

CORPORATION OF THE TOWNSHIP OF ESQUIMALT

BYLAW NO. 2862

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, 2015, NO. 2862*”.
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. 95 (322 Plaskett Place) CD No. 95”

- (2) by adding the following text as Section 67.82 (or as other appropriately numbered subsection within Section 67):

67.82 COMPREHENSIVE DEVELOPMENT DISTRICT NO. 95 [CD NO. 95]

In that Zone designated as CD No. 95 [Comprehensive Development District No. 95] 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 Part.

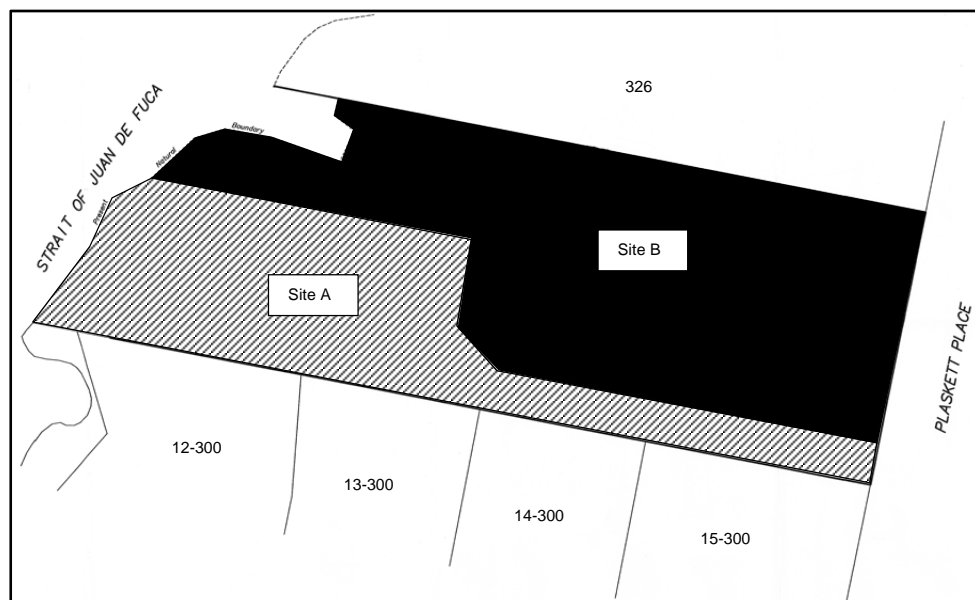


Figure 1. Site A & Site B

(1) **Permitted Uses**

The following Uses and no others shall be permitted:

- (a) Single Family Residential
- (b) Home Occupation

(2) **Parcel Size**

- (a) The minimum Parcel Size for a Parcel created by subdivision consistent with Site A [Figure 1] shall be 950 square metres.
- (b) The minimum Parcel Size for a Parcel created by subdivision consistent with Site B [Figure 1] shall be 1550 square metres.

(3) **Frontage**

- (a) The minimum Frontage of a parcel created by subdivision consistent with Site A [Figure 1] shall be 4.6 metres measured at the Front Lot Line and a Parcel created by subdivision consistent with Site A [Figure 1] shall be exempt from the statutory frontage requirement in Section 944 of the *Local Government Act*
- (b) The minimum Frontage of a parcel created by subdivision consistent with Site B [Figure 1] shall be 24.0 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) The Floor Area Ratio shall not exceed 0.32 for a Parcel created by subdivision consistent with Site A [Figure 1].
- (b) The Floor Area Ratio shall not exceed 0.20 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) **Floor Area**

The minimum Floor Area for the first storey of Principal Building(s) shall be 100 square metres.

(7) **Building Height**

- (a) A Principal Building located on a parcel created by subdivision consistent with Site A [Figure 1] shall not exceed a Height of 6.0 metres.
- (b) A Principal Building located on a parcel created by subdivision consistent with Site B [Figure 1] shall not exceed a Height of 8.1 metres.
- (c) No Accessory Building shall exceed a Height of 3.6 metres.

(8) **Building Width**

The minimum width for Principal Building(s) shall be 7.0 metres.

