Residential R-1
 - ii. Medium Lot Single Family Residential R-1M
 - iii. Small Lot Single Family Residential R-1S
 - iv. Zero Lot Line Single Family Residential R-1Z
 - v. Single Family Residential Infill R-1XS
 - vi. Residential Two Family R-2
 - vii. Small Lot Two Family Residential R-2S
 - viii. Residential Carriage House RCH
 - ix. Residential Multi-Unit Infill RM-6
 - x. Comprehensive Development Zone 7 CD-7 (6871 Central Saanich Road)
 - xi. Comprehensive Development zone 10 CD-10 (Harvest Ridge)
- j) Amend Part 5, by adding two new zones Residential Neighbourhood and Residential Corridor, that are attached to this bylaw as Schedules A and Schedule B, and renumbering the sections accordingly.
- k) Amend the list of Zone Classifications in Section 5.3 to reflect the zone deletions and additions and rename the Section to 5.3 (1).
- l) Amend Part 5, by inserting a new section 5.3 (2) and renumbering the following section as follows:

“PREVIOUS SITE SPECIFIC APPROVALS

Prior to the enactment of Bill 44 for Small Scale Multi-Unit Housing, the following site specific regulations were identified within the underlying zone regulations. To respond to Bill 44 a number of previous zones were replaced with the Residential Neighbourhood or the Residential Corridor zones. The following regulations originate from zones that were deleted but are still applicable solely to the specified property. Any other site specific approvals continue to be found within the underlying zone regulations.

1. Former R-1 Zone: Despite the maximum lot coverage and height of accessory buildings in the R-1 (Large Lot Single Family Residential) Zone, for Lot 14, Section 4, Range 4 East, South Saanich District, Plan 26872 (**8020 Arthur Drive**), the maximum lot coverage for accessory buildings is 8.3% or 110 m², whichever is less, and the maximum height of an accessory building is 4.8m.

2. Former R-1 Zone: Despite the minimum rear yard setback and lot coverage and size, the minimum rear yard setback for a cottage use is 1.57m, and a cottage of 80 m² is permitted for Lot 2, Section 14, Range 4 East, South Saanich District, Plan VIP57799 **(6645 Central Saanich Road)**.

3. Former R-1S Zone: Despite the regulations above, the following regulations shall apply to Amended Lot 4 (DD178141I), Section 10, Range 2 West, South Saanich District, Plan 2332 **(7227 Peden Lane)**:

- | | |
|------------------------|--|
| a. Front Yard | minimum of 6.0 m |
| b. Accessory Rear Yard | minimum of 1.5 m for accessory buildings less than 26 m ² floor area and 3.5 m height |
| c. Side Yard Interior | minimum of 3.0 m, total two sides |
| d. Side Yard Exterior | minimum of 1.5 m |
| e. Building Height | maximum of 8.0 m |
| f. Lot Area | minimum of 367 m ² |
| g. Lot Frontage | minimum of 9.9 m |
| h. Floor Area Ratio | maximum of 0.45 |

4. Former R-1XS Zone: Despite the regulations above, the following regulations shall apply to the South Part of Lot 3 Section 4 Range 2 East SSD Plan 3123 **(8026 East Saanich Road)** the North Part of Lot 3 Section 4 Range 2 East SSD Plan 3123 **(8034 East Saanich Road)**, the South Part of Lot 2 Section 4 Range 2 East SSD Plan 3123 **(8042 East Saanich Road)** and the North Part of Lot 2 Section 4 Range 2 East SSD Plan 3123 **(8054 East Saanich Road)**:

Proposed Lot:	1 - 6	7	8 - 12	A - D
minimum Front Yard	5.5m	5.5m	5.5m	3m
minimum Rear Yard	6m	6m	4m	1.2m
min. Side Yard Interior	1.2m	0.6m	1.2m	1.2m
min. Side Yard Exterior	n/a	n/a	n/a	3m

5. Former R-1XS Zone: Notwithstanding the Floor Area Ratio outlined above, the maximum Floor Area Ratio for a principal dwelling on proposed Lot A is 0.3 for the land legally described as Lot 2, Section 10, Range 1 West, South Saanich District, Plan 17731 – Parcel Identifier 003-827-585 **(1044 Clarke Road)**.

