

939 Colville Road and 825 Lampson Street - air photo



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

BYLAW NO. 2942

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. 2942*".
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. 112 (939 Colville Road) CD No. 112"

- (2) by adding the following text as Section 67.99 (or as other appropriately numbered subsection within Section 67):

67.99 COMPREHENSIVE DEVELOPMENT DISTRICT NO. 112 [CD NO. 112]

In that Zone designated as CD No. 112 [Comprehensive Development District No. 112] 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) Townhouse Residential
- (b) Two Family Residential
- (c) Home Occupation
- (d) Boarding: subject to the requirements of Section 30.3

(2) **Parcel Size**

The minimum Parcel Size of fee simple Parcels created by subdivision shall be 1990 square metres.

(3) **Number of Buildings**

- (a) No more than four (4) Principal Buildings shall be located on a Parcel.

(b) No more than one (1) Accessory Building shall be located on a Parcel.

(4) **Number of Dwelling Units**

No more than ten (10) Dwelling Units shall be located on a Parcel.

(5) **Unit Size**

Dwelling Units shall have a Floor Area of not less than 130 square metres.

(6) **Floor Area Ratio**

The Floor Area Ratio shall not exceed 0.69.

(7) **Building Height**

(a) No Principal Building shall exceed a Height of 9.0 metres.

(b) No Accessory Building shall exceed a Height of 2.5 metres.

(8) **Lot Coverage**

All Buildings and Structures combined shall not cover more than 33% of the Area of the Parcel.

(9) **Siting Requirements**

(a) **Principal Buildings:**

- (i) No Principal Building shall be located within 6.9 metres of the Front Lot Line.
- (ii) No Principal Building located within 20.0 metres of the Front Lot Line shall be located within 19.0 metres of the Interior Side Lot Line, and otherwise no Principal Building shall be located within 3.3 metres of the Interior Side Lot Line.
- (iii) No Principal Building shall be located within 3.6 metres of the Exterior Side Lot Line.
- (iv) No Principal Building shall be located within 3.5 metres of the Rear Lot Line.
- (v) Principal Buildings shall be separated by not less than 2.7 metres.

(b) **Accessory Buildings:**

- (i) One (1) Accessory Building may be located in front of the

front face of a Principal Building.

- (ii) No Accessory Building shall be located within 3.0 metres of a Front Lot Line.
- (iii) No Accessory Building shall be located within 15.0 metres of an Exterior Side Lot Line.
- (iv) No Accessory Building shall be located within 8.0 metres of an Interior Side Lot Line.
- (v) No Accessory Building shall be located within 20.0 metres of a Rear Lot Line.
- (vi) Building Separation: No Accessory Building shall be located within 2.0 metres of a Principal Building.

(10) **Siting Exception**

The minimum distance to the Front Lot Line may be reduced by not more than 0.40 metres to accommodate the covered entrance to the end unit.

(11) **Fencing**

- (a) Subject to Part 4, Section 22, no fence shall exceed a Height of 1.2 metres:
 - (i) within 7.3 metres of the Front Lot Line [Colville Road]
 - (ii) within 5.5 metres of the Exterior Side Lot Line [Lampson Street].
- (b) Subject to Part 4, Section 22 and the above [(11)(a)], no fence shall exceed a Height of 2.0 metres.

(12) **Retaining Walls**

- (a) Notwithstanding Part 4, Section 22, Retaining Walls with a Height not exceeding 1.5 metres may be located within 4.3 metres of the Rear Lot Line.
- (b) Notwithstanding Part 4, Section 22, a Retaining Wall with a Height not exceeding 2.2 metres may be located within 10 metres of the Exterior Side Lot Line, between the Principal Buildings.

(13) **Off-Street Parking**

- (a) Notwithstanding Section 13 of Parking Bylaw, 1992, No. 2011, off-street parking shall be provided with a minimum ratio of 1.6 spaces per Dwelling Unit.

- (b) Notwithstanding Section 9(4) of Parking Bylaw, 1992, No. 2011 (as amended), one (1) parking stall, contained within a Principal Building, shall be provided for each Dwelling Unit."
 - (c) A minimum of five (5) of the parking spaces required above (13(a)) shall be marked "Visitor".
 - (d) A minimum of one (1) of the parking spaces required above (13(a)) shall be marked "Car Share Vehicle".
- (3) by changing the zoning designation of PID: 005-752-655, Lot 1, Block 1, Section 10, Esquimalt District, Plan 6277 [939 Colville Road] shown cross-hatched on Schedule "A" attached hereto from [Single Family Bed and Breakfast Residential [RS-4] to CD No. 112 [Comprehensive Development District No. 112].
 - (4) by changing the zoning designation of PID: 000-017-817, Lot 2, Block 1, Section 10, Esquimalt District, Plan 6277 [825 Lampson Street] also shown cross-hatched on Schedule "A" attached hereto from Comprehensive Development District No. 90 [CD No. 90] to CD No. 112 [Comprehensive Development District No. 112].
 - (5) by deleting from PART 5 – ZONING DISTRICTS, DIVISION 6 – COMPREHENSIVE DEVELOPMENT ZONES, Section 67.77 Comprehensive Development District No. 90 [CD No. 90].
 - (6) by amending the table in PART 5 – ZONING DISTRICTS, Section 31. Zone Designations to read that Comprehensive Development District No. 90 [CD No. 90] as 'Rescinded', and to add [Comprehensive Development District No. 112].
 - (7) 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 1st day of October, 2018.

READ a second time by the Municipal Council on the 1st day of October, 2018.

A Public Hearing was held pursuant to Sections 464, 465, 466 and 468 of the *Local Government Act* on the 26th day of November, 2018.

READ a third time by the Municipal Council on the 26th day of November, 2018.

ADOPTED by the Municipal Council on the 25th day of February, 2019.


BARBARA DESJARDINS
MAYOR


ANJA NURVO
CORPORATE OFFICER



Schedule 'A'
Bylaw No. 2942