

SECTION 40HH | COMPREHENSIVE DEVELOPMENT ZONE 38 (CD-38)

Bylaw 1873, 2005 Adopted Feb 5/08. Amended by Bylaw 2706, 2019.

The intent of this zone is to allow for single-residential housing on small lots with a minimum lot size of 366 square metres.

40HH.1 PERMITTED USES

In the Comprehensive Development Zone No. 38 the use of land and buildings is restricted to:

- (a) single unit dwelling, excluding a mobile home;
- (b) child care facility, subject to 40HH.13
- (c) child care facility, residential
- (d) home occupation office, subject to Section 4.18
- (e) home occupation, residential subject to Section 4.18
- (f) Accessory buildings;

40HH.2 BUILDING PER LOT

No more than one principal building shall be located on a lot.

40HH.3 MINIMUM LOT AREA

- (a) The minimum lot area in the CD-38 zone is 366 square metres.

(b) Additional Density if Lots allocated for Affordable Housing

Notwithstanding sections 40HH.3(a) and 40HH.4(a), the minimum lot area shall decrease to 325 square metres if a housing agreement under section 905 of the Local Government Act and covenant under section 219 of the Land Title Act are entered into with the District to provide 20 affordable single unit dwellings on the lots within the CD-38 zone in accordance with the affordable housing terms set out in Schedule B to this Bylaw, and such agreement and covenant is filed as a legal notation against title to all of the lots within the CD-38 zone and registered against title to all such lots, in priority to all financial liens, charges and encumbrances (including, without limitation, all leases, options to purchase and rights of first refusal).

40HH.4 SUBDIVISION

- (a) Lots within the CD-38 Zone shall conform to the following minimum standards:

	Lot Size	Lot Width	Lot Depth
Interior Lot	366 sq m	12 m	26 m
Corner Lot	375 sq m	15.5 m	22 m

- (b) Notwithstanding section 40HH.4(a), the 20 affordable housing lots contemplated by section 40HH.3(b) shall conform to the following minimum standards:

Affordable Housing Lots – 325m²

	Lot Size	Lot Width	Lot Depth
Interior Lot Only	325 sq m	12 m	26 m

40HH.5 HEIGHT OF BUILDINGS

- (a) No principal building shall exceed a height of 9.0 meters;
- (b) Accessory buildings and structures shall not exceed 4.6m.

40HH.6 MINIMUM BUILDING WIDTH

The minimum building width is 8.36m.

40HH.7 DENSITY

- (a) The maximum unit density shall not exceed 20.4 dwelling units per hectare;
- (b) The floor area ratio shall not exceed 0.50.
- (c) Garages shall not be included in the calculation of the floor area ratio to a maximum of 35 square metres.
- (d) The maximum floor area of a second storey of the principal building shall not exceed 80% of the floor area of the first storey including attached garage. The reduced floor area of the second storey can be accomplished by an offset at the second storey level from either the front or side walls at the first storey level or a combination of both; and

(e) The maximum principal building size, inclusive of a garage or carport, shall be 297.28 square metres.

(f) Lot Coverage shall be a maximum of 50%.

40HH.8 SITING REQUIREMENTS OF PRINCIPAL BUILDINGS

- (a) Front Lot Line Setback: No principal building shall be located within 6.0 meters of a front lot line;
- (b) Interior Side Lot Line Setback: No principal building shall be located within 1.82 meters of an interior side lot line.
- (c) Exterior Side Lot Line Setback: No principal building shall be located within 2.4 meters of a side lot line;
- (d) Rear Lot Line Setback: No principal building shall be located within 6.0 meters of a rear lot line;
- (e) The front lot line setback of the principal building may be reduced to a minimum of 4.0 m provided that the front lot line setback of a garage or carport shall be a minimum of 6.0 m.

40HH.9 FENCING

- (a) Fencing shall be in accordance with Section 4.6 of this Bylaw.
- (b) Despite Section 4.6(a), on Lot 4 Section 2 Township 50 New Westminster District Plan EPP55206, when so used as a child care facility, fencing shall not exceed a height of 2.44m and where located between the front lot line and the face of the building shall not exceed a height of 1.22m.

40HH.10 OFF-STREET PARKING

- (a) A minimum of two off-street parking spaces shall be provided per lot, one of which may be in the driveway;
- (b) The width of the driveway on the lot shall not exceed 6.0m;
- (c) A double garage that accommodates two vehicles parked side by side, can be a maximum width of 5.5 m measured between the interior faces of the side walls of the garage.

- (d) A double garage or carport to accommodate two vehicles parked side by side shall not be permitted on any lot less than 13.4 m wide;
- (e) Aside from the provisions made in this bylaw, parking shall comply with Section 41 Off Street Parking of Bylaw No. 1342, 1995.

40HH.11 ACCESSORY BUILDINGS

- (a) All accessory buildings shall comply with the requirements of Section 4.4 of Bylaw No. 1342, 1995.

