

CORPORATION OF THE TOWNSHIP OF ESQUIMALT

BYLAW NO. 2864

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. 2864*".
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. 96 (826 Esquimalt Road) CD No. 96"

- (2) by adding the following text as Section 67.83 (or as other appropriately numbered subsection within Section 67):

67.83 COMPREHENSIVE DEVELOPMENT DISTRICT No. 96 [CD No. 96]

In that Zone designated as CD No. 96 [Comprehensive Development District No. 96] 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) Multiple Family Residential
- (b) Home Occupation

(2) **Number of Buildings and Dwelling Units**

Maximum One (1) Building containing not more than thirty (30) Multiple Family Dwellings in total. No Accessory Buildings or Structures permitted.

(3) **Floor Area Ratio**

The Floor Area Ratio shall not exceed 2.15

(4) **Unit Size**

The minimum Floor Area for each Dwelling Unit shall not be less than 44 square metres.

(5) **Parcel Size**

The minimum Parcel Size of fee simple Parcels created by subdivision shall be 920 square metres.

(6) **Building Height**

No Building shall exceed a Height of 18 metres.

(7) **Lot Coverage**

(a) A Building shall not cover more than 90% of the Area of a Parcel.

(b) Notwithstanding 7(a), that portion of a Building constructed above the First Storey shall not cover more than 62% of the Area of a Parcel.

(8) **Siting Requirements**

(a) **Building**

(i) Front Setback [First Storey]: No Building shall be located within 5.0 metres of the Front Lot Line.

(ii) Front Setback [Above First Storey]: No Building shall be located within 6.0 metres of the Front Lot Line.

(iv) Side Setback [First Storey]: No Side Setbacks shall be required

(iv) Side Setback [Above First Storey]: No Building shall be located within 1.5 metres of the western Interior Side Lot Line or within 2.1 metres of the eastern Interior Side Lot Line.

(v) Rear Setback [First Storey]: No Rear Setback shall be required.

(vi) Rear Setback [Above First Storey]: No Building shall be located within 3.3 metres of the Rear Lot Line.

(9) **Siting Exception**

Within the CD-96 zone, the minimum distance to the Front Lot Line, measured from the Front Setback [Above First Storey], may be reduced by not more than 2.1 metres to accommodate a front eave, attached to and forming part of a Principal Building.

(10) **Fencing**

Subject to Section 22, no fence shall exceed a Height of 1.2 metres in front of the front face of the Building and 2 metres behind the front face of the Building.

(11) **Off-Street Parking**

- (a) Notwithstanding Section 13 of Parking Bylaw, 1992, No. 2011, off-street parking shall be provided in the ratio of 0.8 spaces per dwelling unit.
 - (b) A minimum of 4 of the parking spaces required above (11(a)) shall be marked "Visitor".
 - (c) A minimum of 1 of the parking spaces required above (11(a)) shall be marked "Car Share Vehicle".
 - (d) Notwithstanding Section 9(4) of Parking Bylaw, 1992, No. 2011, a maximum of 2 parking spaces may be located closer to the Front Lot Line than the front face of the Principle Building.
- (3) by changing the zoning designation of PID 006-075-495 Lot 2, Section 11, Esquimalt District, Plan 4225 [826 Esquimalt Road] shown cross-hatched on Schedule "A" attached hereto, from RD-3 [Two Family/ Single Family Residential] to CD No. 96 [Comprehensive Development District No. 96].
- (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 4th day of January, 2016.

READ a second time by the Municipal Council on the 4th day of January, 2016.

A Public Hearing was held pursuant to Sections 890 and 892 of the *Local Government Act* on the 1st day of February, 2016.

READ a third time by the Municipal Council on the 1st day of February, 2016.

ADOPTED by the Municipal Council on the 2nd day of May, 2016.

BARBARA DESJARDINS
MAYOR

ANJA NURVO
CORPORATE OFFICER

OLD ESQUIMALT ROAD



847

845

843

839
841

837

833

823

819

815

809

80

842
838
8341/2
8321/2

830

826

822

820

804

802

ESQUIMALT RD

803

39

835

831

823
825
827
829

821

819

812
810

DUNSMUIR RD

816

810
808

66

832

828

824

818

814

812

WOLLASTON ST

815

827A

821
823

817
819

SCHEDULE 'A'
BYLAW NO. 2864