

CORPORATION OF THE TOWNSHIP OF ESQUIMALT

BYLAW NO. 3079

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. 3079"*.

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. 159 (734 Sea Terrace) CD No. 159"

- (2) by adding the following text as Section 67.146 (or as other appropriately numbered subsection within Section 67):

67.146 COMPREHENSIVE DEVELOPMENT DISTRICT NO. 159 [CD NO. 159]

In that Zone designated as CD No. 159 [Comprehensive Development District No. 159] 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 900 square metres.

- (3) **Number of Principal Buildings**

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

- (4) **Number of Dwelling Units**

No more than nineteen (19) Dwelling Units shall be located on a Parcel

(5) **Floor Area Ratio**

The Floor Area Ratio shall not exceed 1.79.

(6) **Building Height**

No Principal Building shall exceed a Height of 17.4 metres.

(7) **Lot Coverage**

(a) Principal Building shall not cover more than 87% 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 First Storey shall not cover more than 56% of the Area of the Parcel.

(8) **Siting Requirements**

(a) **Principal Building:**

- (i) No Principal Building shall be located within 6.4 metres of the Lot Line abutting Sea Terrace.
- (ii) No Principal Building shall be located within 1.9 metres of the portion of the Lot Line abutting Dunsmuir Road.
- (iii) No part of a Principal Building located above the fourth storey shall be located within 8.0 metres of the the Lot Line abutting Sea Terrace.
- (iv) No Principal Building shall be located within 1.9 metres of the westernmost Interior Side Lot Line.
- (v) No Principal Building shall be located within 3.3 metres of the easternmost Interior Side Lot Line.
- (vi) No part of a Principal Building located above the fourth storey shall be located within 4.7 metres of the easternmost Interior Side Lot Line.
- (vii) No Principal Building shall be located within 3.9 metres of the Rear Lot Line.
- (viii) No part of a Principal Building located above the fifth storey shall be located within 7.8 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 Lot Line abutting Sea Terrace may be reduced to 5.2 metres to accommodate the parking structure situated below the First Storey of the Principal Building.
- (ii) The minimum distance to the Lot Line abutting Sea Terrace may be reduced to 3.6 metres to accommodate the front stairs situated below the First Storey of the Principal Building.
- (iii) The minimum distance to the westernmost Interior Side Lot Line may be reduced to 0.15 metres to accommodate the accessibility ramp and stairs situated below the First Storey of the Principal Building.
- (iv) The minimum distance to the easternmost Interior Side Lot Line may be reduced to 0.1 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 1.1 metres to accommodate the parking structure situated below the First Storey of the Principal Building.
- (vi) Notwithstanding CD No. 159, Section (8)(a)(vi) That portion of the Principal Building located above the fourth storey and containing a staircase shall be located at least 3.8 metres from the easternmost Interior Side Lot Line.
- (vii) Notwithstanding Part 4, Section 15(4)(e)(ii) Guards for rooftop patios are not required to step back a minimum of 1.5 metres from the building edge.

(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.

(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 0.89 spaces per dwelling unit.
 - (b) Notwithstanding Section 11 of Parking Bylaw, 1992, No. 2011(as amended), a minimum of 2 (two) of the parking spaces required per above (12) (a) shall be located in the parking structure and marked "Visitor".
 - (c) Notwithstanding Section 11 of Parking Bylaw, 1992, No. 2011(as amended), a minimum of 1 (one) of the parking spaces required per above (12) (a) shall be located in the front yard and marked "Car Share Vehicle".
- (3) by changing the zoning designation of PID 005-388-902, Lot 4, Section 11, Esquimalt District, Plan 9757 [734 Sea Terrace] shown cross-hatched on Schedule 'A' attached hereto, from RD-3 [Two Family/ Single Family Residential] to CD No. 159 [Comprehensive Development District No. 159].
- (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 _____, 2022.

READ a second time by the Municipal Council on the ____ day of _____, 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

