



# 1109 Lyall Street



**CORPORATION OF THE TOWNSHIP OF ESQUIMALT**

**BYLAW NO. 2940**

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. 2940".
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. 111 (1109 Lyall Street) CD No. 111"

- (2) by adding the following text as Section 67.98 (or as other appropriately numbered subsection within Section 67):

**67.98 COMPREHENSIVE DEVELOPMENT DISTRICT NO. 111 [CD NO. 111]**

In that Zone designated as CD No. 111 [Comprehensive Development District No. 111] 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**

The following Uses and no others shall be permitted:

- a) Single Family Residential
- b) Two Family Residential
- c) Home Occupation
- d) Boarding: subject to the requirements of Section 30.3
- e) Urban Hens: subject to the requirements of Section 30.4 of this bylaw.

(2) **Parcel Size**

The minimum Parcel Size of fee simple Parcels created by subdivision shall be 949 square metres.

(3) **Number of Principal Buildings**

Not more than two (2) Principal Buildings shall be located on a Parcel.

(4) **Density**

The number of Dwelling Units permitted in this CD-111 Zone shall be limited to three [3] for a density of one [1] unit per 316.3 square metres.

(5) **Unit Size**

Dwelling Units shall not be less than 150 square metres.

(6) **Floor Area Ratio**

The Floor Area Ratio shall not exceed 0.50.

(7) **Building Height**

No Principal Building shall exceed a Height of 7.0 metres.

(8) **Lot Coverage**

Principal Buildings and Structures combined shall not cover more than 30% of the Area of the Parcel.

(9) **Siting Requirements**

(a) **Principal Buildings:**

- (i) No Principal Building shall be located within 7.6 metres of the Front Lot Line.
- (ii) No Principal Building located within 20.0 metres of the Front Lot Line shall be located within 2.0 metres of the eastern Side Lot Line, and otherwise no Principal Building shall be located within 1.5 metres of the eastern Side Lot Line.
- (iii) No Principal Building located within 20.0 metres of the Front Lot Line shall be located within 10.0 metres of the western Side Lot Line, and otherwise no Principal Building shall be located within 3.2 metres of the eastern Side Lot Line.
- (iv) No Principal Building shall be located within 5.7 metres of the Rear Lot Line.
- (v) Principal Buildings shall be separated by not less than 5.4 metres.

(b) **Accessory Buildings:**

No Accessory Buildings shall be permitted.

(10) **Siting Exceptions**

- a) The minimum separation between Principal Buildings may be reduced by not more than 1.4 metres to accommodate the exterior stairs and landing of the northern most building.

(11) **Fencing**

- a) Subject to Part 4, Section 22, no fence shall exceed a Height of 1.2 metres within 7.66 metres of the Front Lot Line [Lyllall Street].
- b) No fence sited beyond 7.66 metres of the Front Lot Line shall be less than a height of 1.8 metres and exceed a height of 2.0 metres.

(12) **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 1.3 spaces per Dwelling Unit.
- (b) Notwithstanding Section 9(4), and for greater certainty in relation to Section 9(7), of Parking Bylaw, 1992, No. 2011 (as amended), two (2) parking stalls, for the northern most Principal Building, may be located within the Front Yard, however, this relief is provided only for the life of the existing Principal Building.
- (3) by changing the zoning designation of PID 006-001-009, Amended Lot 3 (DD 148436I), Section 11, Esquimalt District, Plan 4729 [1109 Lyall Street] shown cross-hatched on Schedule "A" attached hereto from RD-3 [Two Family/ Single Family Residential] to CD No. 111 [Comprehensive Development District No. 111].
- (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 17<sup>th</sup> day of September, 2018.

READ a second time by the Municipal Council on the 17<sup>th</sup> day of September, 2018.

A Public Hearing was held pursuant to Sections 464, 465, 466 and 468 of the *Local Government Act* on the 3<sup>rd</sup> day of December, 2018.

READ a third time by the Municipal Council on the 3<sup>rd</sup> day of December, 2018.

**ADOPTED** by the Municipal Council on the 4<sup>th</sup> day of February, 2019.



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KEN ARMOUR  
ACTING MAYOR



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ANJA NURVO  
CORPORATE OFFICER



Schedule 'A'  
Bylaw No. 2940

