

## CORPORATION OF THE TOWNSHIP OF ESQUIMALT

### BYLAW NO. 3043

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, 2021, NO. 3043"*.

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 Section 31, Zone Designations, in the appropriate alpha-numeric sequence:

"Comprehensive Development District No. 140 (1131 Wychbury Avenue) CD No. 140"

(2) by adding the following text as Section 67.127 (or as other appropriately numbered subsection within Section 67):

**67.127 COMPREHENSIVE DEVELOPMENT DISTRICT NO. 140 [CD NO. 140]**

In that Zone designated as CD No. 140 [Comprehensive Development District No. 140] 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.



Figure 1. Site A & Site B

(1) **Permitted Uses**

The following Uses and no others shall be permitted:

- (a) Single Family Residential
- (b) Home Occupation
- (c) Secondary Suite (Site A): subject to the requirements of Section 30.6
- (d) Boarding: subject to the requirements of Section 30.3
- (e) Urban Hens: subject to the requirements of Section 30.4

(2) **Parcel Size**

The minimum Parcel Size of fee simple Parcels created by subdivision shall be 420 square metres.

(3) **Minimum Lot Width**

The minimum width of Parcels created by subdivision shall be 20 metres measured at the Front Lot Line.

(4) **Number of Principal Buildings**

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

(5) **Floor Area Ratio**

- (a) Site A: The Floor Area Ratio of the Principal Building shall not exceed 0.52 for a parcel created by subdivision consistent with Site A [Figure 1].
- (b) Site B: The Floor Area Ratio of the Principal Building shall not exceed 0.35 for a parcel created by subdivision consistent with Site B [Figure 1].

Where lands in this zone have not been subdivided, the most restrictive of the above requirements is applicable.

(6) **Building Height**

No Principal Building shall exceed a Height of 7.3 metres.

(7) **Lot Coverage**

- (a) All Principal Buildings, Accessory Buildings and Structures combined shall not cover more than 28% of the Area of a Parcel.
- (b) Notwithstanding Section 7(a), a Principal Building shall not cover more than 26% of the Area of a Parcel.

Where lands in this zone have not been subdivided, the most restrictive of the above requirements is applicable.

(8) **Siting Requirements**

The Principal Buildings within Comprehensive Development District No.140 [CD No. 140] shall be separated by not less than 6.3 metres.

**(a) Site A - Principal Building:**

- (i) Front Setback: No Principal Building shall be located within 7.5 metres of the Front Lot Line.
- (ii) Interior Side Setback: No Principal Building shall be located within 3.8 metres of an Interior Side Lot Line.
- (iii) Exterior Side Setback: No Principal Building shall be located within 4.8 metres of an Exterior Side Lot Line.
- (iv) Rear Setback: No Principal Building shall be located within 3.2 metres of the Rear Lot Line.

**(b) Site A - Accessory Buildings:**

- (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 0.6 metres of an Interior Side Lot Line nor within 17.0 metres of an Exterior Side Lot Line.
- (iii) Rear Setback: No Accessory Building shall be located within 0.6 metres of a Rear Lot Line.
- (iv) Building Separation: No Accessory Building shall be located within 1.0 metre of a Principal Building.

**(c) Site B - Principal Building:**

- (i) Front Setback: No Principal Building shall be located within 4.5 metres of the Front Lot Line.
- (ii) Interior Side Setback (North): No Principal Building shall be located within 3.1 metres of a northern Interior Side Lot Line.
- (iii) Interior Side Setback (South): No Principal Building shall be located within 6.3 metres of a southern Interior Side Lot Line.
- (iv) Rear Setback: No Principal Building shall be located within 4.8 metres of the Rear Lot Line.

**(d) Site B - 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 6.3 metres of a southern Interior Side Lot Line nor within 3.1 metres of a northern Interior Side Lot Line.
- (iii) Rear Setback: No Accessory Building shall be located within 1.0 metre of a Rear Lot Line.

- (iv) Building Separation: No Accessory Building shall be located within 2.0 metre of a Principal Building

Where lands in this zone have not been subdivided, the most restrictive of the above requirements is applicable.

(9) **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 2.0 metres behind the front face of the Principal Building.

(10) **Off Street Parking**

- (a) Off street parking shall be provided in accordance with the requirements of Parking Bylaw, 1992, No. 2011 (as amended).
  - (b) Notwithstanding Section 10(a), not more than 14% of the Area of a Parcel created by subdivision consistent with Site A [Figure 1], not covered by Principal Buildings, Accessory Buildings or Structures (Lot Coverage) may be used as a Parking Area.
  - (c) Notwithstanding Section 10(a), the maximum width of a Parking Area for a Parcel created by subdivision consistent with Site A [Figure 1] shall be 3.0 metres measured at the Exterior Side Lot Line.
  - (d) Notwithstanding Section 10(a), not more than 4% of the Area of a Parcel created by subdivision consistent with Site B [Figure 1], not covered by Principal Buildings, Accessory Buildings or Structures (Lot Coverage) may be used as a Parking Area.
  - (e) Notwithstanding Section 10(a), the maximum width of a Parking Area for a Parcel created by subdivision consistent with Site B [Figure 1] shall be 3.0 metres measured at the Front Lot Line.
  - (f) For greater certainty, no more than one Parking Area shall be located on a Parcel.
- (3) by changing the zoning designation of PID 005-910-951, Lot 12, Block 1, Section 11, Esquimalt District, Plan 5725 [1131 Wychbury Avenue], shown cross-hatched on Schedule 'A' attached hereto, from Two Family DADU Residential [RD-4] to CD No. 140 [Comprehensive Development District No. 140]
- (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 1<sup>st</sup> day of November, 2021.

