

CORPORATION OF THE TOWNSHIP OF ESQUIMALT

BYLAW NO. 3056

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, 2022, NO. 3056"*.

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 District No. 147 (1075 Tillicum Road) CD No. 147"

(2) by adding the following text as Section 67.134 (or as other appropriately numbered subsection within Section 67):

67.134 COMPREHENSIVE DEVELOPMENT DISTRICT NO. 147 [CD NO. 147]

In that Zone designated as CD No. 147 [Comprehensive Development District No. 147] 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**

Only Mixed Commercial / Residential use is permitted and the following Uses and no others shall be permitted as part of that development:

- (a) Dwelling – Multiple Family
- (b) Home Occupation
- (c) Beverage Manufacturer with Liquor Lounge
- (d) Business and Professional Office
- (e) Entertainment
- (f) Group Children's Day Care Centre
- (g) Laboratory and clinic
- (h) Licensed liquor establishments subject to the provisions of the *Liquor Control and Licensing Act* and Regulations
- (i) Liquor Store
- (j) Personal Service Establishment

- (k) Public Health Clinic or facility
- (l) Restaurant
- (m) Retail Store
- (n) Veterinary Clinic
- (o) Video Store

(2) **Density - Floor Area Ratio**

- (a) **Base Density:** The Floor Area Ratio shall not exceed 1.5.
- (b) **Bonus Density:** The Floor Area Ratio may be increased up to, but shall not exceed 2.39 on the provision of the following:
 - (i) Cash contribution of \$107,478 to be used for active transportation improvements along Tillicum Road between Gorge Road and Craigflower Road.

(3) **Parcel Size**

The minimum Parcel Size of fee simple Parcels created by subdivision shall be 2300 square metres.

(4) **Number of Principal Buildings**

Not more than one (1) Principal Building shall be located on a Parcel.

(5) **Number of Dwelling Units**

No more than ninety-nine (99) Dwelling Units shall be located on a Parcel.

(66) **Size and Location of Commercial Space**

The minimum Floor area dedicated to Commercial Uses shall not be less than 160 square metres located on the First Storey.

(6) **Building Height**

No Principal Building shall exceed a Height of 21.7 metres.

(7)) **Lot Coverage**

- (a) Principal Building shall not cover more than 82% of the Area of the Parcel including a parking structure.
- (b) That portion of the Principal Building constructed at or above the First Storey shall not cover more than 48% of the Area of the Parcel.

(8) **Siting Requirements**

(a) **Principal Building:**

- (i) Front Setback: No Principal Building shall be located within 6.0 metres of the Front Lot Line.
- (ii) Interior Side Setback: No Principal Building shall be

located within 2.9 metres of the northern Interior Side Lot Line.

(iii) Interior Side Setback: No Principal Building shall be located within 3.5 metres of the southern Interior Side Lot Line.

(iv) Rear Setback: No Principal Building shall be located within 6.5 metres of the Rear Lot Line.

(b) Accessory Buildings:

(i) No Accessory Building shall be permitted.

(9) Siting Exceptions

(a) Principal Building:

(i) The minimum distance to the Front Lot Line may be reduced to 0 metres to accommodate the parking structure situated below the First Storey of a Principal Building.

(ii) The minimum distance to the northern Interior Side Lot Line may be reduced to 0 metres to accommodate the parking structure situated below the First Storey of a Principal Building.

(iii) The minimum distance to the southern Interior Side Lot Line may be reduced to 1.7 metres to accommodate the parking structure situated below the First Storey of a Principal Building.

(iv) The minimum distance to the Rear Lot Line may be reduced to 2.5 metres to accommodate the parking structure situated below the First Storey of a Principal Building.

(v) The minimum distance to the Front Lot Line may be reduced by not more than 0.65 metres to accommodate the southwestern corner unit.

(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 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 180 square metres.

(12) **Off-Street Parking**

- (a) Notwithstanding Sections 11 and 13 of Parking Bylaw, 1992, No. 2011 (as amended), off street parking shall be provided in the minimum of 5 parking spaces to serve both the commercial portions of the building and the visitors of the dwelling units.
 - (b) Notwithstanding Section 13 of Parking Bylaw, 1992, No. 2011 (as amended), off-street parking shall be provided in the minimum ratio of 0.84 spaces per dwelling unit.
 - (c) Notwithstanding Section 14(2)(a) of Parking Bylaw, 1992, No. 2011 (as amended), 51% of the 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.
 - (d) Notwithstanding Section 14 of Parking Bylaw, 1992, No. 2011 (as amended), the minimum width of a two way manoeuvring aisle accessing two banks of parking shall be 6.75 metres.
 - (e) For greater certainty, all other uses must comply with Parking Bylaw requirements.
3. by changing the zoning designation of PID 018-050-859 Lot B, Section 10, Esquimalt District, Plan VIP55556 [1075 Tillicum Road], shown cross-hatched on Schedule "A" attached hereto, from C-6A [Licensed Liquor Establishment – Professional Office] to CD No. 147 [Comprehensive Development District No. 147]
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 7th day of March, 2022.

