

CORPORATION OF THE TOWNSHIP OF ESQUIMALT
ZONING BYLAW 1992
BYLAW NO. 2050
AND
PARKING BYLAW 1992
BYLAW NO. 2011

November, 2008

Consolidated for convenience. In case of discrepancy the original Bylaw or Amending Bylaws must be consulted.

“ZONING BYLAW, 1992, NO. 2050”
originally adopted by Council on April 5, 1993

The following list of amendments are included in this "Consolidated Bylaw":

Zoning Bylaw, 1992, No. 2050	Bylaw No.
AMENDMENT NO. 1 [833 Dunsmuir Road]	2064
AMENDMENT NO. 2 [936 Forshaw Road]	2069
AMENDMENT NO. 3 [448 Admirals Road]	2070
AMENDMENT NO. 4 [929 Agnes Street]	2071
AMENDMENT NO. 5 [847 Carrie Street]	2072
AMENDMENT NO. 6 [511 Comerford Street]	2073
AMENDMENT NO. 7 ABANDONED	2074
AMENDMENT NO. 8 ABANDONED	2075
AMENDMENT NO. 9 [445 Fraser Street]	2076
AMENDMENT NO. 10 [647 Grenville Avenue]	2077
AMENDMENT NO. 11 [651 Grenville Avenue]	2078
AMENDMENT NO. 12 [658 Grenville Avenue]	2079
AMENDMENT NO. 13 [511 Lampson Street]	2080
AMENDMENT NO. 14 [519 Lampson Street]	2081
AMENDMENT NO. 15 [930 Lyall Street]	2082
AMENDMENT NO. 16 ABANDONED	2083
AMENDMENT NO. 17 [728 Stancombe Place]	2084
AMENDMENT NO. 18 [968 Wollaston Street]	2085
AMENDMENT NO. 19 [987 Wollaston Street]	2086
AMENDMENT NO. 20 ABANDONED	2094
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AMENDMENT NO. 23 [Waterlot Lease Gorge Point]	2099
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THE CORPORATION OF THE TOWNSHIP OF ESQUIMALT

BYLAW NO. 2050

A bylaw to regulate the Use of land, Buildings and related matters and Structures within the Corporation of the Township of Esquimalt.

Whereas Council may pursuant to Section 903 of the *Municipal Act*, divide the whole or part of the Municipality into Zones; limit the vertical extent of the Zones and provide other Zones above or below it; regulate the Uses; density of Use, siting, size and dimensions of Buildings and Structures and Uses permitted on the land; regulate the shape, dimensions and area including minimum and maximum sizes of all parcels of land that may be created by subdivision and to prohibit any Use or Uses in any Zone.

Now, therefore, the Council of the Corporation of the Township of Esquimalt in open meeting, assembled, enacts as follows:

1. Citation

This Bylaw may be cited for all purposes as the "Zoning Bylaw 1992 No. 2050."

PART 1 - INTERPRETATION

2. DEFINITIONS

Words and phrases used in this Bylaw that are not included in this list of definitions shall have the meanings which are commonly assigned to them in the context in which they are used in this Bylaw. Unless otherwise specified, the following definitions shall apply:

"Access Strip" means that part of a Parcel forming a corridor not exceeding seven metres in width, which provides access to a Highway from the remaining part of the Parcel.

"Accessory Building" means a Building or Structure customarily incidental to the Principal Building and Structures located on the Parcel and used by the occupant of the Principal Building on the site, including but not limited to a Private Garage, garden/storage shed and greenhouse.

"Accessory Retail" means the ancillary retail sale of goods produced by or related to a business.

"Accessory Tourist Commercial" means a Use that is ancillary to a principal tourist accommodation Use that is intended to serve the needs of individuals who are occupying the tourist accommodation and specifically includes gift shops, Restaurants, coffee shops, and similar Uses.

"Accessory Use" means a Use customarily incidental and subordinate to a permitted Principal Use on the same Parcel.

"Adult Entertainment Use" means

- (1) the Use of any Building, or portion of a Building, for the offering for rent, Use, viewing or sale of an object (other than a contraceptive device), commodity, good, material, device, machine or Entertainment which is designed or intended to be used in, or is a depiction of, a sexual act as defined in the Motion Picture Act Regulations (B.C. Reg. 260/86); or
- (2) the Use of a Building, or portion of a Building, not licensed to sell or serve liquor under the Liquor Control and Licensing Act R.S.B.C. 1996, c. 267, in which strippers or exotic dancers perform;

"Adult Motion Picture" means a motion picture which comes within the definition of *"Adult Motion Picture"* contained in the Motion Picture Act, R.S.B.C. 1996, c. 314;

"Adult Motion Picture Studio" means the Use of any Building, or portion of a Building, for the production or reproduction of Adult Motion Pictures;

"Adult Theatre" means a Building, or portion of a Building, or open area used, or intended to be used, for the projection of Adult Motion Pictures or motion picture films classified or designated as "restricted" under the Motion Picture Act, R.S.B.C. 1996, c. 314, and where there is provision for the viewing of pictures or films by members of the public."

