

CORPORATION OF THE TOWNSHIP OF ESQUIMALT

BYLAW NO. 3085

A Bylaw to amend Bylaw No. 2050, cited as the
"Zoning Bylaw, 1992, No. 2050"

WHEREAS the Township inadvertently adopted a different version of *ZONING BYLAW, 1992, NO. 2050, AMENDMENT BYLAW NO. 3006* than was intended, and wishes to consider this amendment bylaw to correct that mistake and to also consider further amendments to the height regulation of the Comprehensive Development District No. 133 (842 Carrie Street) CD No. 133 Zone.

AND WHEREAS Council has considered the Township's Official Community Plan and determined that these proposed amendments are consistent with that plan.

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. 3085*".
2. Zoning Bylaw, 1992, No. 2050 is confirmed and amended, as the case may be, to include Comprehensive Development District No. 133 (842 Carrie Street and 850 Colville Road) CD No. 133 zone, as follows:

67.130 COMPREHENSIVE DEVELOPMENT DISTRICT NO. 133 [CD NO. 133]

In that Zone designated as CD No. 133 [Comprehensive Development District No. 133] 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.

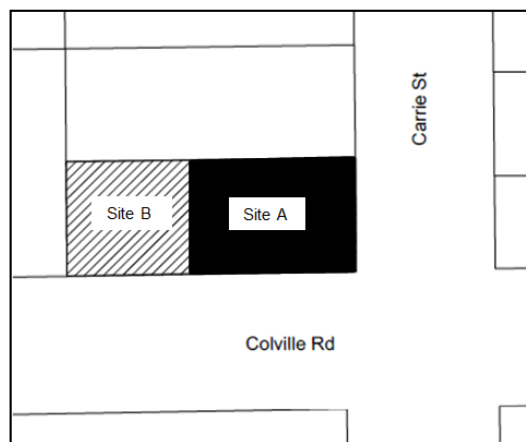


Figure 1. Site A & Site B

(1) **Permitted Uses**

The following Uses and no others shall be permitted:

- (a) Single Family Residential
- (b) Home Occupation
- (c) Secondary Suite (Site A): subject to the requirements of Section 30.6
- (d) Boarding: subject to the requirements of Section 30.3
- (e) Urban Hens: subject to the requirements of Section 30.4

(2) **Parcel Size**

The minimum Parcel Size of fee simple Parcels created by subdivision shall be 256 square metres.

(3) **Minimum Lot Width**

The minimum width of Parcels created by subdivision shall be 15 metres measured at the Front Lot Line.

(4) **Number of Principal Buildings**

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

(5) **Floor Area Ratio**

- (a) Site A: The Floor Area Ratio of the Principal Building shall not exceed 0.52 for a parcel created by subdivision consistent with Site A [Figure 1].
- (b) Site B: The Floor Area Ratio of the Principal Building shall not exceed 0.37 for a parcel created by subdivision consistent with Site B [Figure 1].

(6) **Building Height**

- (a) Site A: No Principal Building shall exceed a Height of 8.2 metres for a parcel created by subdivision consistent with Site A [Figure 1].
- (b) Site B: No Principal Building shall exceed a Height of 7.85 metres for a parcel created by subdivision consistent with Site B [Figure 1].

(7) **Lot Coverage**

- (a) Site A: The Lot Coverage of the Principal Building shall not exceed 37% for a parcel created by subdivision consistent with Site A [Figure 1].

- (b) Site B: The Lot Coverage of the Principal Building shall not exceed 27% for a parcel created by subdivision consistent with Site B [Figure 1].

(8) **Siting Requirements**

The Principal Buildings within Comprehensive Development District No.133 [CD No. 133] shall be separated by not less than 10.00 metres.

(a) **Site A - Principal Building:**

- (i) Front Setback: No Principal Building shall be located within 2.35 metres of the Front Lot Line.
- (ii) Interior Side Setback: No Principal Building shall be located within 3.29 metres of an Interior Side Lot Line.
- (iii) Exterior Side Setback: No Principal Building shall be located within 3.21 metres of an Exterior Side Lot Line.
- (iv) Rear Setback: No Principal Building shall be located within 5.95 metres of the Rear Lot Line.

(b) **Site B - Principal Building:**

- (i) Front Setback: No Principal Building shall be located within 3.01 metres of the Front Lot Line.
- (ii) Interior Side Setback (East): No Principal Building shall be located within 5.75 metres of an eastern Interior Side Lot Line.
- (iii) Interior Side Setback (West): No Principal Building shall be located within 2.75 metres of a western Interior Side Lot Line.
- (iv) Rear Setback: No Principal Building shall be located within 2.99 metres of the Rear Lot Line.

(c) **Accessory Buildings:**

No Accessory Building shall be permitted.

(9) **Siting Exceptions**

- (a) Within the CD-133 zone Site A [Figure 1], the following reductions are permitted to the siting requirements to accommodate the staircases with landings on the Principal Building:

- (i) The distance to the Front Lot Line may be reduced by no

more than 1.36 metres.

- (ii) The distance to the Rear Lot Line may be reduced by no more than 1.52 metres.
- (b) Within the CD-133 zone Site A [Figure 1], the minimum distance to the Exterior Side Lot Line may be reduced by not more than 0.61 metres to accommodate a balcony attached to and forming part of the 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 Principal Building and 2 metres behind the front face of the Principal Building.

(11) **Off Street Parking**

Off street parking shall be provided in accordance with the requirements of Parking Bylaw, 1992, No. 2011 (as amended).

Notwithstanding Section 13(1)(a)(i) of Parking Bylaw, 1992, No. 2011 (as amended), for Site A, no additional parking space need be provided for the secondary suite.

- (3) The following properties are located in the CD No. 133 [Comprehensive Development District No. 133] Zone and no other zone:

PID [031-614-388] Legally described as: Lot A Section 10 Esquimalt District Plan EPP109801 and

PID [031-614-396 Legally described as: Lot B Section 10 Esquimalt District Pan EPP109801.

NOTICE OF FIRST READING given in accordance with Sections 467 of the *Local Government Act* on the ____ and ____ days of August, 2022.

READ a first, second and third time by the Municipal Council on the ____ day of August, 2022.

ADOPTED by the Municipal Council on the ____ day of _____, 2022.

BARBARA DESJARDINS
MAYOR

DEBRA HOPKINS
CORPORATE OFFICER

