

# Public Hearing Binder

digital version

The general purpose of proposed “**Colwood Land Use Bylaw No. 151, 1989, Amendment No. 201 (Accessory Dwelling Unit), Bylaw No. 1967, 2023**” is to amend Section 2.2 of the Colwood Land Use Bylaw (the regulations for Secondary Suites and Accessory Dwelling Units), including the following:

- Permitting detached accessory dwelling units (garden suites) to be located in the yard of a duplex or a townhouse
- Increasing the maximum allowable area for a detached accessory dwelling unit (garden suites) from 60 m<sup>2</sup> to 90 m<sup>2</sup>
- Excluding the area of a detached accessory dwelling unit (garden suite) from the area calculation of all accessory buildings located on a lot

Within the binder, please find a copy of:

1. Staff Report to Council – Amendments to Accessory Dwelling Unit Regulations (January 9, 2023)
2. Staff Presentation – Amendments to Accessory Dwelling Unit Regulations (January 9, 2023)
3. Council Resolution (January 9, 2023)
4. Proposed Bylaw No. 1967 (Land Use Bylaw Amendment)
5. Notice of Public Hearing
6. Public Input

Minutes and videos of Council 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:** Regular Meeting of Council  
**Date:** January 9, 2023  
**From:** Desiree Givens, Planner II  
**RE:** Amendments to Accessory Dwelling Unit Regulations  
**File:** 3360-20- RZ 22-020

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### RECOMMENDATION

THAT bylaw 1967, cited as "Colwood Land Use Bylaw No. 151, 1989, Amendment No. 201 (Accessory Dwelling Unit) bylaw No. 1967, 2023" be given first and second reading.

AND THAT a public hearing be scheduled prior to the amending bylaw being given 3rd reading.

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### SUMMARY AND PURPOSE

As part of the 2018 OCP review, Policy 9.2.1.3 identified the need to review and update the Land Use Bylaw to provide more flexibility for secondary suites and other suites. This action item was to be completed before 2023.

The purpose of this report is to bring forward amendments to Section 2.2 of the Colwood Land Use Bylaw, No. 151 to provide more flexibility for residents to build detached accessory dwelling units (e.g., garden suites, carriage homes, coach houses).

Specifically, staff are recommending the following changes:

- Revise the definition for accessory dwelling unit to enable homeowners of duplexes and townhomes to have an accessory building containing a suite;
- Revise the gross floor area requirements for accessory structures and accessory dwelling units to reduce barriers to residents in constructing detached accessory dwelling units; and,
- Correct the numbering within Section 2.2.

### BACKGROUND

The following section provides background information to support Council's consideration of the proposed amendments to regulations for detached accessory dwelling units (ADUs).

#### Housing Demand in Colwood

According to the the Assessment of Updated Real Estate and Population Projections prepared by Colliers Strategy and Consulting Group (2022), Colwood's population could potentially grow from 18,961 residents in 2021 to anywhere between 25,150 to 26,996 residents in 2031. This growth exceeds what has been observed within other municipalities in the broader Capital Regional District.

Colliers' assessment also indicates that there is a strong demand for new housing as demonstrated by Colwood's minimal inventory of complete and unabsorbed units in recent years. The demand for higher

density forms of housing is growing as illustrated by Collier's analysis of trends in the last five years, which show that apartments (as opposed to single-family homes) are experiencing the strongest growth of occupied dwelling units. This suggests that rentals, including ADUs and secondary suites, will be in high demand throughout Colwood in coming years.

Rental vacancy rates have historically been low in Colwood, which speaks to the demand for more rental housing supply. As of October 2020, the overall rental vacancy rate for Colwood was 0.5%. A healthy vacancy rate is generally considered to be between 3% and 5%. A low vacancy rate often indicates high rental demand and can result in excessive competition for available rental units and upward pressure of prices, making it especially difficult for vulnerable populations to find safe, suitable, and affordable rental housing options.

According to the City of Colwood Housing Needs Report prepared by Urban Matters (2020), the anticipated key areas of demand for housing in the City of Colwood include affordable housing, rental housing, housing for people with disabilities, housing for seniors, housing for families and addressing homelessness. The Colliers assessment indicates that there is a growing preference for apartments due to regional affordability.

Importantly, the community engagement findings of the Housing Needs Report suggests that housing solutions in Colwood could be explored that are specific for suburban communities versus urban communities. The findings also encourage the review of bylaws and zoning regulations to create new and alternative housing options. Amending the bylaw regulations for detached ADUs will not only focus on a housing solution that is specific to suburban communities but will also create alternative housing options for seniors, families, and renters. The Land Use Bylaw currently prohibits the strata titling of ADUs (meaning that the units cannot be sold or subdivided); therefore, these units are either occupied by a family member or rented out. ADUs provide a great opportunity for seniors to age in place while accommodating housing needs of family members.

### Housing Supply in Colwood

In late November 2022, Premier David Eby announced plans to introduce new legislation to increase housing supply and facilitate quicker processes for housing development in communities where there is a high demand. The proposed amendments to ADU regulations in Colwood offer an ideal opportunity to potentially increase housing supply through a gentle infill approach that is easy to implement.

In Colwood, the current housing supply is predominantly single-family dwellings, which comprises of approximately 50% of the total housing supply (2021 census). According to the Housing Needs Report, the average single-family home price was unaffordable for median incomes of most household types throughout Colwood in 2019. The price of a single-family home in Colwood has only risen since 2019 from \$648,100 to \$1,073,100 (Victoria Real Estate Board November 2022 Statistics). Providing more flexible regulations could potentially help residents by making it easier for them to construct an ADU that can serve as a mortgage helper thereby reducing financial strain caused by interest rates, inflation, and other factors.

According to the 2021 Census, there were 1,980 renter households throughout Colwood. Of those, approximately 288 were primary market rental units (CMHC Urban Market Survey Data, 2021), suggesting that 85% of renter households were in the secondary rental market (secondary suites and rented bedrooms in a home). There are over 1,100 legal and illegal (i.e., unregistered) secondary suites in Colwood as per City records. However, unregulated suites are extremely common. Increasing flexibility in

the regulations of ADUs could incentivize the construction of these type of units through a building permit process that is reviewed and regulated by the City.

#### **Official Community Plan Bylaw No. 1700**

The Official Community Plan (OCP) contains policies that encourage moderate residential growth in established single-detached neighbourhoods. The following policies in the OCP support infill housing in established neighbourhoods as a gentle form of density that can increase the diversity of housing options:

##### *Policies 6.2.4.1 and 7.2.19*

To maintain the character of existing single-detached neighbourhoods while also creating greater housing choices, Policies 6.2.4.1 and 7.2.19 encourage moderate residential growth in established single-detached neighbourhood areas, including in lands designated as “Neighbourhood” or “Neighbourhood Hillside.” To support moderate residential growth, Policy 7.2.19 encourages sensitive infill approaches that are compatible with the existing neighbourhoods in terms of scale and intensity, including small lot development, secondary suites, coach houses, duplexes, and limited ground-oriented townhouses.