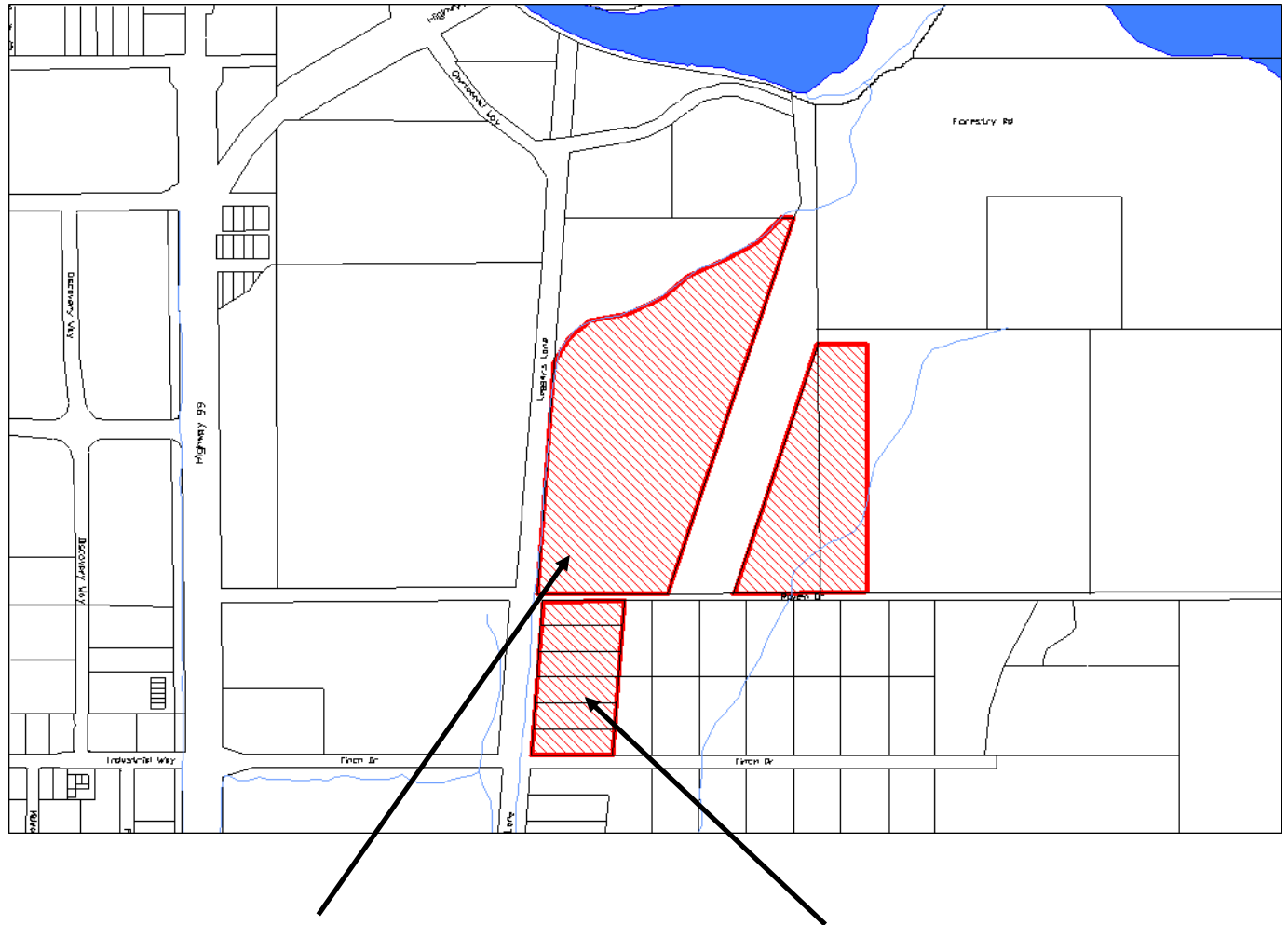
40HH.12 SCREENING AND LANDSCAPING

- (a) All portions of the lot not covered by buildings, structures and non-porous or paved surfaces shall be landscaped. This landscaping shall be maintained;
- (b) All areas in the front yard not covered by non-porous or paved surfaces shall be landscaped.

40HH. 13 CHILD CARE FACILITY

- (a) A child care facility is permitted on land legally described as LOT 4 SECTION 2 TOWNSHIP 50 NEW WESTMINSTER DISTRICT PLAN EPP55206 and located at 39319 Falcon Crescent, Squamish, British Columbia, as shown outlined on the sketch attached as Schedule "B". (*Bylaw 2706, 2019*)
- (b) The child care facility shall:
 - i. Be subject to the provincial child care licensing regulations and comply with floor area requirements for indoor and outdoor play;
 - ii. Be completely enclosed within the building with the exception of outdoor play areas and play equipment;
 - iii. *repealed by Bylaw 3012, 2023*
 - iv. In no way indicate from the exterior that the premises are being so used, except for one sign of not greater than 0.2 meter (2.1 square foot) in area and in accordance with all home occupation sign provisions in the Sign Bylaw;
 - v. Provide a minimum of two (2) off street parking spaces for this use as designated and marked for drop off and pick up on the lot; and
 - vi. Provide secure bicycle parking spaces and stroller storage area on-site, enclosed with garage or fenced area.

**SCHEDULE "A" to
District of Squamish Zoning Bylaw No. 1342, 1995,
Amendment Bylaw (Loggers Lane Small Lot Residential) No. 1873, 2005**



Rezone from Resource (RE) and Rural Residential 1 (RL-1) to Comprehensive Development 38 (CD-38)

Schedule “B” to
District of Squamish Zoning Bylaw No. 2200, 2011, Amendment Bylaw
(Comprehensive Development Zone No. 38 - 39319 Falcon Crescent Child Care Facility) No.
2706, 2019

LOT 4 SECTION 2 TOWNSHIP 50 NEW WESTMINSTER DISTRICT PLAN EPP55206 and located at
39319 Falcon Crescent, Squamish, British Columbia.

