

CORPORATION OF THE TOWNSHIP OF ESQUIMALT

BYLAW NO. 3034

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. 3034"*.

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. 139 (1300 Saunders Street) CD No. 139"

(2) by adding the following text as Section 67.126 (or as other appropriately
numbered subsection within Section 67):

**67.126 COMPREHENSIVE DEVELOPMENT DISTRICT NO. 139 [CD
NO. 139]**

In that Zone designated as CD No. 139 [Comprehensive Development
District No. 139] 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) Dwelling – Multiple Family
- (b) Home Occupation

(2) **Parcel Size**

The minimum Parcel Size of fee simple Parcels created by
subdivision shall be 2280 square metres.

(3) **Number of Principal Buildings**

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

(4) **Number of Dwelling Units**

No more than seventy-two (72) Dwelling Units shall be located on a

Parcel

(5) **Floor Area Ratio**

The Floor Area Ratio shall not exceed 2.0.

(6) **Building Height**

No Principal Building shall exceed a Height of 19 metres.

(7) **Lot Coverage**

(a) Principal Building shall not cover more than 83% of the Area of the Parcel including a parking structure.

(b) Notwithstanding 7(a), that portion of the Principal Building constructed at or above the First Storey shall not cover more than 48% of the Area of the Parcel.

(8) **Siting Requirements**

(a) **Principal Building:**

- (i) Front Setback: No Principal Building shall be located within 11.0 metres of the Front Lot Line abutting Nelson Street.
- (ii) Side Setback: No Principal Building shall be located within 7.9 metres of the southern Exterior Side Lot Line abutting Saunders Street.
- (iii) Side Setback: No Principal Building shall be located within 3.3 metres of the northern Interior Side Lot Line.
- (iv) Rear Setback: No Principal Building shall be located within 5.5 metres of the Rear Lot Line.

(b) **Accessory Buildings:**

- (i) No Accessory Buildings shall be permitted.

(9) **Siting Exceptions**

(a) **Principal Building:**

- (i) The minimum distance to the Front Lot Line may be reduced to 4.3 metres to accommodate the parking structure situated below the First Storey of the Principal Building.
- (ii) The minimum distance to the southern Exterior Side Lot Line may be reduced 1.7 metres to accommodate the parking structure situated below the First Storey of the Principal Building.
- (iii) The minimum distance to the northern Interior Side Lot

Line may be reduced to 0.7 metres to accommodate the parking structure situated below the First Storey of the Principal Building.

- (iv) The minimum distance to the Rear Lot Line may be reduced to 0.2 metres to accommodate the parking structure situated below the First Storey of the Principal Building.
- (v) The minimum distance to the Rear Lot Line may be reduced to 1.9 metres to accommodate stairway(s) to the parking structure.
- (vi) The minimum distance to the Side Lot Lines may be reduced by not more than 1.0 metres to accommodate balconies and exterior canopies, attached to and forming part of the Principal Building

(10) **Fencing**

- (a) 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.
- (b) Notwithstanding Part 4, Section 22(1), fencing located on top of a retaining wall shall be measured distinctly and shall not 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) **Usable Open Space**

Usable Open Space shall be provided in an amount not less than 200 square metres.

(12) **Indoor Amenity Space**

Indoor amenity space shall be provided in an amount not less than 270 square metres.

(13) **Off-Street Parking**

- (a) Notwithstanding Section 13 of Parking Bylaw, 1992, No. 2011(as amended), off-street parking shall be provided in the ratio of 1.0 spaces per dwelling unit.
- (b) Notwithstanding Section 11 of Parking Bylaw, 1992, No. 2011(as amended), a minimum of 4 of the parking spaces required per above (12) (a) shall be marked "Visitor".

- (c) Notwithstanding Section 14(2)(a) of Parking Bylaw, 1992, No. 2011(as amended), 73% of the required Parking Spaces may be designated for small cars by reducing the depth of a stall for 90 degree parking from 5.5 metres to 4.5 metres.
 - (d) Notwithstanding Section 14 of Parking Bylaw, 1992, No. 2011(as amended), the minimum width of a two way manoeuvring aisle accessing two banks of parking shall be 6.4 metres.
 - (e) Notwithstanding Section 14 of Parking Bylaw, 1992, No. 2011(as amended), the minimum width of a two way manoeuvring aisle accessing one bank of parking shall be 6.4 metres.
- (3) by changing the zoning designation of PID 006-374-816 Lot 25, Suburban Lot 45, Esquimalt District, Plan 2854 + PID 006-374-786 Lot 24, Suburban Lot 45, Esquimalt District, Plan 2854 [1338 Saunders Street], PID 006-374-719 Lot 23, Suburban Lot 45, Esquimalt District, Plan 2854 + PID 006-374-662 Lot 22, Suburban Lot 45, Esquimalt District, Plan 2854 [1340 Saunders Street], PID 005-479-258 Lot 21, Suburban Lot 45, Esquimalt District, Plan 2854 + PID 005-479-240 Lot 20, Suburban Lot 45, Esquimalt District, Plan 2854 [1344 Saunders Street], and PID 004-543-483 Lot A, Suburban Lot 45, Esquimalt District, Plan 13158 [1350 Saunders Street], shown cross-hatched on Schedule 'A' attached hereto, from RM-1 [Multiple Family Residential] to CD No. 139 [Comprehensive Development District No. 139].
- (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 28th day of June, 2021.

AMENDED BYLAW AND READ ANEW a second time by the Municipal Council on the 27th day of September, 2021.

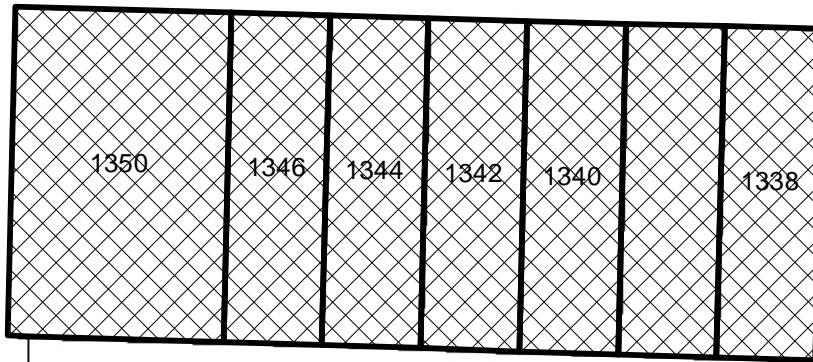
A Public Hearing was held pursuant to Sections 464, 465, 466 and 468 of the *Local Government Act* on the ---- day of -----, 2021.

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

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

BARBARA DESJARDINS
MAYOR

DEB HOPKINS
CORPORATE OFFICER



Saunders St

1337

Nelson St

638

Constance Ave

630

633

Schedule 'A'
Bylaw No. 3034