##### *Policies 7.2.17 and 9.2.1.3*

To increase rental stock, housing choice and housing affordability, Policies 7.2.17 and 9.2.1.3 encourage the City to continue supporting expansion of secondary suites (including coach houses) while limiting them to lots that are of sufficient size and width to accommodate parking without compromising the on-site landscaping, boulevards, street trees, or overall visual aesthetic of streetscapes. Policy 9.2.1.3 also identifies the following action item: to review and update the Land Use Bylaw to provide more flexibility for secondary suites and other suites. This action item is to be completed before 2023.

Further, a detached ADU requires a Form and Character Development Permit. The only exception to this is if the area of the suite is less than 10% of the total square footage of the principal dwelling. However, the OCP does not contain design guidelines for the form and character of ADUs.

#### **Land Use Bylaw No. 151**

The Land Use Bylaw (No.151) regulates development, land use, and the location and use of buildings and structures placed on the land. It includes regulations for accessory dwelling units (ADUs) and secondary suites.

The Land Use Bylaw defines an ADU as "an additional self-contained rental dwelling unit which is secondary to a principal dwelling unit which is associated and is located on the same legal lot as the principal dwelling unit with which it is associated." ADUs can be located on lots containing any of the following permitted uses: one-family dwelling, two-family dwelling (duplex), attached housing (townhome), or apartment. An ADU can be detached from the principal dwelling (e.g., a garden suite, carriage home or coach house). It may also be attached to and forming part of the principal dwelling (e.g., a secondary suite).

Section 2.2 of the Land Use Bylaw regulates ADUs throughout Colwood (see Appendix 3). These regulations were first introduced in 2009 and have been amended in recent years to broaden the list of permitted locations, remove the requirement to obtain a secondary suite/ADU permit, and remove the parking requirements (which are now regulated by Bylaw 1909, the Off-Street Parking Regulations Bylaw). Maximum size and height requirements and other conditions have not changed since the regulations were first introduced. Table 1, below, summarizes the key regulations that apply to ADUs and secondary suites:

Table 1, Summary of Regulations for ADUs and Secondary Suites

Regulation	ADUs	Secondary Suites
Permitted Locations	Permitted in accessory buildings within select agricultural, residential, or multiple family residential zones	Permitted in principal dwellings within select agricultural or residential zones in association with a one-family dwelling use only
Maximum Size	60 m <sup>2</sup> or 40% of the gross floor area of the principal dwelling unit, whichever is less	90 m <sup>2</sup> or 40% of the gross floor area of the total habitable floor area (excluding garages) of the building it is located in, whichever is less
Maximum Height	Between 1-2 storeys  The height of a 1-storey ADU must not exceed 4 metres.  The height of a 1.5-2-storey ADU must not exceed 7 metres or 80% of the height of the primary dwelling, whichever is less.	Same as the principal dwelling
Other Conditions:	<ul style="list-style-type: none"> <li>• Only one ADU/secondary suite is permitted per principal dwelling unit</li> <li>• All ADUs and secondary suites must have a separate entrance/exit</li> <li>• All ADUs and secondary suites must provide one parking space per dwelling unit</li> <li>• Registration of Section 219 restrictive covenant is required for all new ADUs and secondary suites</li> </ul>	

Further, detached ADUs must also meet regulations in Section 2.1.06 of the Land Use Bylaw that apply to all accessory buildings and structures (see Appendix 2). The following regulations in Section 2.1.06 are particularly relevant for detached ADUs:

- The total combined floor area of all accessory buildings on a lot cannot exceed 60 m<sup>2</sup> (approx. 645 sq. ft.)
- An accessory building containing a dwelling unit must meet the setback requirements contained within **Table 2**, below
  - Despite this, an accessory building containing a dwelling unit must meet limiting distance requirements of the BC Building Code, meaning it must be a certain distance away from the principal dwelling, property lines, or centre line of a street

Table 2: Setback Requirements for Detached ADUs

Required Setback	1-Storey ADU	1.5-2-Storey ADU
Front	15 metres Unless compliant with front yard requirements for principal dwelling	
Side/Rear	1.5 metres	3 metres

## DISCUSSION

The following section contextualizes staff's recommendation to amend the regulations for detached ADUs by reviewing best practice and considering regulations in other municipalities, illustrating the current context within Colwood, and offering amendments to Colwood's regulations for detached ADUs for Council's consideration.

### *Best Practices*

In 2021, BC Housing published an ADU guide to support local governments and municipal officials by providing tools, strategies, and best practices to help facilitate successful implementation of ADUs (see Appendix 4). Importantly, the guide encourages municipalities to expand the conditions under which a detached ADU can be permitted by:

- a) Increasing the maximum permitted height for an accessory building to better accommodate a suite over a standard height garage;
- b) Increasing the maximum lot coverage to incentivise single storey detached ADUs by making them more feasible on smaller sized lots;
- c) Decreasing the minimum lot size on which a detached ADU is permitted; and,
- d) Allowing both a detached ADU and secondary suite on the same lot.

Within the context of Colwood, the first bullet is most relevant. It encourages municipalities to find ways to expand the conditions for ADUs to better accommodate a suite above a standard height garage. Although the height requirement in Colwood is not a barrier for residents to construct a detached ADU above a garage, the maximum gross floor area requirements for accessory structures/ADUs *is a barrier*. When a resident proposes to build a garage with a suite above it, they are restricted to a maximum gross floor area of 60 m<sup>2</sup> (approx. 645 sq. ft.) to divide between the garage and the suite. This essentially limits the size of the garage and the suite to roughly 30 m<sup>2</sup> or 325 sq. ft. each, which is not enough to accommodate anything larger than a standard one-car garage or micro-suite. This not only restricts suites above a garage, but it also restricts detached ADUs more generally when a lot already contains an accessory building such as a detached garage or a shed.

Staff are thus recommending that conditions regulating floor area of accessory structures and detached ADUs be amended to better accommodate suites above a garage, as well as suites in combination with other accessory buildings. Suggested amendments are provided in Table 3.

To ensure that the suggested amendments align with best practice, staff reviewed the regulations of several municipalities across the province that were identified in the ADU guide as having successfully implemented the best practice. Appendix 5 provides an overview of the detached ADU regulations in each of these municipalities.

