

CORPORATION OF THE TOWNSHIP OF ESQUIMALT

BYLAW NO. 2948

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. 2948*”.
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.115 (916 and 920 Old Esquimalt Road) CD No. 115”

- (2) by adding the following text as Section 67.101 (or as other appropriately numbered subsection within Section 67):

67.101 COMPREHENSIVE DEVELOPMENT DISTRICT NO. 115 [CD NO. 115]

In that Zone designated as CD No. 115 [Comprehensive Development District No.115] 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.

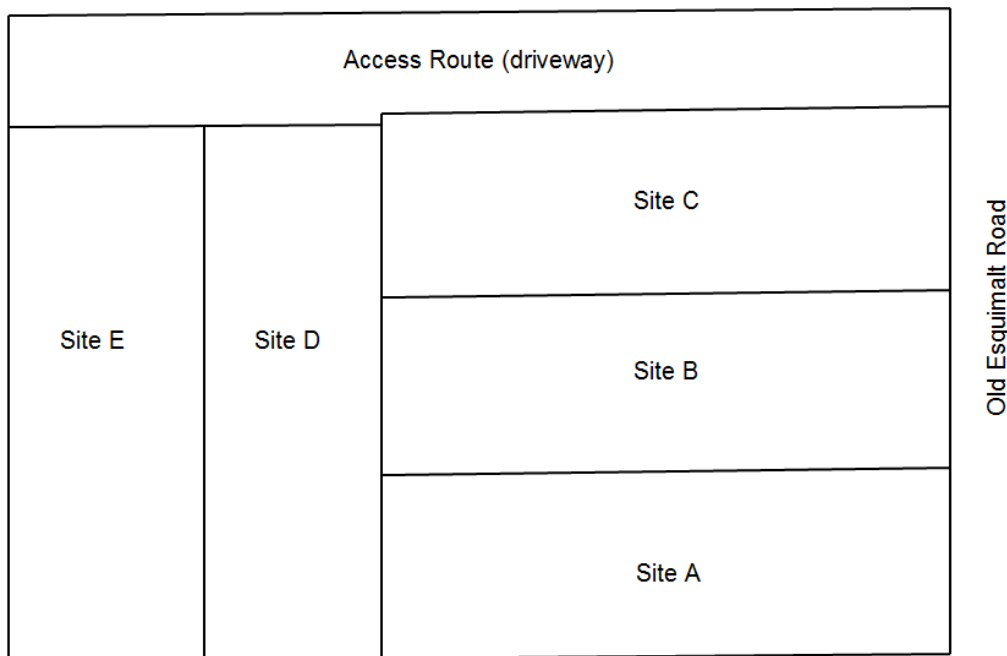


Figure 1. – Sites A, B, C, D and E within CD-115 Zone

[Note: Upon subdivision consistent with above configuration and minimum Site Area and Parcel Size requirements noted below, the Site boundaries within the CD-115 Zone shall be deemed to be consistent with the Parcel boundaries created at subdivision.]

(1) **Permitted Uses**

The following Uses and no others shall be permitted:

- a) Single Family Residential
- b) Secondary Suite: subject to the requirements of Section 30.6 and this CD-115 Zone
- c) Home Occupation
- d) Boarding: subject to the requirements of Section 30.3
- e) Urban Hens: subject to the requirements of Section 30.4

(2) **Parcel Size**

- a) The minimum size of fee simple Parcels created by subdivision shall be 891 square metres.
- b) Notwithstanding the above, where bare land strata Parcels are created by subdivision, the minimum Parcel size shall be not less than 281 square metres.

(3) **Number of Principal Buildings**

- (a) Not more than one Principal Building shall be located on a Parcel.
- (b) Not more than five (5) Principal Buildings shall be located within this CD-115 Zone.

(4) **Density**

The number of Dwelling Units permitted on PID 003-446-093, Lot C, Section 11, Esquimalt District, Plan 21636 [916 Old Esquimalt Road] and PID 003-446-395, Lot D, Section 11, Esquimalt District, Plan 21636 [920 Old Esquimalt Road] combined shall be limited to ten [10].

(5) **Floor Area Ratio**

- (a) The Floor Area Ratio shall not exceed 0.51 for a Parcel created by subdivision consistent with Site A [Figure 1].
- (b) The Floor Area Ratio shall not exceed 0.51 for a Parcel created by subdivision consistent with Site B [Figure 1].
- (c) The Floor Area Ratio shall not exceed 0.50 for a Parcel created by subdivision consistent with Site C [Figure 1].
- (d) The Floor Area Ratio shall not exceed 0.47 for a Parcel created by subdivision consistent with Site D [Figure 1].
- (e) The Floor Area Ratio shall not exceed 0.42 for a Parcel created by subdivision consistent with Site E [Figure 1].

Where lands in this zone have not been subdivided as in Figure 1, the most restrictive of the above requirements are applicable.

(6) **Secondary Suites**

Notwithstanding Part 4, Section 30.6 (3) the Floor Area of a Secondary Suite shall not exceed 43.5 square metres, or 23 % of the total Floor Area of the Principal Building,

whichever is less. The Floor Area of the Secondary Suite shall be measured from the interior face of the exterior walls of the suite.

