CORPORATION OF THE TOWNSHIP OF ESQUIMALT

BYLAW NO. 3042

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. 3042"*.

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 at PART 5 – ZONING DISTRICTS, Section 31. ZONE DESIGNATIONS, in the appropriate alpha-numeric sequence:

    "Comprehensive Development District No. 145 (880 Fleming Street) CD No. 145"

    (2) by adding the following text as Section 67.140 (or as other appropriately numbered subsection within Section 67):

    67.140 COMPREHENSIVE DEVELOPMENT DISTRICT NO. 145 [CD NO.145]

    In that Zone designated as CD No. 145 [Comprehensive Development District No. 1345] 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) **Floor Area Ratio**

    (a) **Residential Uses**

    The Floor Area Ratio shall not exceed 1.6.

(3) **Unit Size**

The minimum Floor Area for each Dwelling Unit shall not be less than 50 square metres.

(4) **Number of Dwelling Units**

No more than forty-five (45) Dwelling Units shall be located in this Zone.

(5) **Parcel Size**

The minimum Parcel Size of fee simple Parcels created by subdivision shall be 2000 square metres.

(7) **Building Height**

(a) No Principal Building shall exceed a Height of 18 metres.

(8) **Lot Coverage**

(a) Principal Buildings, Accessory Buildings and Structures combined shall not cover more than 57% of the Area of the Parcel.

(b) Notwithstanding Section 8(a), the first storey of all Principal Buildings combined shall not cover more than 56% of the Area of the Parcel.

(c) The combined Lot Coverage of the storeys of all Principal Buildings above the third storey shall not cover more than 30% of the Area of the Parcel.

(9) **Siting Requirements**

 (a) **Principal Buildings:**

(i) No part of a Principal Building shall be located within 8.6 metres (7.3 m to decks) of the Front Lot Line.

(ii) No part of a Principal Building located above the third storey shall be located within 20.5 metres (18.9 metres to a canopy) of the Front Lot Line.

(iii) No part of the Principal Building shall be located within 3.8 m (3.6 m to decks) of the East Side Lot Line

(iv) No part of the Principal Building located above the third storey shall be located within 6.8 metres of the East Side Lot Line.

(v) No Principal Building shall be located within 5.7 metres (4.3

metres to decks) of the Western Side Lot Line.

    (vi) No part of a Principal Building located above the third storey shall be located within 5.7 metres of the Western Side Lot Line.

    (vii) No Principal Building shall be located within 3.0 metres of the Southwestern Side Lot Line.

    (viii) No Principal Building shall be located within 7.6 metres (6.0 m to decks) of the Rear Lot Line.

    (ix) No Principal Building located above the third storey shall be located within 15.5 metres of the Rear Lot Line.

    (x) No Principal Building shall be located within 3.0 metres (2.0 metres to decks) of the Northwestern Side Lot Line.

(10)   **Siting Exceptions**

  (a) Within the CD-145 zone, the minimum distance to a Lot Line may be reduced to the following distance to accommodate a parking structure situated below the First Storey of a Principal Building:

    (i)   East Side Lot Line - 3.6 metres

(11)   **Useable Open Space**

  (a) Notwithstanding the definition of Usable Open Space in Part 1, Section 2:

    (i)   no dimension of a Usable Open Space shall be less than 5.5 m;

    (ii)   Usable Open Space may include open space located over a parking structure.

  (b) Useable Open Space shall be provided in an amount not less than 15% of the Area of the Parcel.

(12)   **Fencing**

Despite Part 4, Section 22, no fence shall exceed a Height of:

(a) 1.2 metres in front of the front face of the Principal Building; and

(b) 2.0 metres behind the front face of the Principal Building.

(13) **Off-Street Parking**

    (a) Notwithstanding Section 11 of Parking Bylaw, 1992, No. 2011 (as amended), 1 in every 13 required Parking Spaces shall be designated and clearly marked as Visitor Parking and shall be available for use by non-occupants of the Parcel at all times.

    (b) Notwithstanding Section 12(1) of Parking Bylaw, 1992, No. 2011 (as amended), Parking Spaces for Persons with Disabilities shall be provided in a ratio of 1 for every 25 required Parking Spaces

    (c) Notwithstanding Section 13 of Parking Bylaw, 1992, No. 2011 (as amended), off-street parking shall be provided in the minimum ratio of 0.53 spaces per dwelling unit.

    (d) 63-sspaces of bicycle parking shall be provided within the parking structure.

    (e) 18-stalls of bicycle parking shall be provided outside of the parking structure.