### *Review of ADUs in Colwood*

In May 2017, the City of Colwood repealed regulations requiring residents to obtain a permit to construct a secondary suite or ADU. Today, the construction of ADUs and secondary suites are authorized through a building permit approvals process and must demonstrate compliance with all relevant regulations in the Land Use Bylaw (including Section 2.1.06 and 2.2, where applicable).

In the last three years, the City of Colwood has received approximately 100 building permit applications for either a secondary suite or ADU, for which detached ADUs (e.g., a garden suite, carriage home or coach house) have only accounted for 2% of the applications received (a total of 2 received since 2020).

Since 2017, the City has received 6 variance applications requesting a relaxation to the ADU regulations to enable the construction of a detached ADU. Most of these applications were requesting a variance to relax the requirement that the total combined floor area of all accessory buildings on a residential lot not exceed 60 m<sup>2</sup>. However, a few of the applications also requested relaxation to side/front yard setback requirements.

Further, some residents have found creative solutions to bypass the regulations in the Land Use Bylaw that would otherwise prevent them from constructing their detached ADU. By structurally attaching the ADU to the principal dwelling (e.g., through a foundation, a breezeway, etc.), the ADU is considered part of the principal dwelling and is thus subject to meeting the regulations for a secondary suite and not a detached ADU despite having an outside appearance of a detached ADU. This allows the resident to bypass the following regulations that would have applied if the ADU was considered “detached”:

- **Section 2.1.06 (2b):** The total combined floor area of all accessory buildings on a lot must not exceed 60 m<sup>2</sup>
  - If the ADU is considered attached to the principal dwelling (a secondary suite), its area would not count toward the total combined area of accessory buildings. The area of the ADU would instead be subject to the maximum size requirements for secondary suites (up to 90 m<sup>2</sup> or 40% of the area of the principal dwelling).
- **Section 2.2 (2.4.04):** The height of a 1.5-2-storey detached ADU must not exceed 7 m or 80% of the height of the principal dwelling, whichever is less
  - If the ADU is considered attached to the principal dwelling (a secondary suite), it would be subject to meeting height requirements for the principal dwelling

Examples of this creative solution are provided in Figures 1 and 2, below.

Figure 1: Detached ADU Attached via Foundation

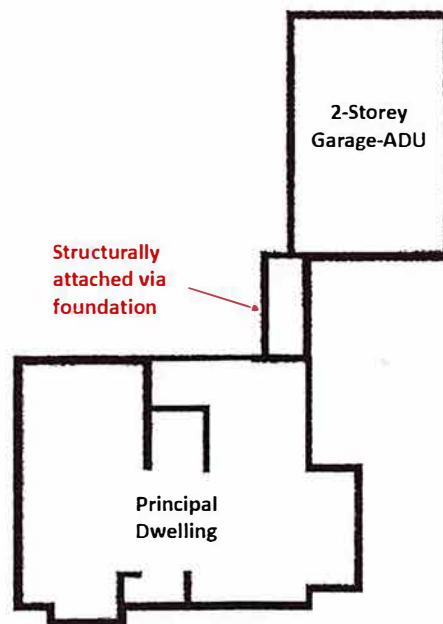
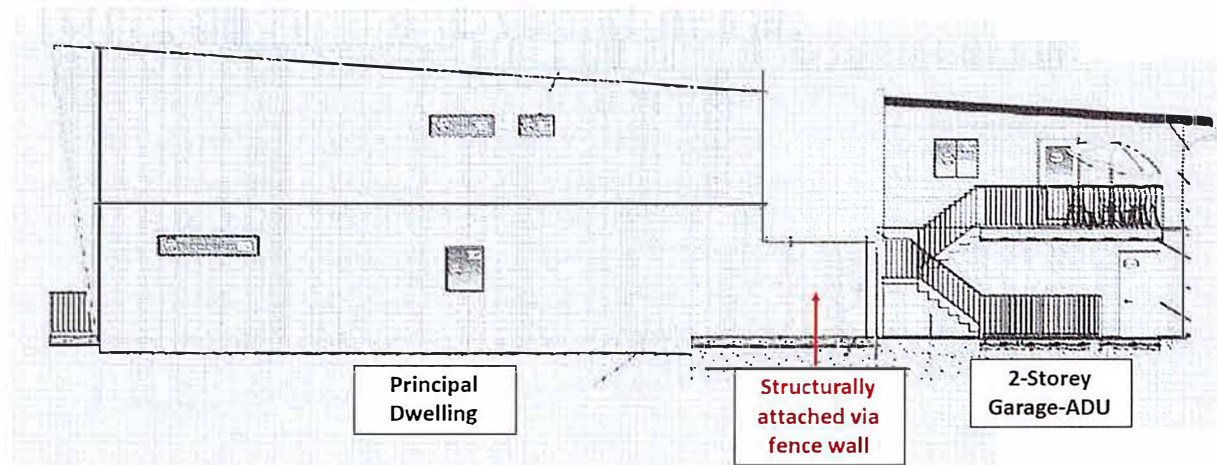




Figure 2: Detached ADU Attached via Fence Wall



This solution is not ideal as it reflects a missed opportunity for the City of Colwood to formally regulate the detached ADU as a distinct housing form from a secondary suite, adds unnecessary complexity to the project, and increases the construction costs for the resident.

**Proposed Amendments**

Staff believe that the regulations for detached ADUs may be too restrictive for the following reasons:

- 1) The City has not received nearly as many building permit applications for detached ADUs as it has for attached ADUs suggesting it is not easily attainable;
- 2) When a resident wishes to construct a detached garage with a suite above it, they most likely will automatically require a variance (unless they propose a single car garage or micro-suite); and,
- 3) Some residents have turned to finding creative yet costly workarounds to bypass regulations in the Land Use Bylaw and enable them to build a detached ADU.

Staff are recommending the proposed amendments to the Land Use Bylaw that are outlined in this section. Table 3, below, summarizes the proposed amendments including the reference section of the Land Use Bylaw, the proposed amendment, and the rationale for the amendment. Revisions to the text of the bylaw are indicated in red.

