

CORPORATION OF THE TOWNSHIP OF ESQUIMALT

BYLAW NO. 2905

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. 2905*".
2. That Bylaw No. 2050, cited as the "Zoning Bylaw, 1992, No. 2050" be amended as follows:

- (1) by amending references to the "*Community Care Facility Act*" to read "*Community Care and Assisted Living Act*";
- (2) by adding the following words and figures in Section 31, Zone Designations, in the appropriate alpha-numeric sequence:

"Comprehensive Development No. 104 (780 Dominion Road) CD No. 104"

- (3) by adding the following text as Section 67.91 (or as other appropriately numbered subsection within Section 67):

67.91 COMPREHENSIVE DEVELOPMENT DISTRICT NO. 104
[CD NO. 104]

In that Zone designated as CD No. 104 [Comprehensive Development District No. 104] 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.

(1) **Permitted Uses**

Only the following Uses and no others shall be permitted:

- a) Dwelling – Multiple Family
- b) Home Occupation
- c) Group Children's Day Care Centre

(2) **Floor Area Ratio**

The Floor Area Ratio shall not exceed 0.60.

(3) **Size and Location of Group Children's Day Care Centre**

- (a) The Floor Area dedicated to Group Children's Day Care Centre shall not exceed 75 square metres.

- (b) Group Children's Day Care Centre use is not permitted on any Storey located above the Second Storey.

(6) **Parcel Size**

The minimum Parcel Size of fee simple Parcels created by subdivision shall be 650 square metres.

(7) **Building Height**

(a) No Principal Building shall exceed a Height of 9 metres.

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

(8) **Lot Coverage**

(a) Principal Buildings, Accessory Buildings and Structures combined shall not cover more than 40% of the Area of the Parcel.

(b) All Accessory Buildings and Structures combined shall not exceed 10% of the Area of a Parcel.

(9) **Siting Requirements**

(a) Principal Building

- (i) Front Setback: No Principal Building shall be located within 7.5 metres of the Front Lot Line.
- (ii) Side Setback: No Principal Building shall be located within 4.5 metres of an Interior Side Lot Line.
- (iii) Rear Setback: No Principal Building shall be located within 7.5 metres of a Rear Lot Line.

(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 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.

(10) **Usable Open Space**

Usable Open Space shall be provided in an amount of not less than

15 % of the Area of the Parcel.

(12) **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.

(13) **Screening and Landscaping**

Notwithstanding Section 23, a wooden fence of 1.2 metres in height shall be provided along the perimeter of the Front Yard, including in front of the 2 parking spaces, excluding the driveway entrance.

(14) **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 14(a) Parking shall be provided for Group Children's Day Care Centre at a ratio 3 spaces per 75 square metres of Day Care Centre Floor Area with a minimum provision of 1 parking space located next to or behind the Principal Building, and 2 spaces located within the Front Yard.
- (4) by changing the zoning designation of PID 006-289-100, Amended Lot I (DD 156820i), Section 10, Esquimalt District, Plan 2923 [780 Dominion Road], shown hatched on Schedule 'A', attached here to, from Multiple Family Residential [RM-3] Zone to CD No. 104 [Comprehensive Development District No. 104].
- (5) 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 _____, 2017.

READ a second time by the Municipal Council on the ____ day of _____, 2017.

A Public Hearing was held pursuant to Sections 464, 465, 466, and 468 of the *Local Government Act* on the ____ day of _____, 2017.

READ a third time by the Municipal Council on the ____ day of _____, 2017.

ADOPTED by the Municipal Council on the ____ day of _____, 2017.

BARBARA DESJARDINS
MAYOR

ANJA NURVO
CORPORATE OFFICER



790

788

780

778

776

772

808

806

Belton Ave

Dominion Rd

Pine St

Devonshire Rd

Schedule 'A'