6. Former R-1XS Zone: Despite the regulations above, the following shall apply to Lot A, Section 11, Range 1 West, South Saanich District, Plan 46999 – Parcel Identifier 011-646-101 **(7129 Hagan Road)**:

Floor Area Ratio maximum of 0.504 for proposed Lot 1

Floor Area Ratio maximum of 0.72 for proposed Lot 2 to permit a secondary suite

7. Former R-1XS Zone: Notwithstanding the maximum permitted floor area for a principal residence in Subsection 6, on the land legally described as Lot 2, Block 2, Plan VIP11450, Section 12, Range 2 West, Land District 65 – Parcel Identifier 004-173-881 **(6895 Woodward Drive)**, the maximum permitted floor area shall be 256 m² for Lot 1 and 261 m² for Lot 2.

8. Former R-2S Zone: Despite the regulations above, the following regulations shall apply to Lot A, Section 5, Range 3 East, South Saanich District, Plan 43703 **(7895 East**

Saanich Road):

- | | | |
|-----------------------|------------|------------------------|
| a. Front Yard | minimum of | 1.5 m |
| b. Rear Yard | minimum of | 2.0 m |
| c. Side Yard Interior | minimum of | 3.0 m, total two sides |
| d. Side Yard Exterior | minimum of | 1.5 m |
| e. Lot Coverage | maximum of | 33% |
| f. Floor Area Ratio | maximum of | 0.6 |

9. Former RCH Zone: Despite the regulations above, an accessory dwelling unit in the form of a carriage house with a maximum height of 6.5 m is permitted on Lots 12 to 18 of Strata Plan EPS4628 ***(8040 to 8052 East Saanich Road).***

- m) Inserting to Part 6, Table 2: Number of Required Parking Spaces Based on Land Use, the following row in the “Residential” section

LAND USE CATEGORY	MINIMUM NUMBER OF REQUIRED OFF-STREET PARKING SPACES	MINIMUM ENERGIZED SPACES	MINIMUM EVSE	MINIMUM CHARGING LEVEL
Small Scale Multi-Unit Development	1 per dwelling unit for three or more units Less than 3 units must meet the minimum parking requirements for the specific residential use in this table	100%*	0	L2M

- n) Amend Part 6, Table 5 Screening Requirements by:

- i. replacing R-1, RCH, R-1M, R-1S, R-1Z, R-1XS, R-2, R-2S, and CD-7 in the second row with R-N and R-C, and
- ii. deleting CD-10 from the fourth row.

2. MAP AMENDMENT

Schedule 1 (Zoning Map) of Appendix “A” of Bylaw No. 2180, 2024, as amended, is hereby further amended by:

- a) removing the following zones throughout the District:
- Large Lot Single Family Residential R-1
 - Medium Lot Single Family Residential R-1M
 - Small Lot Single Family Residential R-1S
 - Zero Lot Line Single Family Residential R-1Z
 - Single Family Residential Infill R-1XS
 - Residential Two Family R-2
 - Small Lot Two Family Residential R-2S
 - Residential Carriage House RCH
 - Residential Multi-Unit Infill RM-6
 - Comprehensive Development Zone 7 CD-7 (6871 Central Saanich Road)

- A-1 Zone only for 1993 Stelly's Cross Road (PID: 003-653-269) and 1981 Stelly's Cross Road (PID: 003-704-637)
- P-1 Zone only for 788 Sea Drive (PID: 006-280-731)
- RM-6 Zone only for 8194 Derrinberg Road (PID: 029-722-802)
- RM-1 Zone only for 8187 Derrinberg Road (PID: 002-609-746)

b) Identifying any existing parklands captured within residential zoning as the Parks and Open Space zone P-2.

READ A FIRST TIME this	day of	, 20__
READ A SECOND TIME this	day of	, 20__
PUBLIC HEARING HELD this	day of	, 20__
READ A THIRD TIME this	day of	, 20__
ADOPTED this	day of	, 20__

Emilie Gorman
Corporate Officer

Schedule "A" - Bylaw No. 2196, 2024

RESIDENTIAL NEIGHBOURHOOD (RN):

1. PERMITTED USE:

- a) The following are permitted as principal uses:
 - i) Residential
- b) The following are permitted as accessory uses:
 - i) Secondary Suite in accordance with Part 4, Section 12 & 13
 - ii) Home Occupation in accordance with Part 4, Section 10
 - iii) Accessory residential uses in accordance with Part 4, Section 3