Table 3: Proposed Amendments to the Land Use Bylaw

Section of the Land Use Bylaw	Proposed Amendment	Rationale
Section 1.2 Definitions	<p>“ACCESSORY DWELLING UNIT”</p> <p>means an additional self-contained rental dwelling unit which is <del>secondary</del> <del>ancillary</del> to a principal dwelling unit with which it is associated is located on the same legal lot as the principal dwelling unit with which it is associated.</p>	<p>The definition for accessory dwelling unit currently means that an ADU can be one of the following two housing types:</p> <ul style="list-style-type: none"> <li>• A lock-off suite in a duplex, townhouse, or apartment; or</li> <li>• A detached ADU (garden suite, carriage home,</li> </ul>



Section of the Land Use Bylaw	Proposed Amendment	Rationale
	<p>An accessory dwelling unit may be one of the following:</p> <ol style="list-style-type: none"> <li>1. an addition<del>d</del> to or contained within a two-family dwelling unit;</li> <li>2. an addition to or contained within an attached housing dwelling unit;</li> <li>3. contained within an apartment unit;</li> <li>4. contained within an accessory building associated with a one-family dwelling use, a two-family dwelling use, or an attached housing dwelling use.</li> </ol>	<p>etc.) on a single-family lot.</p> <p>To provide the same flexibility to homeowners of duplexes and townhomes to construct a detached ADU, staff are recommending that this definition be revised to include units that are contained within accessory buildings associated with two-family and attached housing dwelling uses.</p>
<p>Section 2.1.06 – 2(b)</p>	<p>The total combined floor area of accessory buildings on any lot in a Residential Zone shall not exceed 60 m<sup>2</sup>, <b>except that in cases where an accessory building contains a dwelling unit, the area of the building shall not be included within the total combined floor area of accessory buildings on the lot but will be subject to meeting regulations for accessory dwelling units.</b></p>	<p>As it is currently written, this regulation is a barrier for residents wishing to construct both a garage and a detached ADU. To eliminate this barrier and thereby expand the conditions under which a detached ADU can be permitted (as per best practice identified in the ADU guide), staff are recommending that the floor area of the garage be considered separately from the floor area of the ADU.</p> <p>This will enable residents to build up to 60 m<sup>2</sup> of non-residential accessory buildings as well as a detached ADU up to the maximum permitted floor area specified in Section 2.2 - the regulations for ADUs and secondary suites.</p>
<p>Section 2.2 Secondary Suites and Accessory Dwelling Units</p>	<p><b>Correct the section numbering and references</b> within Section 2.2 – Secondary Suites and Accessory Dwelling Units.</p>	<p>Previous omnibus amendments corrected an error to the section header for Secondary Suites and Accessory Dwelling Units. However, this correction did not automatically update the numbering or references within that section to align with the new header. Staff are therefore</p>

Section of the Land Use Bylaw	Proposed Amendment	Rationale
		proposing an amendment to correct the numbering and references within this section to align with the header (from 2.4 to 2.2).
Section 2.4.02 Conditions of Use (5)	The maximum size of an accessory dwelling unit shall be <del>60 m<sup>2</sup></del> 90 m <sup>2</sup> or 40% of the gross floor area of the principal dwelling unit, whichever is less.	90 m <sup>2</sup> is consistent with the maximum size for an attached ADU (secondary suite) in Colwood.  It also aligns with the maximum size provisions that have been implemented by most other municipalities following best practice to expand the conditions under which a detached ADU is permitted.

A copy of the draft amending bylaw is provided in Appendix 1.

### OPTIONS / ALTERNATIVES

Council may wish to consider:

**1. Staff recommendation**

That the amending bylaw be considered for 1st and 2nd reading;

And that a public hearing be scheduled prior to the amending bylaw being given 3rd reading.

**2. That the request be deferred for further information.**

**3. That no action be taken at this time.**

### COMMUNICATIONS

If Council chooses Option 1, the City will hold a public hearing after placing advertisement of the public hearing to the City's website and publish notice in two consecutive issues of a local newspaper in the lead up to the public hearing date.

**TIMELINES**



Respectfully submitted,

Reviewed By:

*Desiree Givens*

*Yazmin Hernandez B.*

Desiree Givens, MCRP  
Development Services Planner II

Yazmin Hernandez, MCIP RPP  
Manager of Development Services

**ADMINISTRATORS COMMENTS:**

I have read the report and endorse the recommendation.

Robert Earl  
Chief Administrative Officer

**Attachments:**

- APPENDIX 1: DRAFT Colwood Land Use Bylaw No. 151, 1989, Amendment No. 201 (Accessory Dwelling Unit), Bylaw No. 1967, 2023
- APPENDIX 2: Excerpt from Land Use Bylaw: Section 2.1.06 Regulations for Accessory Buildings and Structures
- APPENDIX 3: Excerpt from Land Use Bylaw: Section 2.2 Regulations for Secondary Suites and Accessory Dwelling Units
- APPENDIX 4: BC Housing ADU Guide, 2021
- APPENDIX 5: Comparison to Other Municipalities

# Accessory Dwelling Units

Land Use Bylaw Amendment

Council Meeting, January 9<sup>th</sup>, 2022

# Housing Demand



- Population is expected to **increase over 30%**
- Low vacancy rates
- Growing demand for **rentals**
- Housing for **families and seniors** is anticipated
- Review of bylaws/zoning regulations is encouraged



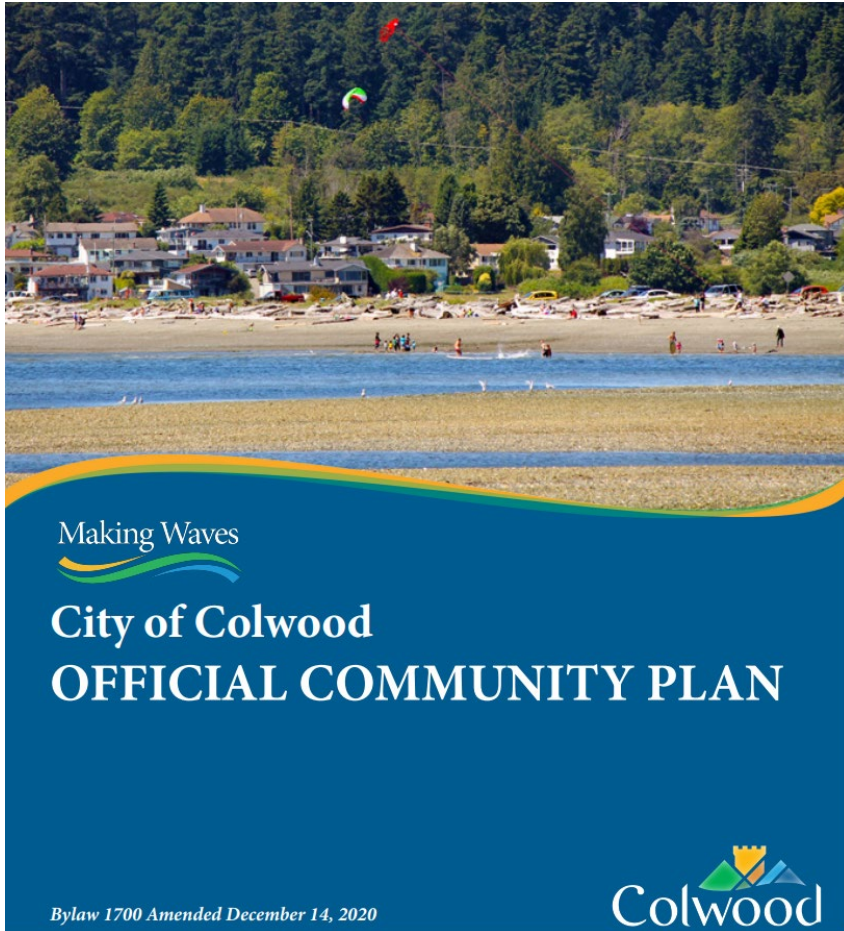
# Housing Supply



- In Colwood, **single-family homes** comprise of 50% of housing supply
- Price of a single-family home in Colwood is **over \$1 million**
- 85% of renter households in Colwood are in the **secondary rental market**

