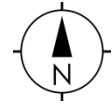


636 – 640 Drake Street - air photo



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

BYLAW NO. 2951

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. 2951"*.
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. 116 (636/ 640 Drake Avenue) CD No. 116"

- (2) by adding the following text as Section 67.102 (or as other appropriately numbered subsection within Section 67):

67.102 COMPREHENSIVE DEVELOPMENT DISTRICT NO. 116 [CD NO. 116]

In that Zone designated as CD No. 116 [Comprehensive Development District No. 116] 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) Townhouse Residential
- (b) Two Family Residential
- (c) Home Occupation
- (d) Boarding: subject to the requirements of Section 30.3

(2) **Parcel Size**

The minimum Parcel Size of fee simple Parcels created by subdivision shall be 1620 square metres.

(3) **Number of Buildings**

- (a) No more than three (3) Principal Buildings shall be located on a Parcel.

(b) No more than one (1) Accessory Building shall be located on a Parcel.

(4) **Number of Dwelling Units**

No more than seven (7) Dwelling Units shall be located within this CD-116 Zone.

(5) **Unit Size**

Dwelling Units shall have a Floor Area of not less than 115 square metres.

(6) **Floor Area Ratio**

The Floor Area Ratio shall not exceed 0.52.

(7) **Building Height**

(a) No Principal Building shall exceed a Height of 9.0 metres.

(b) No Accessory Building shall exceed a Height of 2.5 metres.

(8) **Lot Coverage**

(a) Principal Buildings, Accessory Buildings and Structures combined shall not cover more than 27% of the Area of the Parcel.

(b) Notwithstanding Section 8 (a), Principal Buildings shall not cover more than 26% of the Area of the Parcel.

(9) **Siting Requirements**

(a) **Principal Buildings:**

(i) No Principal Building shall be located within 6.0 metres of the Front Lot Line.

(ii) No Principal Building shall be located within 4.0 metres of an Interior Side Lot Line.

(iii) No Principal Building shall be located within 6.0 metres of the Rear Lot Line.

(iv) Principal Buildings shall be separated by not less than 3.6 metres.

(b) **Accessory Buildings:**

(i) Front Setback: No Accessory Building shall be located within 6.5 metres of the Front Lot Line.

- (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 1.5 metres of a Rear Lot Line.
- (iv) Building Separation: No Accessory Building shall be located within 2.5 metres of a Principal Building.

(10) **Siting Exception**

The minimum distance to the Front Lot Line may be reduced by not more than 1.2 metres to accommodate the cantilevered roof and the stairs for covered entrances on the eastern end units.

(11) **Useable Open Space**

Useable open space shall be provided in an amount of not less than 7.5 % of the Area of the Parcel.

(12) **Fencing**

- (a) Subject to Part 4, Section 22, no fence shall exceed a Height of 1.2 metres within 6.0 metres of a Front Lot Line [Drake Avenue].
- (b) No fence sited beyond 6.0 metres of the Front Lot Line shall exceed a Height of 2.0 metres.

(13) **Off-Street Parking**

- (a) Notwithstanding Section 13 of Parking Bylaw, 1992, No. 2011, off-street parking shall be provided with a minimum ratio of 1.5 spaces per Dwelling Unit.
- (b) Notwithstanding Section 9(4) of Parking Bylaw, 1992, No. 2011 (as amended), one (1) parking stall, contained within a Principal Building, shall be provided for each Dwelling Unit.
- (c) A minimum of one (1) of the parking spaces required above (13(a)) shall be marked "Visitor".

- (3) by changing the zoning designation of the following properties [636 and 640 Drake Avenue], both shown cross-hatched on Schedule 'A', attached hereto, from Two Family Residential [RD-1] to Comprehensive Development District No. 116 [CD No. 116]:

PID: 002-923-157
Lot 2, Suburban Lots 50 and 41, Esquimalt District, Plan 25565;

PID: 002-923-211
Lot 3 of Suburban Lot 41, Esquimalt District, Plan 25565

- (4) by amending the table in PART 5 – ZONING DISTRICTS, Section 31. Zone Designations to add Comprehensive Development District No. 116 [CD No. 116].
- (5) 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 1st day of April, 2019.

READ a second time by the Municipal Council on the 1st day of April, 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.


A further Public Hearing was held pursuant to Sections 464, 465, 466 and 468 of the *Local Government Act* on the 16th day of March, 2020.

READ a third time by the Municipal Council on the 16th day of March, 2020.

ADOPTED by the Municipal Council on the 6th day of July, 2020.



BARBARA DESJARDINS
MAYOR



RACHEL DUMAS
CORPORATE OFFICER