(9) **Lot Coverage**

- (a) All Principal Buildings, Accessory Buildings and Structures combined located on a parcel created by subdivision consistent with Site A [Figure 1] shall not cover more than 29% of a Parcel.
- (b) Notwithstanding Section 9(a), a Principal Building located on a parcel created by subdivision consistent with Site A [Figure 1] shall not cover more than 28% of the Area of a Parcel.
- (c) All Principal Buildings, Accessory Buildings and Structures combined located on a parcel created by subdivision consistent with Site B [Figure 1] shall not cover more than 18% of a Parcel.
- (d) Notwithstanding Section 9(c), a Principal Building located on a parcel created by subdivision consistent with Site A [Figure 1] shall not cover more than 17% of the Area of a Parcel.

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

(10) **Siting Requirements**

- (a) **Principal Buildings:** Where lands in this CD-95 zone have been subdivided into two Parcels:
 - (i) No Principal Building located on a parcel created by subdivision consistent with Site A [Figure 1] shall be located within 10.0 metres of the easternmost Lot Line, west of the Access Strip, most parallel to the Frontage.

- (ii) No Principal Building located on a parcel created by subdivision consistent with Site A [Figure 1] shall be located within 3.0 metres of the northernmost Lot Line.
- (iii) No Principal Building located on a parcel created by subdivision consistent with Site A [Figure 1] shall be located within 1.5 metres of the southernmost Lot Line.
- (iv) No Principal Building located on a parcel created by subdivision consistent with Site A [Figure 1] shall be located within 7.8 metres of the Present Natural Boundary. The setback shall follow a line drawn parallel to the indentations and sinuosities of the Present Natural Boundary.
- (v) No Principal Building located on a parcel created by subdivision consistent with Site B [Figure 1] shall be located within 15.0 metres of the Front Lot Line.
- (vi) No Principal Building located on a parcel created by subdivision consistent with Site B [Figure 1] shall be located within 2.4 metres of the northernmost Lot Line.
- (vii) No Principal Building located on a parcel created by subdivision consistent with Site B [Figure 1] shall be located within 3.1 metres of the southernmost Lot Line.
- (viii) No Principal Building located on a parcel created by subdivision consistent with Site B [Figure 1] shall be located within 25.0 metres of the Present Natural Boundary. The setback shall follow a line drawn parallel to the indentations and sinuosities of the Present Natural Boundary.
- (ix) No Principal Building located on a parcel created by subdivision consistent with Site B [Figure 1] shall be located within 8.5 metres of any other Lot Line.

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

(b) Accessory Buildings:

- (i) No Accessory Building located on a parcel created by subdivision consistent with Site A [Figure 1] shall be located within the Access Strip.
- (ii) No Accessory Building located on a parcel created by subdivision consistent with Site B [Figure 1] shall be located in front of the front face of the Principal Building.

- (iii) No Accessory Building shall be located within 7.8 metres of the Present Natural Boundary. The setback shall follow a line drawn parallel to the indentations and sinuosities of the Present Natural Boundary.
- (iv) No Accessory Building shall be located within 1.5 metres of any other Lot Line.
- (v) No Accessory Building shall be located within 2.5 metres of any Principal Building.

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

(11) **Fencing**

Subject to Part 4, Section 22, no fence shall exceed a Height of:

- (a) 1.2 metres in front of the front face of a Principal Building located on a parcel created by subdivision consistent with Site B [Figure 1];
- (b) Notwithstanding 11(a), 2.0 metres along the southernmost Lot Line of a parcel created by subdivision consistent with Site A [Figure 1] to a point on the Lot Line 15.0 metres from the Frontage and 1.2 metres thereafter;
- (c) 1.2 metres, within 7.8 metres of the Present Natural Boundary, parallel to the indentations and sinuosities of the Present Natural Boundary; and
- (d) 2.0 metres otherwise.

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

(12) **Off-Street Parking**

Off-street parking shall be provided in accordance with the requirements of Parking Bylaw, 1992, No. 2011(as amended).

- (3) by changing the zoning designation of PID: 009-289-810, Lot 8, Block 14, Section 11, Esquimalt District, Plan 195A [322 Plaskett Place] shown cross-hatched on Schedule "A" attached hereto from RS-3 [Single Family Waterfront Residential] to CD No. 95 [Comprehensive Development District No. 95].
- (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 -----, 2015.

READ a second time by the Municipal Council on the ---- day of -----, 2015.

