

CORPORATION OF THE TOWNSHIP OF ESQUIMALT

BYLAW NO. 3064

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, 2022, NO. 3064"*.

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. 151 (821 Selkirk Avenue) CD No. 151"

- (2) by adding the following text as Section 67.138 (or as other appropriately numbered subsection within Section 67):

67.137 COMPREHENSIVE DEVELOPMENT DISTRICT NO. 151 [CD NO. 151]

In that Zone designated as CD No. 151 [Comprehensive Development District No. 151] 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

- (2) **Parcel Size**

The minimum Parcel Size of fee simple Parcels created by subdivision shall be 1740 square metres.

- (3) **Number of Principal Buildings**

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

(4) **Number of Dwelling Units**

No more than fifty-two (52) Dwelling Units shall be located on a Parcel

(5) **Floor Area Ratio**

The Floor Area Ratio shall not exceed 2.0.

(6) **Building Height**

No Principal Building shall exceed a Height of 17.2 metres.

(7) **Lot Coverage**

(a) Principal Building shall not cover more than 82% of the Area of the Parcel including a parking structure.

(b) Notwithstanding 7(a), that portion of the Principal Building constructed at or above the First Storey shall not cover more than 45% of the Area of the Parcel.

(8) **Siting Requirements**

(a) **Principal Building:**

- (i) Front Setback: No Principal Building shall be located within 7.5 metres of the Front Lot Line.
- (ii) Side Setback: No Principal Building shall be located within 4.8 metres of the western Interior Side Lot Line.
- (iii) Side Setback: No Principal Building shall be located within 4.5 metres of the eastern Interior Side Lot Line.
- (iv) Rear Setback: No Principal Building shall be located within 2.7 metres of the Rear Lot Line.

(b) **Accessory Buildings:**

- (i) No Accessory Buildings shall be permitted.

(9) **Siting Exceptions**

(a) **Principal Building:**

- (i) The minimum distance to the Front Lot Line may be reduced to 0.3 metres to accommodate the parking structure situated below the First Storey of the Principal Building.
- (ii) The minimum distance to the western Interior Side Lot Line may be reduced 0.3 metres to accommodate the parking structure situated below the First Storey of the Principal Building.

- (iii) The minimum distance to the eastern Interior Side Lot Line may be reduced to 0.3 metres to accommodate the parking structure situated below the First Storey of the Principal Building.
- (iv) The minimum distance to the Rear Lot Line may be reduced to 2.5 metres to accommodate the parking structure situated below the First Storey of the Principal Building.

(10) **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 Part 4, 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.

(11) **Usable Open Space**

Usable Open Space shall be provided in an amount not less than 165 square metres.

(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 1.0 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 004-367-839 Lot 7, Section 10, Esquimalt District, Plan 1258 [815 Selkirk Avenue] and PID 007-656-483 Lot 8, Section 10, Esquimalt District, Plan 1258 [825 Selkirk Avenue], shown cross-hatched on Schedule 'A' attached hereto, from RS-1 [Single Family Residential] to CD No. 151 [Comprehensive Development District No. 151].
- (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 _____, 2022.

READ a second time by the Municipal Council on the ____ day of _____, 2022.

A Public Hearing was held pursuant to Sections 464, 465, 466 and 468 of the *Local Government Act* on the ____ day of _____, 2022.

READ a third time by the Municipal Council on the ____ day of _____, 2022.

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

BARBARA DESJARDINS
MAYOR

DEBRA HOPKINS
CORPORATE OFFICER



Selkirk Ave

827

825

815

809

936

932

928

Arm St

Schedule 'A'
Bylaw No. 3064