
52. CD1 Zone (Comprehensive Development One) (Bylaw No. 1727)**Intent**

- (1) The intent of this zone is to permit the development of locally oriented commercial uses as well as a limited number of market detached dwelling and apartment townhouse uses, with an option for additional occupancy-restricted housing in various forms.

Permitted Uses

- (2) The following uses are permitted only at the locations specified in Schedule M and all other uses are prohibited:
- (a) Auxiliary buildings and auxiliary uses;
 - (b) Auxiliary residential dwelling units in detached dwellings;
 - (c) Detached dwellings;
 - (d) Townhouses;
 - (e) Duplex dwellings;
 - (f) Apartment;
 - (g) Retail, provided that no retail sale of goods is permitted in the zone unless there is, in operation in the zone, a retail grocery store with a floor area of at least 700 square metres, and further provided that not more than 120 square metres of floor area in the CD1 Zone may be used for retail sales of packaged liquor; (Bylaw No. 2297, 2020)
 - (h) Personal Service provided that no personal service is permitted in the zone unless there is, in operation in the zone, a retail grocery store with a floor area of at least 700 square metres; (Bylaw No. 2297, 2020)
 - (i) Restaurant (Bylaw No. 2014);
 - (j) Neighbourhood public house;
 - (k) Service station, limited to establishments whose operators provide for sale, or have made their best commercial efforts to provide for sale, alternative automotive fuels including but not limited to hydrogen, methanol, and bio-diesel fuels (Bylaw No. 1981);
 - (l) Park and playground;
 - (m) Child care facility; and
 - (n) Nature conservation park.

(3) No single occupancy for the uses identified in paragraphs (2) (g) and (h), other than a grocery store, shall exceed 400 square metres in gross floor area. For this purpose, all retail occupancies that:

- (a) are engaged in the selling of similar or related goods, wares or merchandise;
- (b) are operated under common ownership or management; and
- (c) have interconnected customer access from adjoining or adjacent premises

must be considered an occupancy.

(4) Despite any other provision of this Bylaw:

- (a) the permitted uses of townhouse dwellings identified on Schedule M is:
 - (i) the use of the dwelling for one dwelling unit, or
 - (ii) the use for one dwelling unit and one office use, and every office use of a townhouse dwelling is limited to a floor area of 37.2 square metres (400 square feet) and not more than 2 persons whether residing in the dwelling or not may conduct the office use at any time, or
 - (iii) one dwelling unit use conducted as a principal use and one auxiliary residential dwelling unit, and every auxiliary dwelling unit use of a townhouse dwelling is limited to a floor area of 37.2 square metres (400 square feet).
- (b) the permitted use of dwelling units designated as “resident” dwelling units on Schedule M includes only the occupancy of such dwelling units by employees as defined in this Bylaw; and
- (c) the permitted use of dwelling units designated as “seniors apartment or townhouse” on Schedule M includes only the occupancy of such dwelling units by at least one person 55 years of age and older (Bylaw No. 1828) (Bylaw No. 1898)

Density

- (5) The maximum permitted density in the CD1 zone is four detached dwellings, three townhouse dwellings, one duplex dwelling, three apartment dwelling units, and for the uses permitted by paragraphs (2) (g), (h), (i), (j), and (k), 1322 square metres of gross floor area. (Bylaw No. 1981) (Bylaw No. 2297)
- (6) Despite subsection (5), the maximum number of permitted detached dwellings is 35, the maximum aggregate number of permitted townhouse and apartment dwellings is 16, and the maximum gross floor area of uses permitted by subsection (2) (g), (h), (i), (j) and (m) in Parcel Lot 9 is 2000 square metres if all the following conditions are met: (Bylaw No. 2297)
 - (a) transfer to the Municipality in fee simple for nominal consideration the areas of lands designated as Lot 7 on Schedule L;

