

CORPORATION OF THE TOWNSHIP OF ESQUIMALT

BYLAW NO. 2926

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. 2926"*.

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. 109 (840 Admirals Road) CD No. 109"

(2) by adding the following text as Section 67.96 (or as other appropriately numbered subsection within Section 67):

67.96 COMPREHENSIVE DEVELOPMENT DISTRICT NO. 109 [CD NO. 109]

In that Zone designated as CD No. 109 [Comprehensive Development District No. 109] 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) Business and Professional Office
- (b) Group Children's Day Care Centre
- (c) Dwelling – Multiple Family
- (d) Home Occupation
- (e) Personal Service Establishment
- (f) Restaurant
- (g) Retail Store

(2) **Parcel Size**

The minimum Parcel Size of fee simple Parcels created by subdivision shall be 1410 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 twenty-eight (28) Dwelling Units shall be located on a Parcel

(5) **Floor Area Ratio**

The Floor Area Ratio shall not exceed 1.35.

(6) **Location of Commercial Space**

Commercial Uses are not permitted on any Storey located at or above the First Storey.

(7) **Building Height**

No Principal Building shall exceed a Height of 16 metres.

(8) **Lot Coverage**

- (a) All Principal Buildings, Accessory Buildings and Structures combined, shall not cover more than 80% 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, Accessory Buildings and Structures combined, shall not cover more than 47% of the Area of the Parcel.

(9) **Siting Requirements**

(a) **Principal Building:**

- (i) Front Setback: No Principal Building shall be located within 6.0 metres of the Front Lot Lines.
- (ii) Side Setback: No Principal Building shall be located within 3.6 metres of the eastern Exterior Side Lot Line.
- (iii) Side Setback: No Principal Building shall be located within 6.0 metres of the western Interior Side Lot Line.
- (iv) Rear Setback: No Principal Building shall be located within 6.0 metres of the Rear Lot Line.

(b) **Accessory Buildings:**

- (i) Front Setback: No Accessory Building shall be located in front of the front face of the Principal Building.
- (ii) Side Setback: No Accessory Building shall be located within 3.6 metres of an Exterior Side Lot Line.

- (iii) Side Setback: No Accessory Building shall be located within 1.5 metres of an Interior Side Lot Line
- (iv) Rear Setback: No Accessory Building shall be located within 1.5 metres of a Rear Lot Line.

(10) **Siting Exceptions**

(a) **Principal Building:**

- (i) The minimum distance to the Front Lot Lines may be reduced by not more than 2.20 metres to accommodate the front entry.
- (ii) The minimum distance to the Front Lot Line, Side Lot Lines, and Rear Lot Line may be reduced by not more than 1.50 metres to accommodate balconies and exterior canopies, attached to and forming part of a Principal Building.
- (iii) The minimum distance to the Front Lot Line may be reduced to 4.9 metres to accommodate the parking structure situated below the First Storey of a Principal Building.
- (iv) The minimum distance to the Side Lot Lines and Rear Lot Line may be reduced to 0.0 metre to accommodate the parking structure situated below the First Storey of a 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 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.

(12) **Usable Open Space**

Usable Open Space shall be provided in an amount not less than 250 square metres.

(13) **Off-Street Parking**

- (a) Notwithstanding Section 13 of Parking Bylaw, 1992, No. 2011(as amended), off-street parking shall be provided in the minimum

ratio of 1.0 spaces per dwelling unit.

- (b) Notwithstanding Section 11 of Parking Bylaw, 1992, No. 2011(as amended), a minimum of 3 of the parking spaces required per above (12)(a) shall be marked "Visitor".
- (c) Notwithstanding Section 13 of Parking Bylaw, 1992, No. 2011(as amended), commercial portions of the building shall be exempt from off-street parking requirements.
- (3) by changing the zoning designation of PID 005-074-011 Lot 17, Block 7, Section 10, Esquimalt District, Plan 2546 Except Plan 86845 [838 Admirals Road], shown cross-hatched on Schedule "A" attached hereto, from CD75 [Comprehensive Development District No. 75] to CD No. 109 [Comprehensive Development District No. 109]; and by changing the zoning designation of PID 006-324-118, Lot 16, Block 7, Section 10, Esquimalt District, Plan 2546 [842 Admirals Road], shown cross-hatched on Schedule "A" attached hereto, from RD-3 [Two Family/Single Family Residential] to CD No. 109 [Comprehensive Development District No. 109]
- (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 20th day of August, 2018.

READ a second time by the Municipal Council on the 20th day of August, 2018.

RESCIND second reading by the Municipal Council on the 24th day of September, 2018.

AMEND AND READ ANEW at first reading by the Municipal Council on the 24th day of September, 2018.

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

READ a third time by the Municipal Council on the ____ day of ____, 2018.

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

BARB DESJARDINS
MAYOR

ANJA NURVO
CORPORATE OFFICER



850

850

RD-3 to CD-109

842

CD-75 to CD-109

838

Admirals Rd

Naden St

Schedule 'A'
Bylaw No. 2926