READ a second time by the Municipal Council on the 1<sup>st</sup> day of November, 2021.

Public Hearing was waived pursuant to Sections 464, 467 and 468 of the *Local Government Act* on the 1<sup>st</sup> day of November, 2021.

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

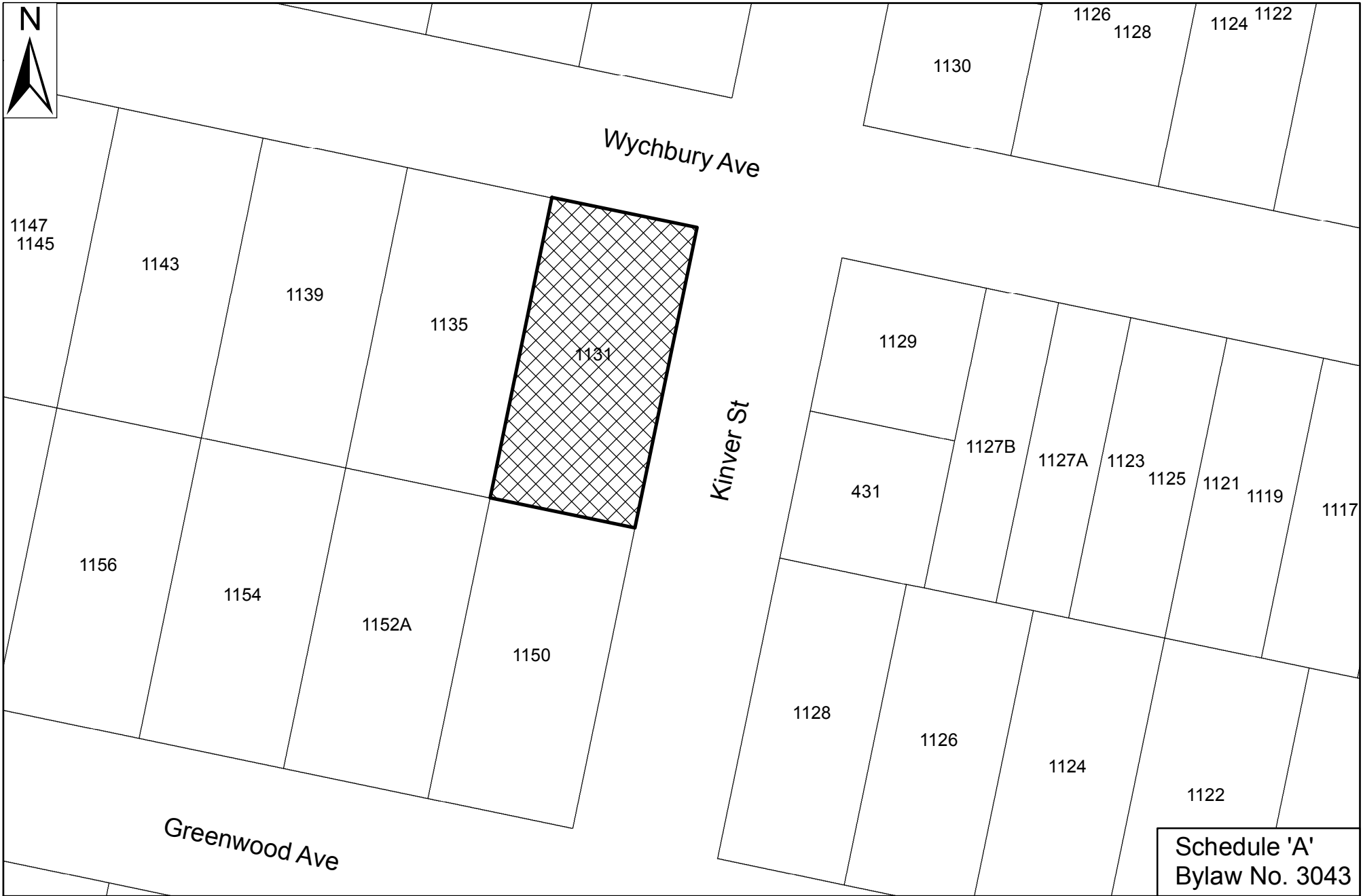
**ADOPTED** by the Municipal Council on the \_\_\_\_ day of \_\_\_\_\_, 2021.

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BARBARA DESJARDINS  
MAYOR

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DEBRA HOPKINS  
CORPORATE OFFICER



Schedule 'A'  
Bylaw No. 3043