(7) **Lot Coverage**

- (a) The Lot Coverage of the Principal Building shall not exceed 36% for a Parcel created by subdivision consistent with Site A [Figure 1].
- (b) The Lot Coverage of the Principal Building shall not exceed 36% for a Parcel created by subdivision consistent with Site B [Figure 1].
- (c) The Lot Coverage of the Principal Building shall not exceed 36% for a Parcel created by subdivision consistent with Site C [Figure 1].
- (d) The Lot Coverage of the Principal Building shall not exceed 34% for a Parcel created by subdivision consistent with Site D [Figure 1].
- (e) The Lot Coverage of the Principal Building shall not exceed 31% for a Parcel created by subdivision consistent with Site E [Figure 1].
- (f) No Accessory Buildings shall be permitted.

Where lands in this zone have not been subdivided as in Figure 1, the most restrictive of the above requirements are applicable.

(8) **Building Height**

No Principal Building shall exceed a Height of 7.3 metres.

(9) **Siting Requirements**

Where lands in this CD-115 zone have been subdivided into five (5) Parcels:

(a) **Principal Building – Site A [Figure 1]:**

- (i) Front Setback: The Principal Building shall not be located within 5.5 metres of the Front Lot Line.
- (ii) Side Setback: The Principal Building shall not be located within 2.1 metres of the Western Interior Lot Line.
- (iii) Side Setback: The Principal Building shall not be located within 1.5 metres of the Eastern Interior Lot Line.
- (iv) Rear Setback: The Principal Building shall not be located within 5.5 metres of the Rear Lot Line.

(b) **Principal Building – Site B [Figure 1]:**

- (i) Front Setback: The Principal Building shall not be located within 5.5 metres of the Front Lot Line.
- (ii) Side Setback: The Principal Building shall not be located within 2.1 metres of the Western Interior Lot Line.

- (iii) Side Setback: The Principal Building shall not be located within 1.5 metres of the Eastern Interior Lot Line.
- (iv) Rear Setback: The Principal Building shall not be located within 5.5 metres of the Rear Lot Line.

(c) Principal Building – Site C [Figure 1]:

- (i) Front Setback: The Principal Building shall not be located within 5.5 metres of the Front Lot Line.
- (ii) Side Setback: The Principal Building shall not be located within 1.5 metres of the Western Interior Lot Line.
- (iii) Side Setback: The Principal Building shall not be located within 2.1 metres of the Eastern Exterior Lot Line, which is deemed to be the lot line abutting the Access Route (driveway) shown on Figure 1.
- (iv) Rear Setback: The Principal Building shall not be located within 5.5 metres of the Rear Lot Line.

(d) Principal Building – Site D [Figure 1]:

- (i) Front Setback: The Principal Building shall not be located within 6.0 metres of the Front Lot Line, which is deemed to be the lot line abutting the Access Route (driveway) shown on Figure 1.
- (ii) Side Setback: The Principal Building shall not be located within 2.0 metres of the Southern Interior Lot Line.
- (iii) Side Setback: The Principal Building shall not be located within 1.5 metres of the Northern Interior Lot Line.
- (iv) Rear Setback: The Principal Building shall not be located within 7.5 metres of the Rear Lot Line.

(e) Principal Building – Site E [Figure 1]:

- (i) Front Setback: The Principal Building shall not be located within 6.0 metres of the Front Lot Line, which is deemed to be the lot line abutting the Access Route (driveway) shown on Figure 1.
- (ii) Side Setback: The Principal Building shall not be located within 1.5 metres of the Southern Interior Lot Line.
- (iii) Side Setback: The Principal Building shall not be located within 3.0 metres of the Northern Interior Lot Line.
- (iv) Rear Setback: The Principal Building shall not be located within 7.5 metres of the Rear Lot Line.

- (f) The Principal Buildings within Comprehensive Development District No.115 [CD No. 115] shall be separated by not less than 3.0 metres.

Where lands in this zone have not been subdivided as in Figure 1, the most restrictive of the above requirements are applicable.

(10) **Fencing**

Subject to Part 4, Section 22, no fence shall exceed a Height of:

- (a) 1.2 metres in front of the front face of a Principal Building;
- (b) 1.2 metres within 6.0 metres west of the western edge of the Access Route (driveway) as shown on Figure 1; and
- (c) 2.0 metres otherwise.
- (d) Notwithstanding Section 10 (a) and (b) the fence along the northern most Parcel boundary shall be not more 2.0 metres.
- (e) For certainty, the fences along the east edge of the Access Route (driveway) shall be subject to the Fence height requirements of the property abutting the Access Route (driveway) to the east.

(11) **Off-Street Parking**

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

- (3) by changing the zoning designation of PID 003-446-093, Lot C, Section 11, Esquimalt District, Plan 21636 [916 Old Esquimalt Road] and PID 003-446-395, Lot D, Section 11, Esquimalt District, Plan 21636 [920 Old Esquimalt Road], both shown cross-hatched on Schedule 'A' attached hereto from RD-3 [Two Family/ Single Family Residential] to CD No. 115 [Comprehensive Development District No. 115].
- (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 ___ day of _____, 2019.

READ a second time by the Municipal Council on the ___ day of _____, 2019.

A Public Hearing was held pursuant to Sections 464, 465, 466 and 468 of the *Local Government Act* on the ---- day of -----, 2019.

READ a third time by the Municipal Council on the ---- day of -----, 2019.

ADOPTED by the Municipal Council on the ---- day of -----, 2019.

BARBARA DESJARDINS
MAYOR

ANJA NURVO
CORPORATE OFFICER

Shearwater Street



Old Esquimalt Road



Schedule 'A'
Bylaw No. 2948