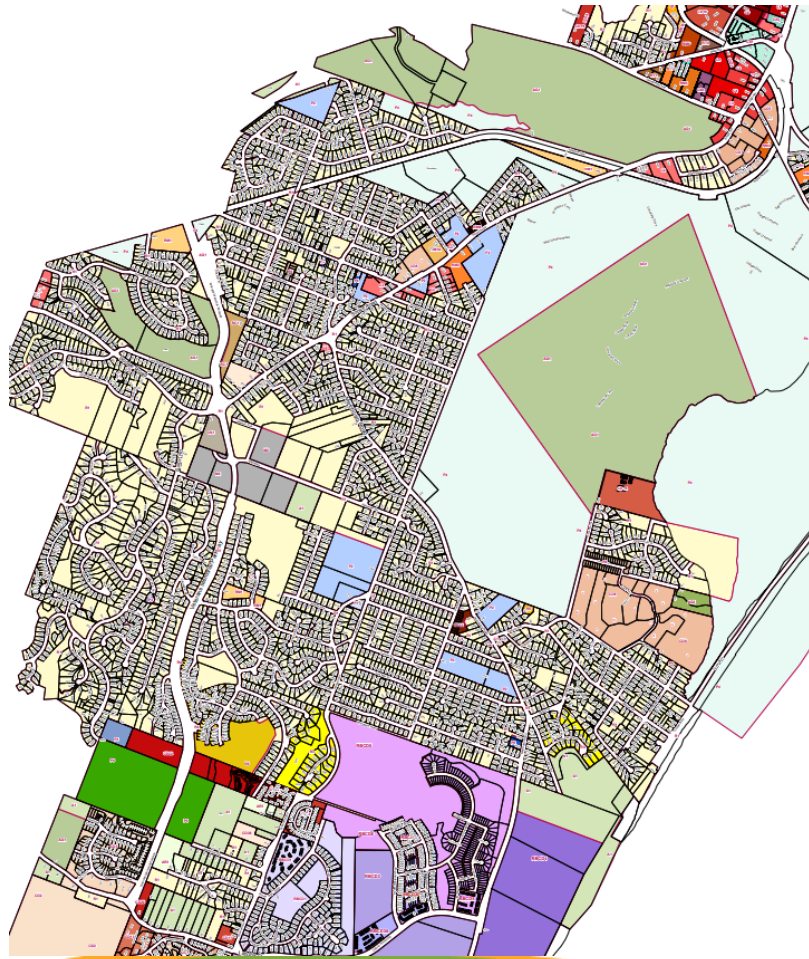


# Official Community Plan



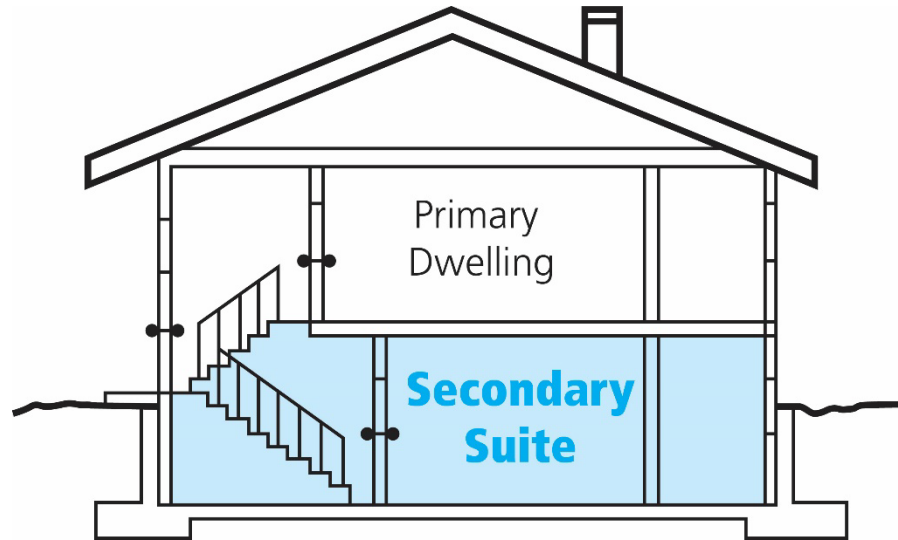
- Encourages **sensitive infill** approaches
- Supports secondary suites (including coach houses)
- Action Item: Review and update the Land Use Bylaw

# Land Use Bylaw



Regulates development, land use, and location of buildings/structures, including **accessory dwelling units (ADUs)**

