

CORPORATION OF THE TOWNSHIP OF ESQUIMALT

BYLAW NO. 2989

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. 2989"*.

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. 131 (1100 Esquimalt Road) CD No. 131"

(2) by adding the following text as Section 67.118 (or as other appropriately numbered subsection within Section 67):

67.118 COMPREHENSIVE DEVELOPMENT DISTRICT NO. 131 [CD NO. 131]

In that Zone designated as CD No. 131 [Comprehensive Development District No. 131] 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) Dwelling – Multiple Family
- (b) Home Occupation

(2) **Parcel Size**

The minimum Parcel Size of fee simple Parcels created by subdivision shall be 3450 square metres.

(3) **Number of Principal Buildings**

Not more than two (2) Principal Buildings shall be located on a Parcel.

(4) **Number of Dwelling Units**

No more than eighty-nine (89) Dwelling Units shall be located on a

Parcel

(5) **Floor Area Ratio**

The Floor Area Ratio shall not exceed 2.0.

(6) **Building Height**

No Principal Building shall exceed a Height of 22.2 metres.

(7) **Lot Coverage**

(a) Principal Building shall not cover more than 74% 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 Second Storey shall not cover more than 57% of the Area of the Parcel.

(8) **Siting Requirements**

(a) **Principal Building:**

- (i) Front Setback: No Principal Building shall be located within 3.0 metres of the Front Lot Line abutting Esquimalt Road.
- (ii) Side Setback: No Principal Building shall be located within 3.7 metres of the western Interior Side Lot Line.
- (iii) Side Setback: No Principal Building shall be located within 3.4 metres of the eastern Exterior Side Lot Line abutting Lampson Street.
- (iv) Rear Setback: No Principal Building shall be located within 4.9 metres of the Rear Lot Line.

(b) **Accessory Buildings:**

- (i) No Accessory Buildings shall be permitted.

(9) **Siting Exceptions**

(a) **Principal Building:**

- (i) The minimum distance to the Front Lot Line may be reduced by not more than 3.0 metres to accommodate the open patio attached to and forming part of the Principal Building.
- (ii) The minimum distance to the eastern Exterior Lot Line may be reduced by not more than 3.0 metres to accommodate the open patio attached to and forming part of the Principal Building.
- (iii) The minimum distance to the western Interior Side Lot Line

may be reduced by not more than 2.7 metres to accommodate stairway(s) to the parking structure.

- (iv) The minimum distance to the eastern Exterior Side Lot Line may be reduced to 0.0 metres to accommodate the parking structure situated below the First Storey of the Principal Building.
- (v) The minimum distance to the Rear Lot Line may be reduced to 4.8 metres to accommodate the parking structure situated below the Second Storey of the Principal Building.
- (vi) The minimum distance to the Front Lot Line and Side Lot Lines may be reduced by not more than 2.4 metres to accommodate balconies and exterior canopies, attached to and forming part of the 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(1), 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 450 square 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 1.05 spaces per dwelling unit.
- (b) Notwithstanding Section 11 of Parking Bylaw, 1992, No. 2011(as amended), a minimum of 10 of the parking spaces required per above (12) (a) shall be marked "Visitor".

- (3) by changing the zoning designation of PID 005-988-292 Lot 1, Section 11, Esquimalt District, Plan 4618 [1100 Esquimalt Road], PID 005-988-331 Lot 2, Section 11, Esquimalt District, Plan 4618 [1104 Esquimalt Road], PID 005-988-381 Lot 3, Section 11, Esquimalt District, Plan 4618 [1108 Esquimalt Road], shown cross-hatched on Schedule 'A' attached hereto, from RM-1 [Multiple Family Residential] to CD No. 131 [Comprehensive Development District No. 131]; and by changing the zoning designation of

PID 024-548-782 Strata Lot 2 Section 11 Esquimalt District Strata Plan VIS4828 [610 Lampson Street], and PID 024-548-774 Strata Lot 1 Section 11 Esquimalt District Strata Plan VIS4828 [612 Lampson Street], shown cross-hatched on Schedule 'A' attached hereto, from CD No. 22 [Comprehensive Development District No. 22] to CD No. 131 [Comprehensive Development District No. 131]

- (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 1st day of March, 2021.

READ a second time by the Municipal Council on the 1st day of March, 2021.

A Public Hearing was held pursuant to Sections 464, 465, 466 and 468 of the *Local Government Act* on the ---- day of -----, 2021.

READ a third time by the Municipal Council on the ---- day of ----, 2021.

ADOPTED by the Municipal Council on the ---- day of ----, 2021.

BARBARA DESJARDINS
MAYOR

ANJA NURVO
INTERIM CORPORATE OFFICER



Schedule 'A'
Bylaw No. 2989