

CORPORATION OF THE TOWNSHIP OF ESQUIMALT

BYLAW NO. 3163

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, 2025, NO. 3163*”.

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 Section 31, Zone Designations, in the appropriate alpha-numeric sequence:

“Comprehensive Development District No. 168 (1005 Tillicum Road) CD No. 168”

(2) by adding the following text as Section 67.155 (or as other appropriately numbered subsection within Section 67):

67.155 COMPREHENSIVE DEVELOPMENT DISTRICT NO. 168 [CD NO. 168]

In that Zone designated as CD No. 168 [Comprehensive Development District No. 168] 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 Section.

(1) **Permitted Uses**

Only Mixed Commercial / Residential use is permitted and the following Uses and no others shall be permitted as part of that development:

- (a) Dwelling – Multiple Family
- (b) Home Occupation
- (c) Business and Professional Office
- (d) Restaurant
- (e) Retail Store

(2) **Floor Area Ratio**

The Floor Area Ratio shall not exceed 1.30.

(3) **Parcel Size**

The minimum Parcel Size of fee simple Parcels created by subdivision shall be 1380 square metres.

(4) **Number of Principal Buildings**

Not more than one (1) Principal Building shall be located on a Parcel. No Accessory Buildings or Structures permitted.

(5) **Number of Dwelling Units**

No more than thirty-two (32) Dwelling Units shall be located on a Parcel.

(6) **Size and Location of Commercial Space**

The minimum Floor area dedicated to Commercial Uses shall not be less than 44 square metres located on the First Storey.

(7) **Building Height**

No Principal Building shall exceed a Height of 14.20 metres.

(8) **Lot Coverage**

(a) All Principal Buildings combined shall not cover more than 54% of the Area of the Parcel including a parking structure.

(9) **Siting Requirements**

(a) **Principal Building:**

- (i) Setback: No Principal Building shall be located within 2.9 metres of the Front Lot Line abutting Tillicum Road.
- (ii) Setback: No Principal Building shall be located within 3.3 metres of the northern Interior Side Lot Line.
- (iii) Setback: No Principal Building shall be located within 1.8m metres of the southern Lot Line.
- (iv) Rear Setback: No Principal Building shall be located within 16.9 metres of the Rear Lot Line.

(b) **Accessory Buildings:**

- (i) No Accessory Building shall be permitted.

(10) **Siting Exceptions**

(a) **Principal Building:**

- (i) The minimum distance to the Front Lot Line may be reduced by not more than 1.7 metres to accommodate balconies and exterior canopies, attached to and forming part of the Principal Building.

- (ii) The minimum distance to the Rear Lot Line may be reduced by not more than 0.7 metres to accommodate balconies and exterior canopies, attached to and forming part of the Principal Building.
- (iii) The minimum distance to the northern Interior Side Lot Line may be reduced by not more than 0.7 metres to accommodate balconies and exterior canopies, attached to and forming part of the Principal Building.
- (iv) The minimum distance to the southern Lot Line may be reduced by not more than 0.7 metres to accommodate balconies and exterior canopies, attached to and forming part of the Principal Building.

(11) **Fencing**

- (a) 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.
- (b) Notwithstanding Section 22(1), fencing located on top of a retaining wall shall be measured distinctly and shall not 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.

(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 0.625 spaces per dwelling unit.
- (b) Notwithstanding Section 11 of Parking Bylaw, 1992, No. 2011(as amended), a minimum of 4 of the parking spaces required per above (12) (a) shall be marked "Visitor".

- (3) by changing the zoning designation of PID 002-145-073 Lot 1, Section 10, Esquimalt District, Plan 27609 [1005 Tillicum Road], shown cross-hatched on Schedule 'A' attached hereto, from RD-3 [Two Family/Single Family Residential] to CD No. 168 [Comprehensive Development District No. 168].
- (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 the ____ day of _____, 2025.

READ a second time by the Municipal Council on the ____ day of _____, 2025.

A Public Hearing was held pursuant to Sections 464, 465, 466 and 468 of the *Local Government Act* on the ____ day of _____, 2025.

READ a third time by the Municipal Council on the ____ day of _____, 2025.

ADOPTED by the Municipal Council on the ____ day of _____, 2025.

BARBARA DESJARDINS
MAYOR

DEBRA HOPKINS
CORPORATE OFFICER