# Attached ADU Regulations



**Permitted Locations:** select agricultural or residential zones

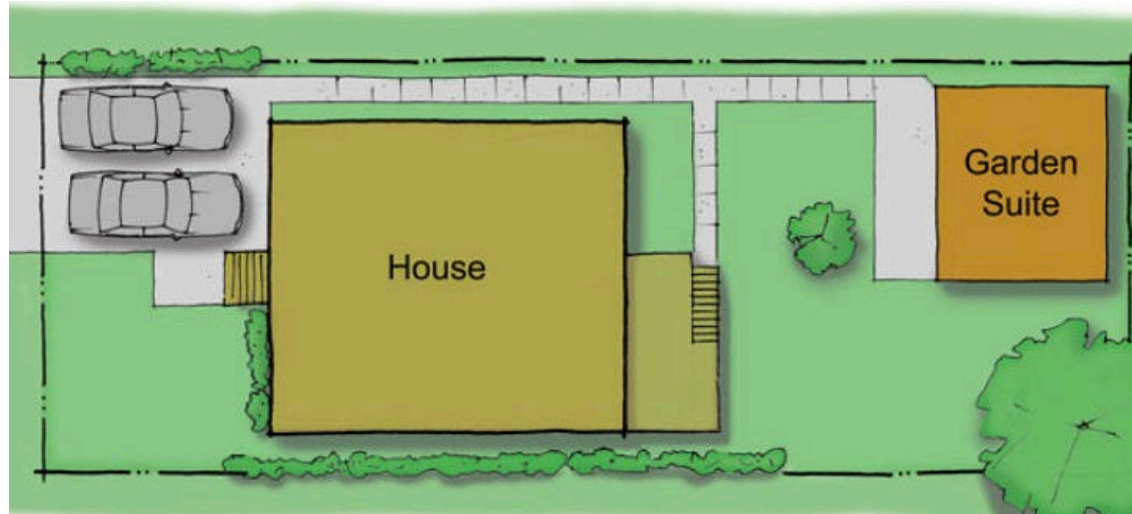


**Maximum Size:** 90 m<sup>2</sup>



**Maximum Height:** same as principal dwelling

# Detached ADU Regulations



**Permitted Locations:** select agricultural, residential or multi-family zones



**Maximum Size:** 60 m<sup>2</sup>



**Maximum Height:** 1-2 storeys (4-7.5 metres)

# Accessory Building Regulations



**Maximum Size:** total combined area of all accessory buildings on a lot must not exceed 60 m<sup>2</sup> (645 sq. ft.)



## Required Setbacks:

- 15 m to front (or same as principal dwelling)
- 1.5 m to side/rear (for a 1-storey ADU)
- 3 m to side/rear (for a 2-storey ADU)



# Best Practices: BC Housing

Accessory Dwelling Units:  
Case Studies and Best Practices  
from BC Communities



**Expand the conditions** under which a detached ADU can be permitted.

**Who's implementing this practice?**

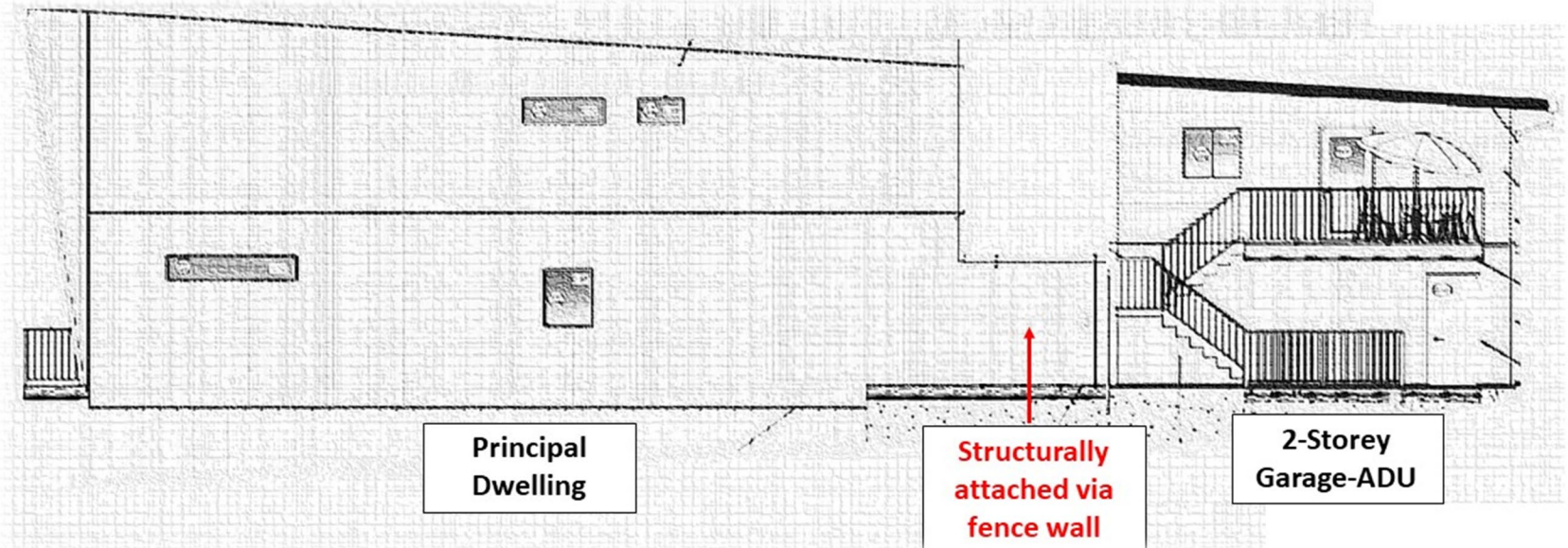
Nelson  
Terrace  
Duncan  
Fernie  
Gibsons

Grand Forks  
Merritt  
Dawson  
Creek  
Ashcroft



# Detached ADUs in Colwood

- Since 2019 **only 2%** of ADU applications were for a garden suite, coach house or carriage home
- Staff have received **6 variance** applications in last 5 years to relax regulations for a detached ADU



# Proposed Amendments

- Revise ADU definition to permit detached ADUs on duplex/townhome lots
- Correct section numbering
- Exclude the area of an ADU from the “total combined floor area of accessory buildings”
- Increase the maximum size for a detached ADU from 60 m<sup>2</sup> to 90 m<sup>2</sup>

# Options

**Option 1** Give 1<sup>st</sup> and 2<sup>nd</sup> reading to amending bylaw and schedule public hearing

**Option 2** That Council defer the request for further information

**Option 3** That Council take no action at this time

**Thank You!**



**CITY OF COLWOOD  
MINUTES OF  
REGULAR COUNCIL MEETING  
Monday, January 9, 2023 at 6:30 PM  
Council Chambers  
3300 Wishart Road, Colwood, BC**

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**PRESENT**

Mayor	Doug Kobayashi
Councillors	Cynthia Day
	David Grove
	Dean Jantzen
	Kim Jordison
	Misty Olsen
	Ian Ward

**ATTENDING**

Chief Administrative Officer	Robert Earl
Director of Finance	Jenn Hepting
Manager of Building and Bylaw Services	Byron Grant
Manager of Corporate Services	Marcy Lalande
Senior Planner	Jill Collinson
Planner II	Desiree Givens
Recording Secretary	Gabrielle Whitters

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**1. CALL TO ORDER**

*Mayor Kobayashi called the meeting to order at 6:30 pm and acknowledged meeting on the shared traditional lands of the Lekwungen speaking people.*

**2. APPROVAL OF THE AGENDA**

**MOVED BY: COUNCILLOR JANTZEN**

**SECONDED: COUNCILLOR WARD**

R2023-01      THAT the Near Term and Long Term agendas be received;

AND THAT the Agenda of the Regular Council meeting of January 9, 2023 be adopted as presented.

**CARRIED**

### 3. MAYOR'S MESSAGE

Mayor Kobayashi wished everyone a Happy New Year and thanked Public Works for their work on snow removal during the holidays.

