

CORPORATION OF THE TOWNSHIP OF ESQUIMALT

BYLAW NO. 2906

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, 2017, NO. 2906"*.

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

"Comprehensive Development District No. 105 (615 Fernhill Road) CD No. 105"

(2) by adding the following text as Section 67.92 (or as other appropriately numbered subsection within Section 67:

67.92 COMPREHENSIVE DEVELOPMENT DISTRICT NO. 105 [CD NO. 105]

In that Zone designated as CD No. 105 [Comprehensive Development District No. 105] 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.

(1) **Permitted Uses**

The following Uses and no others shall be permitted:

- (a) Dwelling – Multiple Family
- (b) Home Occupation

(2) **Parcel Size**

The minimum Parcel Size of fee simple Parcels created by subdivision shall be 765 square metres.

(3) **Number of Principal Buildings**

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

(4) **Number of Dwelling Units**

No more than ten (10) Dwelling Units shall be located on a Parcel

(5) **Floor Area Ratio**

The Floor Area Ratio shall not exceed 0.99.

(6) **Building Height**

No Principal Building shall exceed a Height of 11 metres.

(7) **Lot Coverage**

Principal Building and Structures combined shall not cover more than 51% of the Area of the Parcel.

(8) **Siting Requirements**

(a) **Principal Building:**

- (i) Front Setback: No Principal Building shall be located within 5.85 metres of the Front Lot Line.
- (ii) Side Setback: No Principal Building shall be located within 4.50 metres of the northern Interior Side Lot Line.
- (iii) Side Setback: No Principal Building shall be located within 4.15 metres of the southern Interior Side Lot Line.
- (iv) Rear Setback: No Principal Building shall be located within 5.65 metres of the Rear Lot Line.

(b) **Accessory Buildings:**

- (i) No Accessory Buildings shall be permitted.

(9) **Siting Exceptions**

(a) **Principal Building:**

- (i) Within the CD-105 zone, the minimum distance to the Front Lot Line and the Interior Side Lot Lines may be reduced by not more than 1.30 metres to accommodate balconies and exterior canopies, attached to and forming part of a Principal Building.
- (ii) Within the CD-105 zone, the minimum distance to the Front Lot Line may be reduced by not more than 2.80 metres to accommodate the Basement of a Principal Building.
- (iii) Within the CD-105 zone, the minimum distance to the Front Lot Line may be reduced by not more than 5.85 metres to accommodate the First Storey open patio attached to and forming part of the Principal Building.

- (iv) Within the CD-105 zone, the minimum distance to the northern Interior Side Lot Line may be reduced by not more than 1.70 metres to accommodate a trellis attached to and forming part of a 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(a), 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 100 square metres. For this Zone, Usable Open Space is not required to have no dimension less than 6.0 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 1.2 spaces per dwelling unit.
 - (b) Notwithstanding Section 11 of Parking Bylaw, 1992, No. 2011(as amended), a minimum of 2 of the parking spaces required per above (12)(a) shall be marked "Visitor".
- (3) by changing the zoning designation of PID 004-757-742 Lot B, Section 11, Esquimalt District, Plan 12446 [615 Fernhill Road], shown cross-hatched on Schedule 'A' attached hereto, from RD-1 [Two Family Residential] to CD No. 105 [Comprehensive Development District No. 105].
 - (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 27th day of November, 2017.

READ a second time by the Municipal Council on the 27th day of November, 2017.

A Public Hearing was held pursuant to Sections 464, 465, 466 and 468 of the *Local Government Act* on the 8th day of January, 2018.

READ a third time by the Municipal Council on the 8th day of January, 2018.

ADOPTED by the Municipal Council on the ---- day of ----, 2018.

BARBARA DESJARDINS
MAYOR

ANJA NURVO
CORPORATE OFFICER



Fernhill Pl

614

612

619

615

RD-1 to
CD-105

611

625

1160

Fernhill Rd

1148

1140

Esquimalt Rd

Schedule 'A'
Bylaw No.2906