READ a second time by the Municipal Council on the 4th day of April, 2022.

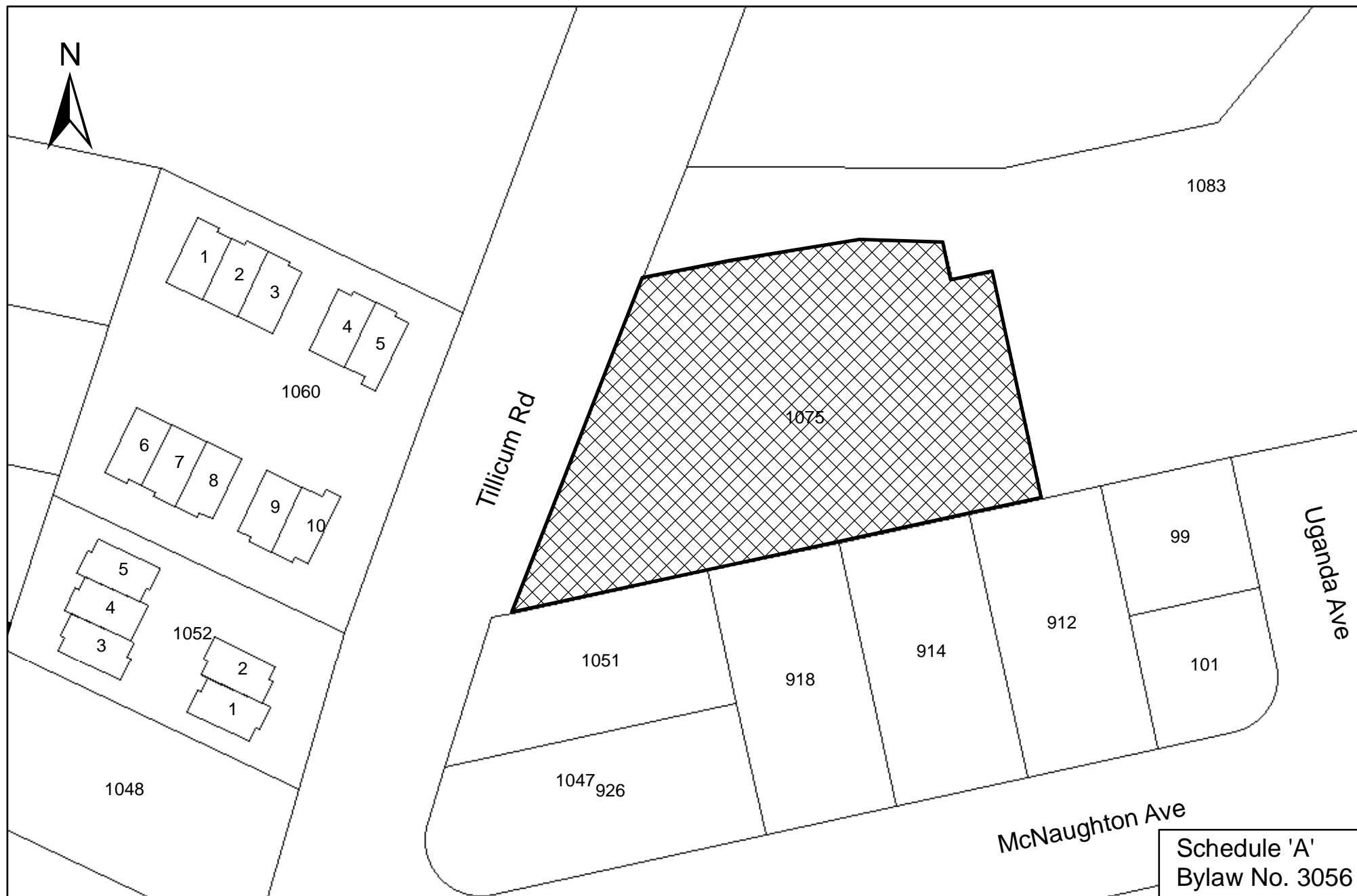
A Public Hearing was held pursuant to Sections 464, 465, 466 and 468 of the *Local Government Act* on the ____ day of _____, 2022.

READ a third time by the Municipal Council on the ____ day of _____, 2022.

ADOPTED by the Municipal Council on the ____ day of _____, 2022.

BARBARA DESJARDINS
MAYOR

DEBRA HOPKINS
CORPORATE OFFICER



Schedule 'A'
Bylaw No. 3056