

CORPORATION OF THE TOWNSHIP OF ESQUIMALT

BYLAW NO. 2881

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. 2881*”.
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. 101 (455 Nelson Street) CD No. 101”

- (2) by adding the following text as Section 67.88 (or as other appropriately numbered subsection within Section 67):

67.88 COMPREHENSIVE DEVELOPMENT DISTRICT NO. 101
[CD NO. 101]

In that Zone designated as CD No. 101 [Comprehensive Development District No. 101] 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.

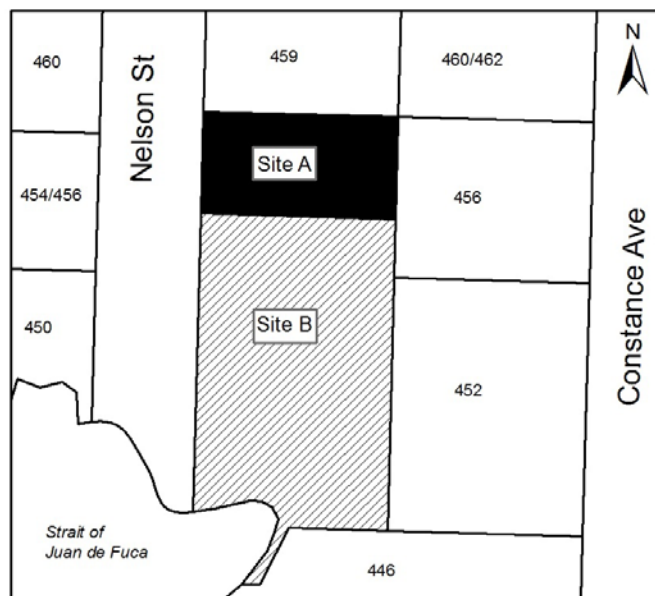


Figure 1. Site A & Site B

(1) **Permitted Uses**

The following Uses and no others shall be permitted:

- (a) Single Family Residential
- (b) Home Occupation
- (c) Boarding: subject to the requirements of Section 30.3

(2) **Parcel Size**

- (a) The minimum Parcel Size for a Parcel created by subdivision consistent with Site A [Figure 1] shall be 355 square metres.
- (b) The minimum Parcel Size for a Parcel created by subdivision consistent with Site B [Figure 1] shall be 1090 square metres.
- (c) This Zone may contain no more than two parcels.

(3) **Frontage**

- (a) The minimum Frontage of a Parcel created by subdivision consistent with Site A [Figure 1] shall be 13.5 metres measured at the Front Lot Line.
- (b) The minimum Frontage of a Parcel created by subdivision consistent with Site B [Figure 1] shall be 38 metres measured at the Front Lot Line.
- (c) The minimum Frontage of a Parcel created by subdivision inconsistent with Figure 1 shall be 20.5 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) The Floor Area Ratio shall not exceed 0.37 for a Parcel created by subdivision consistent with Site A [Figure 1].
- (b) The Floor Area Ratio shall not exceed 0.32 for a Parcel created by subdivision consistent with Site B [Figure 1].

Where lands in this zone have not been subdivided, the most restrictive of the above requirements is applicable.

(6) **Floor Area**

The minimum Floor Area for the First Storey of any Principal Building shall be 70 square metres.

(7) **Building Height**

- (a) No Principal Building shall exceed a Height of 7.3 metres.
- (b) No Accessory Building shall exceed a Height of 3.6 metres.

(8) **Building Width**

The minimum width for any Principal Building shall be 7.0 metres.

(9) **Lot Coverage**

- (a) All Principal Buildings, Accessory Buildings and Structures combined located on a parcel created by subdivision consistent with Site A [Figure 1] shall not cover more than 31% of a Parcel.
- (b) Notwithstanding Section 9(a), a Principal Building located on a parcel created by subdivision consistent with Site A [Figure 1] shall not cover more than 30% of the Area of a Parcel.
- (c) All Principal Buildings, Accessory Buildings and Structures combined located on a parcel created by subdivision consistent with Site B [Figure 1] shall not cover more than 19% of a Parcel.
- (d) Notwithstanding Section 9(c), a Principal Building located on a parcel created by subdivision consistent with Site B [Figure 1] shall not cover more than 18% of the Area of a Parcel.

Where lands in this zone have not been subdivided, the most restrictive of the above requirements is applicable.

(10) **Siting Requirements**

- (a) **Principal Buildings:** Where lands in this CD-101 zone have been subdivided into two Parcels:
 - (i) Front Setback (Site A [Figure 1]): No Principal Building shall be located within 5.8 metres of the Front Lot Line.
 - (ii) Side Setback (Site A [Figure 1]): No Principal Building shall be located within 2.0 metres of an Interior Side Lot Line, with the total Setback of all Side Yards not to be less than 5.4 metres.
 - (iii) Rear Setback (Site A [Figure 1]): No Principal Building shall be located within 6.3 metres of the Rear Lot Line.
 - (iv) Front Setback (Site B [Figure 1]): No Principal Building shall be located within 7.0 metres of the Front Lot Line.
 - (v) Side Setback (Site B [Figure 1]): No Principal Building shall be located within 1.6 metres of any Interior Side Lot Line, with the total Setback of all Side Yards not to be less than

21.6 metres.

- (vi) Rear Setback (Site B [Figure 1]): No Principal Building shall be located within 6.2 metres of the Rear Lot Line
- (vii) Waterfront Setback: No Principal Building shall be located within 20.0 metres of the High Water Mark. The Setback shall follow a line drawn parallel to the indentations and sinuosities of the High Water Mark.
- (viii) Principal Buildings within Comprehensive Development District No. 101 [CD No. 101] shall be separated by not less than 5.0 metres.

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

(b) Accessory Buildings:

- (i) Front Setback: No Accessory Building shall be located in front of the front face of any Principal Building
- (ii) Side Setback: No Accessory Building shall be located within 1.5 metres of an Interior Side Lot Line.
- (iii) Rear Setback: No Accessory Building shall be located within 1.2 metres of a Rear Lot Line.
- (iv) Waterfront Setback: No Accessory Building shall be located within 4.5 metres of the High Water Mark. The Setback shall follow a line drawn parallel to the indentations and sinuosities of the High Water Mark.
- (v) Building Separation: No Accessory Building shall be located within 2.5 metres of any Principal Building.

(11) 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 abutting the High Water Mark; and
- (c) 2.0 metres otherwise.

(12) 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: 003-378-748, Lot A, Suburban Lot 49, Esquimalt District, Plan 22014 [455 Nelson Street] shown cross-

hatched on Schedule "A" attached hereto from RS-3 [Single Family Waterfront Residential] to CD No. 101 [Comprehensive Development District No. 101].

- (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 19th day of September, 2016.

READ a second time by the Municipal Council on the 19th day of September, 2016.

A Public Hearing was held pursuant to the *Local Government Act* on the 7TH day of November, 2016.

READ a third time by the Municipal Council on the 7th day of November, 2016.

ADOPTED by the Municipal Council on the ---- day of ----, 2017.

BARBARA DESJARDINS
MAYOR

ANJA NURVO
CORPORATE OFFICER



SCHEDULE 'A'
BYLAW NO. 2881