REGULATIONS TABLE

Lot Size		Small lots	Mid-size lots	Large lots
		280 m ² or less	> 280 m ² to 1,000 m ²	> 1,000m ²
2.	DENSITY:	The maximum density permitted on a lot shall be:		
a)	Max. Housing Density:	3 dwelling units	4 dwelling units	Lots: >1,000 to 1,500 m ² – 6 dwelling units Lots: > 1,500 m ² – 8 dwelling units
b)	Subject to Conditions:	Despite the above, any property that is not connected to municipal water and sanitary sewer services shall be limited to one principal dwelling and one accessory dwelling unit.		
	Information Note: The number of permitted dwelling units is not an unrestrained guarantee of achievable density since development proposals must comply with all other municipal regulations, provincial and federal legislation, and any covenants or other legal encumbrances registered on title.			
c)	FAR:	The maximum Floor Area Ratio for all residential buildings on a lot shall be:		
	1 to 2 units	0.50	0.5	0.45
	3 to 4 units	0.65	0.65	0.60
	5 to 8 units	n/a	n/a	0.70
3.	BUILDING LIMITATIONS:			
a)	Gross Floor Area:	The maximum Gross Floor Area for non-habitable buildings on a lot shall be:		
		Total of 10 m ²	Total of: <ul style="list-style-type: none">35 m² for lots up to 500 m² or50 m² for lots up to 1,000 m²	Total of 60 m ²

Schedule “A” - Bylaw No. 2196, 2024

Lot Size		Small lots	Mid-size lots	Large lots
		280 m ² or less	> 280 m ² to 1,000 m ²	> 1,000m ²
b)	Residential Buildings:	The maximum number of residential buildings on a lot shall be:		
		1	2	3
4.	HOUSING FORMS:	The following housing forms are permitted:		
		Detached dwelling with/without secondary suite Duplex with/ without secondary suite Triplex apartment	Detached dwelling with/without secondary suite Duplex with/without secondary suites Triplex apartment Fourplex apartment	Detached dwelling with/without secondary suite Duplex with/without secondary suites Townhouses with/without secondary suites Apartment (3 or more units)
5.	HEIGHT:	The maximum height of buildings and structures shall be:		
a)	Residential Buildings:	8 m 2 storeys above grade	8 m and 2 storeys above grade for building containing 1 or 2 units 11 m and 3 storeys above grade for buildings containing 3 or more units	
b)	Non-habitable Buildings:	3.5 m		
6.	SITING:	Siting of buildings and structures shall be setback from lot lines as follows:		
	Information Notes: <ul style="list-style-type: none">• Applies to all buildings and unenclosed attachments.• Excludes landscaping features and fences which may be at 0 m• Additional setback requirements may apply, review General Regulations			
a)	Front lot line:	6 m		
b)	Rear lot line:	7 m		
		3 m: for habitable dwellings less than 4.5 m in height with no portion of the roof above 5.5m 1.5 m: non-habitable accessory buildings		
c)	Side lot line (interior):	1.5 m for buildings or portions thereof up to 8 m in height 2.5 m for buildings or portions thereof up to 11 m in height 3.5 m where vehicular access to the rear is required for parking purposes		
d)	Side lot line (exterior):	4.5 m		

Schedule "A" - Bylaw No. 2196, 2024

Lot Size		Small lots	Mid-size lots	Large lots
		280 m ² or less	> 280 m ² to 1,000 m ²	> 1,000m ²
e)	<i>Exception:</i>	Despite the above setbacks, non-habitable accessory buildings with a floor area less than 10 m ² and a height less than 3 m may be sited 1 m from a rear or side lot line		
7.	LOT COVERAGE:			
a)	<i>Buildings and Structures:</i>	The maximum lot coverage for all buildings and structures on a lot shall be as follows:		
	<i>1 to 2 units</i>	40%	35%	30%
	<i>3 to 4 units</i>	50%	45%	40%
	<i>5 to 8 units</i>	n/a	n/a	45%
b)	<i>Soft Landscaping:</i>	The minimum lot coverage for soft landscaping on a lot shall be as follows:		
		15%	15% for lots < 500 m ² 20% lots ≥500 m ²	25%
	Information Note: the required area for Soft Landscaping does not include areas of permeable paving, gravel, or non-organic materials. Soft landscaping within required setback areas may be included.			
8.	SUBDIVISION:	To create a new lot by subdivision, any proposed lots shall meet the following:		
a)	<i>Lot Area:</i>	The minimum lot area for any lot created by subdivision is 750 m ²		
b)	<i>Frontage:</i>	The minimum frontage for any lot created by subdivision is 22 m		

