

CORPORATION OF THE TOWNSHIP OF ESQUIMALT

BYLAW NO. 2975

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. 2975*".
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 No. 126 (937 Colville Road) CD No. 126*"
 - (2) by adding the following text as Section 67.113 (or as other appropriately numbered subsection within Section 67):

67.113 COMPREHENSIVE DEVELOPMENT DISTRICT No. 126 [CD No. 126]

In that Zone designated as CD No. 126 [Comprehensive Development District No. 126] 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

The following Uses and no others shall be permitted:

- (a) Townhouse Residential
- (b) Home Occupation

(2) Number of Buildings and Dwelling Units

- (a) Maximum One (1) Building containing not more than six (6) Townhouse Dwellings in total. No Accessory Buildings or Structures permitted.

(3) Floor Area Ratio

The Floor Area Ratio shall not exceed 0.68

(4) Unit Size

The minimum Floor Area for each Dwelling Unit shall not be less than 60 square metres.

(5) **Parcel Size**

The minimum Parcel Size of fee simple Parcels created by subdivision shall be 635 square metres.

(6) **Building Height**

No Building shall exceed a Height of 9.1 metres.

(7) **Lot Coverage**

All Buildings and Structures combined shall not cover more than 33% of the Area of a Parcel.

(8) **Siting Requirements**

(a) **Building**

- (i) No Principal Building shall be located within 2.3 metres of the Front Lot Line.
- (ii) No Principal Building shall be located within 3.1 metres of the eastern Interior Lot Line or within 5.4 metres of the western Interior Lot Line. The total Setbacks of all side yards shall not be less than 8.5 metres.
- (iii) No Principal Building shall be located within 13.7 metres of the Rear Lot Line.

(9) **Siting Exceptions**

- (a) Within the CD-126 zone, the minimum distance to the Front Lot Line may be reduced by 2.3 metres to accommodate exterior stairs and a covered entrance attached to and forming part of a Principal Building
- (b) Within the CD-126 zone, the minimum distance to the western Side Lot Line may be reduced by 1.7 metres to accommodate exterior covered decks attached to and forming part of a Principal Building.
- (c) Within the CD-126 zone, the minimum distance to the eastern Side Lot Line may be reduced by 2.2 metres to accommodate exterior covered decks attached to and forming part of a Principal Building
- (d) Within the CD-126 zone, the minimum distance to Rear Lot Line may be reduced by 1.9 metres to accommodate exterior stairs and a covered entrance attached to and forming part of a Principal Building.

(10) **Landscaping**

Landscaping shall be provided in an amount of not less than 25% of the area of the Rear Yard of the Parcel.

(11) **Fencing**

- (a) Subject to Part 4, Section 22, no fence shall exceed a Height of 1.2 metres within 21 metres of the Front Lot Line [Colville Road]
- (b) Subject to Part 4, Section 22 and the above [(11)(a)], no fence shall exceed a Height of 2.0 metres.

(12) **Retaining Walls**

- (a) Notwithstanding Part 4, Section 22(1), Retaining Walls with a Height not exceeding 0.9 metres may be located within 2.3 metres of the Front Lot Line.
- (b) Notwithstanding Part 4, Section 22(1), Retaining Walls with a Height of 1.3 metres may be located not less than 2.3 metres from the Front Lot Line progressively increasing to a Height not more than 2.2 metres at a point not less than 21 metres from the Front Lot Line.
- (c) Notwithstanding Part 4, Section 22(1), Retaining Walls with a Height not exceeding 2.2 metres may be located within 14 metres of the Rear Lot Line.

(13) **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 0.8 spaces per dwelling unit.
 - (b) Notwithstanding Section 14(2)(a) of Parking Bylaw, 1992, No. 2011 (as amended), up to 80% of the total required Parking Spaces may be designated for small cars by reducing the depth of a stall for 90 degree parking from 5.5 metres to 4.5 metres
 - (c) Notwithstanding Section 11(1) of Parking Bylaw, 1992, No. 2011 (as amended), a minimum of 1 of the parking spaces required above (13)(a) shall be marked "Visitor".
- (3) by changing the zoning designation of PID 003-679-144 Lot 4, Block 1, Section 10 Esquimalt District, Plan 6277 [937 Colville Road] shown cross-hatched on Schedule "A" attached hereto, from RS-1 [Single Family Residential] to CD No. 126 [Comprehensive Development District No. 126].
 - (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 August, 2019.

READ a second time by the Municipal Council on the 19th day of August, 2019.

A Public Hearing was held pursuant to Sections 464, 465, 466 and 468 of the *Local Government Act* on the 2nd day of December, 2019.

READ a third time by the Municipal Council on the 2nd day of December, 2019.

ADOPTED by the Municipal Council on the ____ day of _____, 2020.

BARBARA DESJARDINS
MAYOR

RACHEL DUMAS
CORPORATE OFFICER