### 4. ADOPTION / RECEIPT OF THE MINUTES

**MOVED BY: COUNCILLOR JORDISON**  
**SECONDED: COUNCILLOR GROVE**

R2023-02 THAT the following minutes be adopted as presented:

- Special Council Meeting - December 5, 2022
- Regular Council Meeting - December 12, 2022

**CARRIED**

### 5. PUBLIC PARTICIPATION

#### 5.1 Public Participation

**MOVED BY: COUNCILLOR GROVE**  
**SECONDED: COUNCILLOR JANTZEN**

R2023-03 THAT Council approve an extension of two minutes for the resident of *Hockering Road* to address Council during Public Participation.

**CARRIED**

*A resident of Hockering Road spoke in favour of placing traffic speed bumps on Lagoon Road and expressed concerns regarding noise, safety and the impact of speed cushions.*

*Carol Brown, representative of Friends of Havenwood Park, commended the city for the draft Havenwood Park Management Plan. She spoke regarding public input and the work to remove invasive plants in Havenwood Park.*

*John English, representative of the Royal Bay Homeowners Association, spoke regarding the alignment of development of Colwood's waterfront lands with the Official Community Plan and the prospect of the six storey buildings on Metchosin Road.*

#### 5.2 Written Submissions

*Seven written submissions regarding speed bumps on Lagoon Road were received and appended to the agenda.*



## **6. DELEGATIONS**

### **6.1 Cindy Andrew, Director, Community Partnerships, The Village Initiative**

*Cindy Andrew, Director, Community Partnerships, The Village Initiative, and Scott Bradford, Executive Director, Thrive, provided a presentation regarding services provided by The Village Initiative.*

*Council discussion ensued regarding the methodology used for gathering feedback from youth and the long-term impacts of COVID on youth.*

## **7. NOTICE OF MOTION**

### **7.1 Councillor Jantzen**

#### **Short-term Rental Housing**

*[This item will be brought to Council for discussion at the 01/23/2023 Council meeting]*

*Councillor Jantzen introduced the notice of motion regarding short term rental housing.*

*THAT staff be directed to compile a report on short-term rental housing in Colwood that includes the following information:*

- 1.The number of complaints the City has received related to short-term rentals; and*
- 2.An estimate of the total number of short-term rentals in the community.*

## **8. NEW BUSINESS**

### **8.1 Councillor Jordison**

#### **Temporary Traffic Speed Cushions**

*[Notice of Motion from the 12/12/2022 Council Meeting]*

*Councillor Jordison provided an overview of the motion for staff to investigate installation of speed bumps on Lagoon road.*

*Council discussion ensued regarding:*

- Prior reports and information to Council regarding speed bumps*
- Safety of streets and high-use routes*
- Sidewalks, bike lanes and pedestrian crossings*
- Traffic volume on Metchosin Road*
- Planned updates to the Transportation Master Plan*

**MOVED BY: COUNCILLOR JORDISON**

**SECONDED: COUNCILLOR GROVE**

R2023-04      THAT staff investigate the installation of temporary traffic speed cushions along Lagoon Road.

**CARRIED**

## **8.2      Jill Collinson, Senior Planner**

### **Draft Park Management Plans - Havenwood and Latoria Creek Park**

*Jill Collinson, Senior Planner, provided an overview of the Havenwood and Latoria Creek Park plans and introduced Kate Evans, Principal, Lanarc.*

*Kate Evans, Principal, Lanarc, provided a presentation regarding the draft management plans for Havenwood and Latoria Creek Parks.*

*Council discussion ensued regarding:*

- *History of Havenwood Park*
- *Park facilities, trails and accessibility of Havenwood*
- *Budget for further consulting*
- *Current health of trees in parks*

**MOVED BY: COUNCILLOR JANTZEN**

**SECONDED: COUNCILLOR GROVE**

R2023-05      THAT Council endorse the draft Park Management Plans for Havenwood Park and Latoria Creek Park for the purposes of seeking final public and stakeholder feedback.

**CARRIED**

## **8.3      Nafiseh Rashidianfar, Parks Planner I**

### **National Urban Parks Project**

*Nafiseh Rashidianfar, Parks Planner I, provided a presentation regarding the National Urban Parks Project.*

*Council discussion ensued regarding:*

- *Potential boundaries of the park*
- *Ecosystem regeneration strategy*
- *Historic value of Fort Rod Hill*

#### **8.4 Byron Grant, Manager of Building and Bylaw Services Building Permit Fee Amendment**

*Byron Grant, Manager of Building and Bylaw Services, provided an overview of the proposed changes to the building permit fee in the Building Bylaw 977.*

*Council discussion ensued regarding the timing of amendments and options for establishing costs.*

**MOVED BY: COUNCILLOR JANTZEN**

**SECONDED: COUNCILLOR GROVE**

R2023-06 THAT Administration be directed to return with a Building Bylaw amendment to reduce building permit fees for buildings with a construction value greater than \$50,000,000.

**DEFEATED**

**IN FAVOUR: COUNCILLORS GROVE, JANTZEN, AND OLSEN**

The meeting recessed at 8:35 pm.

The meeting reconvened at 8:40 pm.

#### **8.5 Robert Earl, Chief Administrative Officer Policing Facilities Expansion Project**

*Robert Earl, Chief Administrative Officer, provided an overview of the proposed expansion of the Westshore RCMP facilities.*

*Council discussion ensued regarding:*

- *Location options and continued use of current building*
- *Sharing information with Council as developments occur*
- *Selection of consultant*
- *Preliminary budget and estimate*
- *Debt financing options*
- *Requesting more feedback from the consultant*

**MOVED BY: COUNCILLOR DAY**

**SECONDED: COUNCILLOR JORDISON**

R2023-07 THAT Colliers and representatives from Westshore RCMP be invited to present to Council on the options analysis report for the Westshore RCMP detachment.

**CARRIED**

**OPPOSED: COUNCILLOR JANTZEN**

**8.6 Marcy Lalande, Manager of Corporate Services  
City of Colwood Advisory Committees**

*Marcy Lalande, Manager of Corporate Services, provided an overview of the proposed advisory committees.*

**MOVED BY: COUNCILLOR GROVE  
SECONDED: COUNCILLOR JANTZEN**

R2023-08 THAT the following advisory committees be formed consisting of one (1) member of Council and six (6) members of the public:

- Parks, Trails, and Recreation
- Active Transportation
- Environment

AND THAT the Planning and Land Use Committee be formed consisting of two (2) members of Council and five (5) members of the public.

AND THAT the Draft Terms of Reference for the advisory committees be approved as presented.

AND THAT staff be directed to establish a community engagement process in February/March of 2023 on the following topics:

- Seniors
- Traffic and Speeding Issues
- Sewer
- Health
- Arts and Culture
- Youth

AND THAT the Waterfront Stewardship Committee (formally Waterfront Coastal Processes Committee) be re-established, and the draft revised Terms of Reference be approved as presented.