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- (b) dedication as highway of the network road connecting Highway 99 with the north boundary of the CD1 zone generally as shown on Schedule M between the Highway 99 intersection and the north boundary of the zone;
 - (c) the dedication of an easement on the portion of the lands designated as Lot 9 on Schedule L for a bus loop generally as shown on Schedule G and the construction of the bus loop and lay-by facilities to the satisfaction of the Municipality when the network road is constructed;
 - (d) provision of four public motor vehicle parking spaces in the portion of the lands designated as Lot 9 on Schedule L, the location of the right-of-way to be determined by the owner from time to time and secured by a statutory right-of-way for public motor vehicle parking, and provision to the Municipality of two fuel-efficient motor vehicles meeting the specifications set out in Schedule H for public use under a co-operative use scheme;
 - (e) removal of trees, clearing and grubbing and planting grass on that portion of the land designated on Schedule L as Lot 3 and Lot 8 and provision of the park facilities described in Schedule G;
 - (f) construction of the areas shown as trails on Schedule G with the trail facilities to be the standards set out in Schedule I in respect of each portion of such trails;
 - (g) transfer to the Municipality in fee simple for nominal consideration the areas of the lands designated as Lots 3 and 8 on Schedule L decommissioning any trail facilities existing in those areas prior to the transfer or dedication, and fencing such areas from adjacent land so as to prevent access to Baxter Creek and Skelding Brook;

except that not more than 29 detached dwellings are permitted before December 31, 2006, and when the owner has either:

- (h) constructed all of the additional dwellings subject to housing agreements specified in paragraphs (6) (a), (b), (d) and (e); or
- (i) entered into a servicing agreement with the Municipality and provided such bonding as is required pursuant to the servicing agreement for all municipal services required by the bylaws of the Municipality to permit the construction of such additional dwellings specified in paragraphs (6) (a), (b), (d) and (e) and has provided to the Municipality or its nominee an opportunity to purchase for nominal consideration the lands in the CD1 zone designated for the construction of the dwellings specified in paragraph (6) (d).

not more than 35 detached dwellings are permitted.

- (7) Despite subsections (5) and (6), the additional dwellings described in this section may be constructed within the applicable designated areas shown on Schedule M if the dwellings are subject to housing agreements having the terms described below, and the Municipality or its nominee has had an opportunity to purchase for nominal consideration

the land in the CD1 zone designated for the construction of dwellings in paragraph (6) (d), as indicated below and the lands to be purchased by the Municipality or its nominee comply with the requirements set out in Schedule K. (Bylaw No. 1828) (Bylaw No. 1898)

- (a) 70 detached dwellings in respect of which the owner has entered into a housing agreement with the Municipality, generally in the Municipality's standard form for such agreements registered in the Vancouver/New Westminster Land Title Office as of June 5, 2007, the agreement to restrict the occupancy of the dwellings to employees and to restrict sale prices, all in accordance with Schedule J;
(Bylaw No. 1828)
- (b) 40 duplex dwellings in respect of which the owner has entered into a housing agreement with the Municipality, generally in the Municipality's standard form for such agreements registered in the Vancouver/New Westminster Land Title Office as of June 5, 2007, the agreement to restrict the occupancy of the dwellings to employees and to restrict sale prices, all in accordance with Schedule J;
(Bylaw No. 1828)
- (c) Not fewer than 30 townhouses and/or apartment dwellings, having a gross floor area of not less than 3200 square metres nor greater than 4277 square metres in respect of which the owner has entered into a housing agreement with the Municipality, generally in the Municipality's standard form for such agreements registered in the Vancouver/New Westminster Land Title Office under registration number ST060089 and ST060090. The agreement to restrict the occupancy of the townhouses and/or apartment dwellings to employees and to restrict sale prices, all in accordance with Schedule J;
- (d) 20 apartment or townhouse dwellings, on that portion of the lands designated as Lot 10 on Schedule L other than the apartments referred to in paragraph (c), in respect of which the owner has entered into a housing agreement with the Municipality, generally in the Municipality's standard form for such agreements registered in the Vancouver/New Westminster Land Title Office under registration number ST060089 and ST060090 the agreement to restrict the occupancy of the dwellings to persons over 55 years of age with rental tenures and to restrict rental rates and sale prices of all such dwellings, all in accordance with Schedule J, or in the event that the Municipality does not approve the owner's proposed construction cost and rental rates of those 20 dwellings:
 - (i) at the option of the Municipality the portion of the land designated as Lot 10 on Schedule L has been transferred to the Municipality or its nominee for nominal consideration, or
 - (ii) if the Municipality or its nominee has elected not to take title to that portion of the lands designated as Lot 10 on Schedule L. The owner may elect to build 10 dwellings which are subject to a housing agreement as described in this subsection restricting the occupancy of the dwellings to persons over 55 years of age and employees, in each case with rental tenures but no restriction of rental rates and 10 dwellings which are subject to a housing agreement as described in this subsection restricting

the occupancy of the dwellings to persons over 55 years of age and employees without rental tenures or restrictions on sales prices. The owner may choose to rent or sell as many of the above 20 units on the above terms as it deems appropriate, all in accordance with Schedule G.