Schedule "B" - Bylaw No. 2196, 2024

RESIDENTIAL CORRIDOR (RC):

1. PERMITTED USE:

- a) The following are permitted as principal uses:
 - i) Residential
- b) The following are permitted as accessory uses:
 - i) Secondary Suite in accordance with Part 4, Section 12 & 13
 - ii) Home Occupation in accordance with Part 4, Section 10
 - iii) Accessory residential uses in accordance with Part 4, Section 3

REGULATIONS TABLE

2.	DENSITY:	The maximum density permitted on a lot shall be:	
a)	<i>Max. Housing Density:</i>	Lot Area	Number of Dwelling Units
		280 m ² or less	3 units
		>280 to 800 m ²	4 units
		>800 to 1,200 m ²	6 units
		>1,200m ²	8 units
b)	<i>Subject to Conditions:</i>	Despite the above, any property that is not connected to municipal water and sanitary sewer services shall be limited to one principal dwelling and one accessory dwelling unit.	
		Information Note: <i>The number of permitted dwelling units is not an unrestrained guarantee of achievable density since development proposals must comply with all other municipal regulations, provincial and federal legislation, and any covenants or other legal encumbrances registered on title.</i>	
c)	<i>FAR:</i>	The maximum Floor Area Ratio for all residential buildings on a lot shall be:	
		1 to 4 units	0.65
		5 to 6 units	0.70
		7 to 8 units	0.75
3.	DENSITY BONUS:	The maximum housing density may be increased by one additional dwelling unit where that dwelling is designed, constructed, and maintained as a fully accessible unit and is secured by a covenant	
4.	BUILDING LIMITATIONS:		
a)	<i>Gross Floor Area:</i>	The maximum gross floor area for a dwelling unit is 200 m ²	
b)	<i>Residential Buildings:</i>	The maximum number of residential buildings on a lot shall be 2	

Schedule “B” - Bylaw No. 2196, 2024

5.	HOUSING FORMS:	The following housing forms are permitted:	
		Duplex with/without secondary suites Triplex Fourplex Townhouses with/without secondary suites Apartment (3 or more units)	
6.	HEIGHT:	The maximum height of buildings and structures shall be:	
a)	Residential Buildings:	8 m and 2 storeys above grade for building containing 1 or 2 units 11 m and 3 storeys above grade for buildings containing 3 or more units	
b)	Non-habitable Buildings:	3.5 m	
7.	SITING:	Siting of buildings and structures shall be setback from lot lines as follows:	
Information Notes: <ul style="list-style-type: none">• Applies to all buildings and unenclosed attachments.• Excludes landscaping features and fences which may be at 0 m• Additional setback requirements may apply, review General Regulations			
a)	Front lot line:	4 m:	
b)	Rear lot line:	7 m 3 m: for habitable dwellings less than 4.5 m in height with no portion of the roof above 5.5 m 1.5 m: non-habitable accessory	
c)	Side lot line (interior):	1.5 m for buildings or portions thereof up to 8 m in height 2.5 m for buildings or portions thereof up to 11 m in height	
d)	Side lot line (exterior):	4.5 m	
e)	Exception:	Despite the above setbacks, non-habitable accessory buildings with a floor area less than 10 m ² and a height less than 3 m may be sited 1 m from a rear or side lot line	
8.	LOT COVERAGE:		
a)	Buildings and Structures:	The maximum lot coverage for all buildings and structures on a lot shall be as follows:	
		1 to 2 units	35%
		3 to 4 units	45%
		5 to 8 units	50%
b)	Soft Landscaping:	The minimum lot coverage for soft landscaping on a lot shall be 20%	

Schedule "B" - Bylaw No. 2196, 2024

	Information Note: <i>the required area for Soft Landscaping does not include areas of permeable paving, gravel, or non-organic materials. Soft landscaping within required setback areas may be included.</i>	
9.	SUBDIVISION:	To create a new lot by subdivision, any proposed lots shall meet the following:
<i>a)</i>	<i>Lot Area:</i>	The minimum lot area for any lot created by subdivision is 1,000 m ²
<i>b)</i>	<i>Frontage:</i>	The minimum frontage for any lot created by subdivision is 22 m