AND FURTHER THAT the fourth Thursday of each month at 6:30 pm (excluding July, August, September, and December) be held for public hearings if required.

**CARRIED**

## 9. BYLAWS

### 9.1 Bylaw No. 1947 - Land Use Amendment (CD28 Zone Area 2 - Latoria South)

**MOVED BY: COUNCILLOR JANTZEN**  
**SECONDED: COUNCILLOR GROVE**

R2023-09 THAT Bylaw No. 1947, cited as "Colwood Land Use Bylaw No. 151, 1989, Amendment No. 195 (CD28 Zone Area 2 - Latoria South), Bylaw No. 1947, 2022", be adopted.

**CARRIED**

**OPPOSED: COUNCILLOR DAY**

### 9.2 Bylaw No. 1967 - Land Use Amendment (Accessory Dwelling Unit)

*Desiree Givens, Planner II, provided a presentation regarding the proposed changes to the Land Use Bylaw for accessory dwelling units.*

*Council discussion ensued regarding protection of open spaces, housing issues and increasing density.*

**MOVED BY: COUNCILLOR JANTZEN**  
**SECONDED: COUNCILLOR WARD**

R2023-10 THAT Bylaw 1967, cited as "Colwood Land Use Bylaw No. 151, 1989, Amendment No. 201 (Accessory Dwelling Unit) Bylaw No. 1967, 2023" be given first and second reading;

AND THAT a Public Hearing be scheduled prior to third reading.

**CARRIED**

**OPPOSED: COUNCILLOR DAY**

### 9.3 Bylaw No. 1968 - Building Bylaw Amendment (Energy Conservation and GHG Emission Reduction)

*Byron Grant, Manager of Building and Bylaw Services, provided an overview of the proposed changes to the building bylaw for energy conservation and reduction of greenhouse gas emissions.*

**MOVED BY: COUNCILLOR GROVE**

**SECONDED: COUNCILLOR WARD**

R2023-11 THAT Council support the implementation of the Step up/Step down BC Energy Step Code with Low Carbon Energy Systems via an amendment to our Building Bylaw No.977;

AND THAT Bylaw No. 1968, cited as “Building Bylaw No. 977, 2008, Amendment No. 6 (Energy Conservation and GHG Emission Reduction), Bylaw No. 1968, 2023” be given first, second and third reading.

**CARRIED**

## **10. ADJOURNMENT**

*Mayor Kobayashi declared the meeting adjourned at 9:57 pm.*

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APPROVED AND CONFIRMED

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CERTIFIED CORRECT





**CITY OF COLWOOD  
BYLAW NO. 1967**

**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 No. 151, 1989, Amendment No. 201 (Accessory Dwelling Unit), Bylaw No. 1967, 2023”**.

**2. AMENDMENT**

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

- a) In **“SECTION 1.2 DEFINITIONS,”** replace the definition for **“ACCESSORY DWELLING UNIT”** with the following:

**“ACCESSORY DWELLING UNIT”**

means an additional self-contained rental dwelling unit which is ancillary to a principal dwelling unit with which it is associated and is located on the same legal lot as the principal dwelling unit with which it is associated.

An accessory dwelling unit may be one of the following:

1. an addition to or contained within a two-family dwelling unit;
2. an addition to or contained within an attached housing dwelling unit;
3. contained within an apartment unit;
4. contained within an accessory building associated with a one-family use, a two-family dwelling use, or an attached housing dwelling use.

- b) In section 2.1.06 **“Accessory Buildings and Structures,”** replace 2b) with the following:

The total combined floor area of accessory buildings on any lot in a Residential Zone shall not exceed 60 m<sup>2</sup>, except that in cases where an accessory building contains a dwelling unit, the area of the building shall not be included within the total combined floor area of accessory buildings on the lot but will be subject to meeting regulations for accessory dwelling units.

- c) Update the section numbering in **“Section 2.2”** to align with the section header.

- d) In Section 2.2.02 **“Conditions of Use,”** replace 4b) with the following:

Notwithstanding clause 2.2.02(4)(a), existing secondary suites shall not be subject to a maximum size.

e) In Section 2.2.02 “Conditions of Use,” replace 5 with the following:

The maximum size of an accessory dwelling unit shall be 90 m<sup>2</sup> or 40% of the gross floor area of the principal dwelling unit, whichever is less.

**READ A FIRST TIME** on the \_\_\_\_\_ day of \_\_\_\_\_, 2023

**READ A SECOND TIME** on the \_\_\_\_\_ day of \_\_\_\_\_, 2023

**PUBLIC HEARING HELD** on the \_\_\_\_\_ day of \_\_\_\_\_, 2023

**READ A THIRD TIME** on the \_\_\_\_\_ day of \_\_\_\_\_, 2023

**APPROVED BY THE MINISTRY OF  
TRANSPORTATION AND INFRASTRUCTURE**  
on the \_\_\_\_\_ day of \_\_\_\_\_, 2023

**ADOPTED BY THE MUNICIPAL COUNCIL  
OF THE CITY OF COLWOOD** on the \_\_\_\_\_ day of \_\_\_\_\_, 2023

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CORPORATE OFFICER

# NOTICE OF PUBLIC HEARING

## Colwood Land Use Bylaw No. 151, 1989, Amendment No. 201 (Accessory Dwelling Unit), Bylaw No. 1967, 2023

<b>MEETING:</b>	<b>Public Hearing</b>
<b>DATE and TIME:</b>	<b>Thursday, March 2, 2023, 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 hold a Public Hearing on Thursday, March 2, 2023, at 6:30 pm in relation to the proposed “Colwood Land Use Bylaw No. 151, 1989, Amendment No. 201 (Accessory Dwelling Unit), Bylaw No. 1967, 2023”.

**PURPOSE:** This bylaw is proposing amendments to the City of Colwood’s regulations for Secondary Suites and Accessory Dwelling Units contained in Section 2.2 of the Colwood Land Use Bylaw No. 151, 1989, including:

- Permitting detached accessory dwelling units (garden suites) to be located in the yard of a duplex or a townhouse
- Increasing the maximum allowable area for a detached accessory dwelling unit (garden suites) from 60 m<sup>2</sup> to 90 m<sup>2</sup>
- Excluding the area of a detached accessory dwelling unit (garden suite) from the area calculation of all accessory buildings located on a lot

**SUBJECT PROPERTY:** This Bylaw applies to all lands within the City of Colwood.

**INSPECTION OF MATERIALS:** Copies of the proposed bylaw 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 15 to March 2, 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

#### SPEAK TO COUNCIL

**In Person:** The public is welcome to provide comments in person during 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.

**NEED MORE INFORMATION?** Contact Development Services at (250) 478-5053 ext. 112 or [planning@colwood.ca](mailto:planning@colwood.ca).



