

# CORPORATION OF THE TOWNSHIP OF ESQUIMALT

## BYLAW NO. 2994

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. 2994"*.
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. 132 (1048 Tillicum Road) CD No. 132"

- (2) by adding the following text as Section 67.119 (or as other appropriately numbered subsection within Section 67):

**67.119 COMPREHENSIVE DEVELOPMENT DISTRICT NO. 132 [CD NO. 132]**

In that Zone designated as CD No. 132 (Comprehensive Development District No. 132) 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 995 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 five (5) Dwelling Units shall be located on a Parcel.

(5) **Unit Size**

Dwelling Units shall not be less than 130 square metres.

(6) **Floor Area Ratio**

The Floor Area Ratio shall not exceed 0.70.

(7) **Building Height**

(a) A Principal Building containing 2 units shall not exceed a Height of 9.9 metres.

(b) A Principal Building containing 3 units shall not exceed a Height of 8.5 metres.

(8) **Lot Coverage**

Principal Buildings and Structures combined shall not cover more than 35% of the Area of the Parcel.

(9) **Siting Requirements**

(a) **Principal Buildings:**

- (i) No Principal Building shall be located within 6.8 metres of the Front Lot Line.
- (ii) No Principal Building located within 20.0 metres of the Front Lot Line shall be located within 7.7 metres of the southwestern Side Lot Line, and otherwise no Principal Building shall be located within 2.9 metres of the southwestern Side Lot Line.
- (iii) No Principal Building shall be located within 3.0 metres of the northeastern Side Lot Line.
- (iv) No Principal Building shall be located within 7.7 metres of the Rear Lot Line.
- (v) Principal Buildings shall be separated by not less than 7.6 metres

(b) **Accessory Buildings:**

No Accessory Buildings shall be permitted.

(10) **Siting Exceptions**

- a) The minimum distance to the northeastern and southwestern Side Lot Lines may be reduced by not more than 0.36 metres to accommodate cantilevered parts of a building constructed above the first storey.
- b) The minimum separation between Principal Buildings may be reduced by not more than 1.4 metres to accommodate cantilevered parts of buildings constructed above the first storey.
- c) The minimum distance to the Front Lot Line may be reduced by not more than 2.1 metres to accommodate exterior decks, attached to and forming part of a Principal Building.
- d) The minimum distance to the Rear Lot Line may be reduced by not more than 3.0 metres to accommodate exterior decks and stairs, attached to and forming part of a Principal Building.

(11) **Fencing**

- a) Subject to Part 4, Section 22, no fence shall exceed a Height of 1.2 metres within 5.8 metres of the Front Lot Line [Tillicum Road].
- b) No fence sited beyond 5.8 metres of the Front Lot Line shall:
  - (i) be less than a height of 1.5 metres, and
  - (ii) exceed a height of 2.0 metres.

(12) **Retaining Walls**

Notwithstanding Part 4, Section 22, Retaining Walls with a Height not exceeding 1.9 metres, for a length of not more than 5.9 metres, may be located within 8.9 metres of the Front Lot Line abutting the driveway.

(13) **Screening**

A deciduous hedge shall be provided and maintained along the Rear Lot Line having a minimum height of 2.5 metres in order to provide additional privacy for the Yards located along this lot line.

(14) **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 1.6 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 3 Visitor Parking Spaces shall be provided.

- (3) by changing the zoning designation of PID: 005-010-390, Lot D, Section 10, Esquimalt District, Plan 11683 [1048 Tillicum Road] shown cross-hatched on Schedule "A" attached hereto from RD-1 [Two Family Residential] to CD No. 132 [Comprehensive Development District No. 132].
- (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 16<sup>th</sup> day of March, 2020.

READ a second time by the Municipal Council on the 27<sup>th</sup> day of April, 2020.

Public Hearing was waived pursuant to Sections 464, 467 and 468 of the *Local Government Act* on the 1<sup>st</sup> day of June, 2020.

READ a third time by the Municipal Council on the 6<sup>th</sup> day of July, 2020.

RESCIND third reading by the Municipal Council on the 21<sup>st</sup> day of December, 2020.

A Public Hearing was held pursuant to Sections 464, 465, 466 and 468 of the Local Government Act on the 11<sup>th</sup> day of January, 2021.

READ a third time by the Municipal Council on the 11<sup>th</sup> day of January, 2021.

**ADOPTED** by the Municipal Council on the 1<sup>st</sup> day of March, 2021.

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BARBARA DESJARDINS  
MAYOR

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RACHEL DUMAS  
CORPORATE OFFICER