    (f)

(3) by changing the zoning designation of PID 030-353-556 Lot 1, Section 10, Esquimalt District, Plan EPP78715 [880 Fleming Street], from RS-1 [Single Family Residential] shown cross-hatched on Schedule "A" attached hereto, to CD No. 145 [Comprehensive Development District No. 145]

(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 ---- day of -----, 2021.

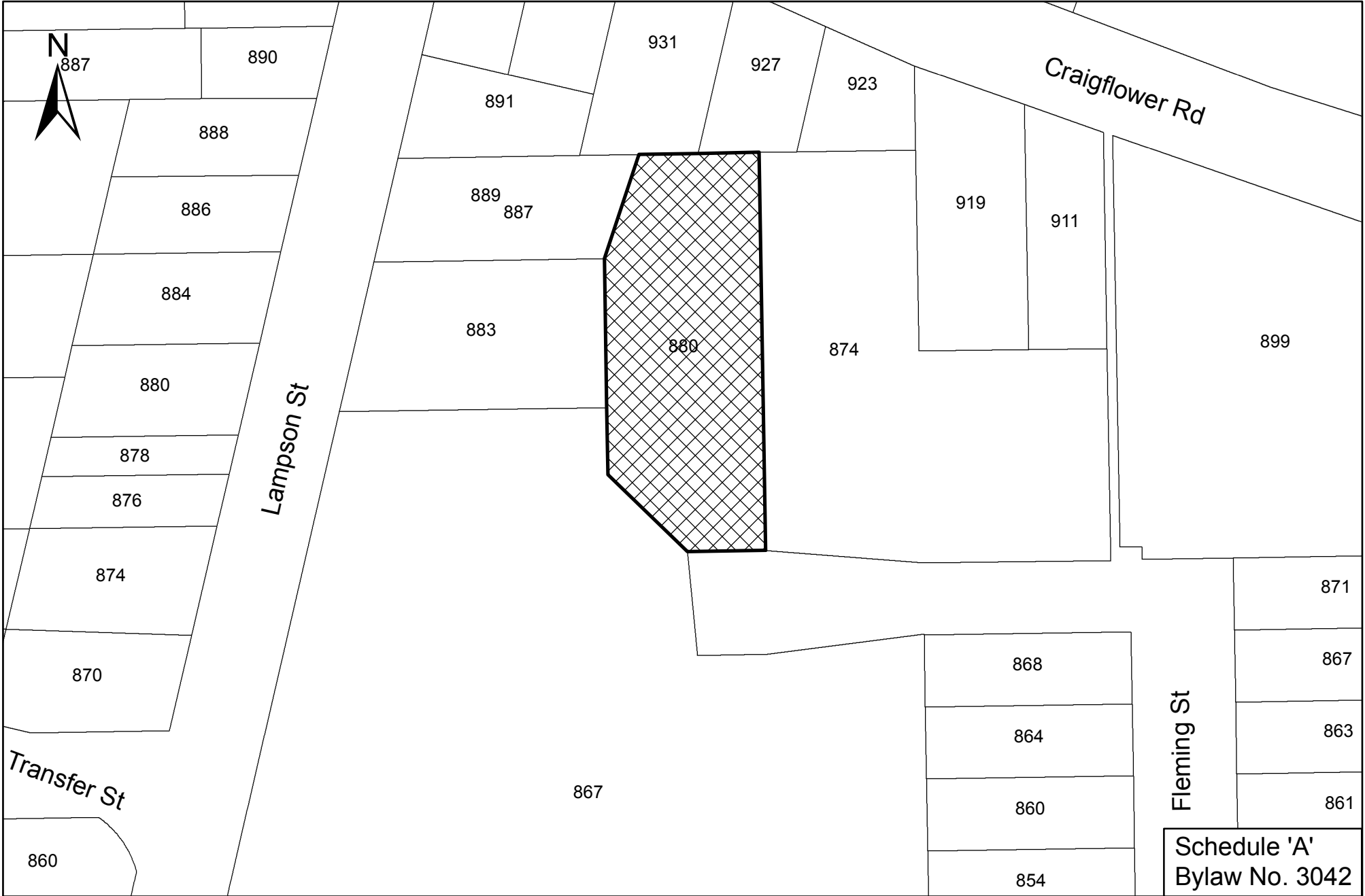READ a second time by the Municipal Council on the ---- day of -----, 2021.

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	DEB HOPKINS CORPORATE
MAYOR	OFFICER

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Lampson St

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Craigflower Rd

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