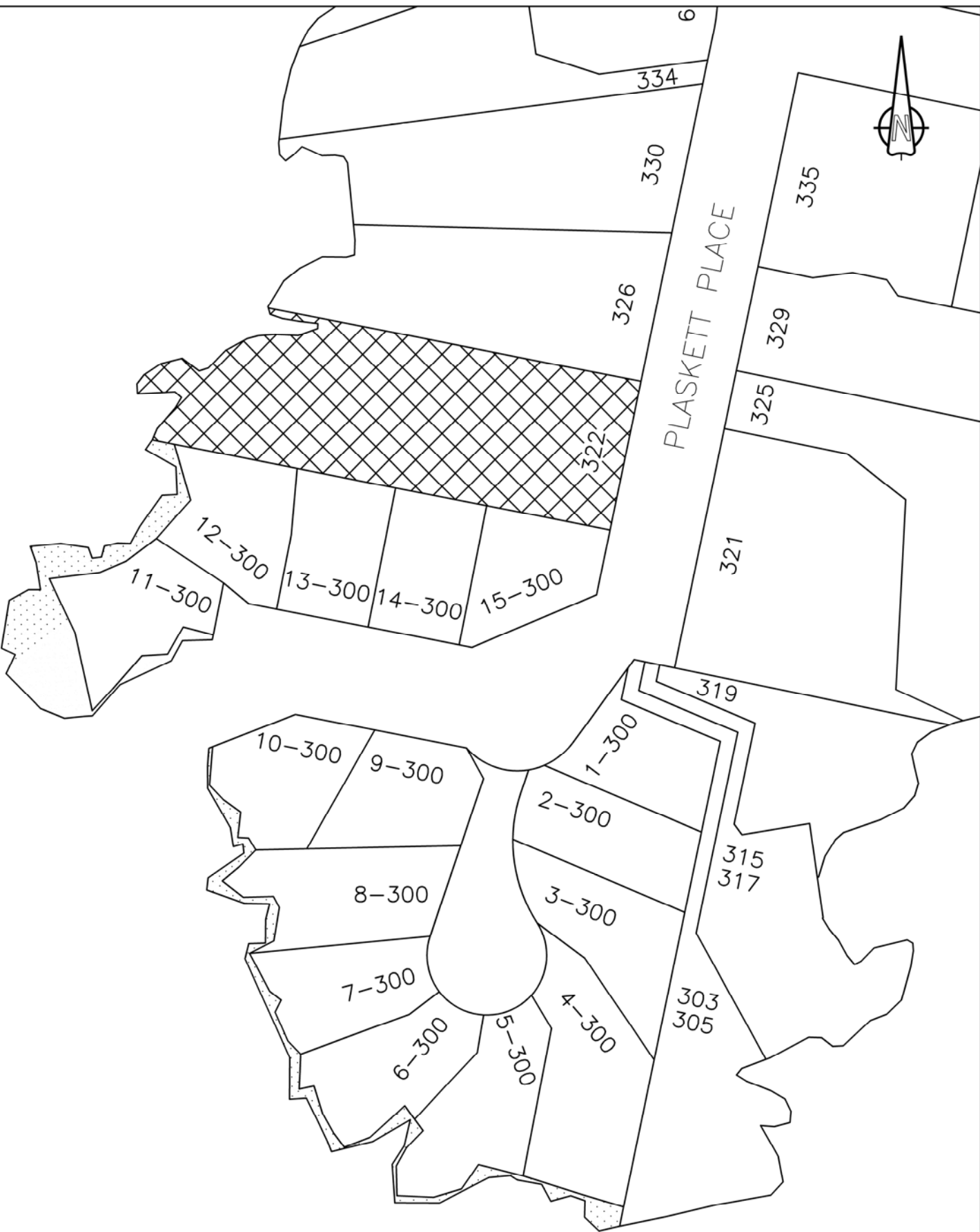
A Public Hearing was held pursuant to Sections 890 and 892 of the *Local Government Act* on the ---- day of -----, 2015.

READ a third time by the Municipal Council on the ---- day of ----, 2015.

ADOPTED by the Municipal Council on the ---- day of ----, 2015.

BARBARA DESJARDINS
MAYOR

ANJA NURVO
CORPORATE OFFICER



SCHEDULE 'A'
BYLAW NO. 2862