- (e) 20 apartment or townhouse dwellings on that portion of the lands designated as Lot 11 on Schedule L other than those referred to in section paragraph (c) in respect of which the owner has entered into a housing agreement with the Municipality, generally in the Municipality's standard form for such agreements registered in the Vancouver/New Westminster Land Title Office under registration number ST060089 and ST060090, the agreement to restrict the occupancy of the dwellings to persons over 55 years of age and to restrict sale prices and rental rates all in accordance with Schedule G.
- (8) In order to achieve the densities provided in subsection (6) or (7), the owner must at the owner's option either:
 - (a) wholly and completely satisfy the conditions prior to subdividing the lands in the CD1 Zone in accordance with subsection (16) or obtaining any building permit that can lawfully be granted only if such densities apply to the lands that are the subject of the approval or permit; or
 - (b) at the time of subdividing the lands in the CD1 zone as described in subsection (a), grant to the Municipality binding registrable covenants pursuant to Section 219 of the *Land Title Act*, including negative and positive obligations to fully perform and completely satisfy the conditions in the sequence and within the time provided in the covenant. All such covenants must be registered in priority to all financial charges and encumbrances and in priority to all leases, options to purchase and rights of first refusal.
- (9) Excluding the grocery store, the remaining commercial floor area of Parcel Lot 9 must be demised into at least 3 Commercial Retail Units (CRUs), the combined area of which must be at least 450 square metres, and with a minimum of 85 square metres Gross Floor Area in use as or available for use as a Café, Restaurant, or Neighborhood Public House.

Height

- (10) The maximum permitted height of buildings and structures is as set out in Schedule M.

Site Coverage and Floor Space Ratio

- (11) Despite anything to the contrary in this Bylaw or any other bylaw of the Municipality, but subject to subsections (11) to (13), the maximum permitted site coverage, gross floor area and floor space ratio for each lot in the CD1 Zone are set out in Schedule "M".
(Bylaw No. 1981)

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- (12) Despite anything to the contrary in this Bylaw, parcels designated in Schedule M for resident detached dwelling may include up to 30 square metres of indoor parking, and 20 square metres of indoor storage, not counted as floor area. (Bylaw No. 1828)
- (13) Despite anything to the contrary in this Bylaw, parcels designated in Schedule M for one half resident duplex dwelling may include up to 20 square metres of indoor parking, and 10 square metres of indoor storage, not counted as floor area. (Bylaw No. 1828)
- (14) Despite anything to the contrary in this Bylaw, parcels designated in Schedule M for detached dwelling use may include up to 70 square metres of indoor parking area not counted as floor area. (Bylaw No. 1828)

Setbacks

- (15) The minimum permitted setbacks for each lot into which the land in the CD1 Zone may be subdivided or strata titled are as set out in Schedule M, except that duplex dwellings shall have an internal side setback of 0.0 metres. (Bylaw No. 1828)

Off-Street Parking and Loading

- (16) Off-street parking and loading spaces shall be provided and maintained in accordance with the regulations contained in Part 6 of this Bylaw except that, in relation to detached dwellings, the owner must provide at least 1.5 parking spaces per detached dwelling unit; and in relation to town house and apartment dwellings on the portion of the lands designated as Lots 9, 10 and 11 on Schedule L the owner must provide at least 75 percent of the parking spaces that would normally be required under this Bylaw; and in relation to the uses specified in paragraphs (2) (g) (h), (i), (j), (l), (m) and (n) the owner must provide the number of parking spaces that would be required if the uses were in the CC1 Zone.

Other Regulations

- (17) The land in the CD1 zone must initially be subdivided in accordance with the parcelization plan set out in Schedule L, subject to such minor adjustments in parcel boundaries as the approving officer may consider appropriate to accommodate the uses and density of development permitted in this zone.