CORPORATION OF THE TOWNSHIP OF ESQUIMALT

BYLAW NO. 3029

A Bylaw to amend Bylaw No. 2050, cited as the
"Zoning Bylaw, 1992, No. 2050"

THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF ESQUIMALT, in open meeting assembled, enacts as follows:

1.   This bylaw may be cited as the *"ZONING BYLAW, 1992, NO. 2050, AMENDMENT BYLAW NO. 3029"*.

2.   That Bylaw No. 2050, cited as the "Zoning Bylaw, 1992, No. 2050" be amended as follows:

   (1)   by adding the following words and figures in Part 31, Zone Designations, in the appropriate alpha-numeric sequence:

   "Comprehensive Development No. 137 (881 Craigflower Road) CD No. 137"

   (2)   by adding the following text as Section 67.124 (or as other appropriately numbered subsection within Section 67):

   67.124   COMPREHENSIVE DEVELOPMENT DISTRICT NO. 137 [CD NO. 137]

   In that Zone designated as CD No. 137 [Comprehensive Development District No. 137], no Building or Structure or part thereof shall be erected, constructed, placed, maintained or used and no land shall be used except in accordance with and subject to the regulations contained in or incorporated by reference into this Section.

      (1)   **Permitted Uses**

      The following Uses and no others shall be permitted:

      (a) Single Family Residential
      (b) Detached Accessory Dwelling Unit: subject to the requirements of Section 30.7 of this bylaw.
      (c) Home Occupation
      (d) Urban Hens: subject to the requirements of Section 30.4 of this bylaw.
      (e) Boarding: subject to the requirements of Section 30.3 of this bylaw.

      (2)   **Parcel Size**

      The minimum Parcel Size of fee simple Parcels created by subdivision shall be 600 square metres.

(3)   **Number of Principal Buildings**

Not more than one (1) Principal Buildings shall be located on a Parcel.

(4)   **Density**

(a)   2 buildings containing dwelling unit(s)
(b)   2 Dwelling Units

on the provision of all of the following conditions:
   (i)   The owner shall grant a Covenant under Section 219 of the *Land Title Act* with the Township for the purposes of ensuring a Detached Accessory Dwelling Unit is not subject to subdivision under the provisions of either the *Land Title Act* or the *Strata Property Act*, including building strata, nor otherwise changes its use as a secondary use only within the singular control of the owner of the Single Family Dwelling;

(5)   **Unit Size**

The Floor Area of a Detached Accessory Dwelling Unit shall not exceed 65 square metres.

(6)   **Floor Area Ratio**

The Floor Area Ratio shall not exceed 0.47.

(7)   **Building Height**

(a)   No Principal Building shall exceed a Height of 7.3 metres.

(b)   No Detached Accessory Dwelling Unit shall exceed a Height of 4.2 metres or the Height of the Principal Building, whichever is the lesser.

(c)   The top of the Detached Accessory Dwelling Unit shall not exceed the geodetic elevation of the top of the Principal Building.

(d)   No Accessory Building shall exceed a Height of 3.6 metres.

(8)   **Lot Coverage and Rear Yard Coverage**

(a)   All Buildings and Structures combined shall not cover more than 33% of the Area of the Parcel.

(b)   The Detached Accessory Dwelling Unit and all Accessory Buildings and Structures combined shall not exceed 10% of the Area of a Parcel.

(c)   The Detached Accessory Dwelling Unit and all Accessory Buildings and Structures combined shall not cover more than 25% of the Area of the Rear Yard.

(9)   **Siting Requirements**

(a)   **Principal Building**

   (i)   Front Setback: No Principal Building shall be located within 4.2 metres of the Front Lot Line.

   (ii) Side Setback: No Principal Building shall be located within 1.5 metres of an Interior Side Lot Line, with the total Setback of all Side Yards not to be less than 3.4 metres.

   (iii) Rear Setback: No Principal Building shall be located within 7.5 metres of a Rear Lot Line.

(b)   **Detached Accessory Dwelling Unit**

   (i)   Front Setback: No Detached Accessory Dwelling Unit shall be located in front of the front face of the Principal Building.

   (ii) Side Setback: No Detached Accessory Dwelling Unit shall be located within 1.5 metres of an Interior Side Lot Line, with the total Setback of all Side Yards not to be less than 4.5 metres.

   (iii) Rear Setback: No Detached Accessory Dwelling Unit shall be located within 1.5 metres of a rear Lot Line.

   (iv) Building Separation: No Detached Accessory Dwelling Unit shall be located within 2.5 metres of a Principal Building.

(c)   **Accessory Building**

   (i)   Front Setback: No Accessory Building shall be located in front of the front face of the Principal Building.

   (ii) Side Setback: No Accessory Building shall be located within 1.5 metres of an Interior Side Lot Line.

   (iii) Rear Setback: No Accessory Building shall be located within 1.5 metres of a Rear Lot Line.

   (iv) Building Separation: No Accessory Building shall be located within 2.5 metres of a Principal Building.

   (v) Building Separation: No Accessory Building shall be located within 2.5 metres of a Detached Accessory Dwelling Unit.

(10)   **Fencing**

   Subject to Section 22 no fence shall exceed a Height of 1.2 metres in front of the front face of the Principal Building and 2 metres behind the front face of the Principal Building.

(11)   **Off-Street Parking**

(a) Notwithstanding Section 13 of Parking Bylaw, 1992, No. 2011(as amended), one (1) off-street parking space shall be provided for the two (2) dwelling units.

(3)   by changing the zoning designation of PID 006-245-196 Lot 6, Section 10, Esquimalt District, Plan 3060 [881 Craigflower Road], shown cross-hatched on Schedule 'A' attached hereto, from RM-1 [Multiple Family Residential] to CD No. 137 [Comprehensive Development District No. 137].

(4)   by changing Schedule 'A' Zoning Map, attached to and forming part of "Zoning Bylaw, 1992, No. 2050" to show the changes in zoning classification effected by this bylaw.

READ a first time by the Municipal Council on the ---- day of ---------, 2021.

READ a second time by the Municipal Council on the ---- day of ---------, 2021.

A Public Hearing was held pursuant to Sections 464, 465, 466 and 468 of the *Local Government Act* on the ---- day of -------, 2021.

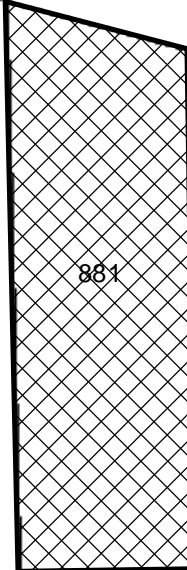READ a third time by the Municipal Council on the ---- day of ----, 2021.

ADOPTED by the Municipal Council on the ---- day of ----, 2021.

BARB DESJARDINS	ANJA NURVO
MAYOR	INTERIM CORPORATE OFFICER

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Craigflower Rd

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Phoenix St

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Schedule 'A'
Bylaw No. 3029