"Adult Video Store" means a Building, or portion of a Building, used by any person licensed as an adult film distributor or adult film retailer under the Motion Picture Act R.S.B.C. 1996, c. 314, where more than 10 percent of the motion pictures available for distribution, sale or rental are Adult Motion Pictures.

"Area" of a Parcel means the surface Area thereof in plan, but does not include any portion thereof consisting of land covered with water.

"Assembly Use" means a gathering of persons for religious, charitable, philanthropic, social, entertainment, cultural, private educational and private recreational purposes.

"Authority Having Jurisdiction" means the governmental body responsible for the enforcement of any applicable Code, Regulations or Act or the official or agency designated by that body to exercise such a function.

"Balcony" means a platform which projects from the wall of a Building above ground level and that is partially enclosed by a low parapet or railing in such a manner as to remain permanently exposed to outside weather.

"Basement" means a Storey or Storeys of a Building located below the first storey.

"Bed and Breakfast" means sleeping accommodation for transient guests provided within a Single Family Dwelling to whom no more than one (1) meal is served or provided in any day.

"Boarder" means a person who resides with a Family occupying a Single Family Dwelling and who pays for accommodation and meals, but is not a member of that Family.

"Boarding Use" means the sharing of a Single Family Dwelling, by the Family of the owner and not more than two (2) Roomers or Boarders; but excludes transient accommodation, separate suites within the Single Family Dwelling and independent accommodations.

"Boat Moorage Facility" means piers, wharves, floats and ramps located over or on the surface of the water.

"Body Painting Establishment" means a place where directly or indirectly, a fee is paid or charged for an activity involving the application, by any means, of dyes, paint or similar materials to a person's body.

"Body Rub Parlour" means

- (1) a place where a body rub is performed, offered or solicited; and
- (2) a referral agency that accepts requests to provide a person to perform a body rub at a location chosen by the person requesting the body rub.

"Building" means any Structure used or intended for supporting or sheltering any Use.

"Business and Professional Offices" means the Use of a Building for the purpose of carrying out Business or professional activities, but excludes Retail Stores and Personal Service Establishments.

"Club House" means a Building or establishment used by an association or organization for fraternal, social, or recreational purposes which may include limited cooking facilities, and which is operated for the Use of Club House members and their guests only.

"Commercial Use" means any Use permitted within the C-1 to C-7-A Zones.

"Commercial Vehicle" means a Commercial Vehicle defined pursuant to the "Commercial Transport Act" exceeding a licensed gross vehicle weight (GVW) of 5600 kilograms.

"Community Care Facility" means a Use or facility providing for the care of persons in premises licensed under the "Community Care Facility Act".

"Comprehensive Development Plan" means a site plan or plans, including legal descriptions of the Area to be developed, showing the location of all existing and proposed Buildings, Highways, driveways, parking and loading Areas, sidewalks, street lighting, utilities and utility easements, streams and other topographical features of the site and may include:

- (1) Preliminary architectural plans for any Buildings and their Uses.
- (2) Existing and proposed Grades and their relation to the elevations on adjoining properties.
- (3) The location, size, Height, colour, lighting and orientation of all signs.
- (4) The location and treatment of open spaces, Landscaping, fences and walls.

"Congregate Care Senior Citizens' Apartments" means a multiple Family residential Building intended for senior citizens and where meals are prepared and served to residents in a communal dining room on a daily basis.

"Convenience Store" means a retail outlet devoted to the retail sale of groceries, perishable items and sundry household items catering to the day to day needs of residents of the local neighbourhood.

"Corner Lot" means a Parcel having a continuous Frontage along two or more Highways excluding lanes.

"Dating Service" means a business which:

- (1) introduces or offers to introduce a person to another person for the purpose of providing companionship for a short period of time; and
- (2) charges or otherwise imposes a fee each time that an introduction is made or companionship is provided.

" Dwelling Unit " means one or more habitable rooms used for the residential accommodation of one Family when such rooms contain or provide for the installation of only one (1) set of cooking facilities and one or more sets of sanitary facilities.

" Dwelling - Apartment " means a Building which contains three or more Dwelling Units with each Dwelling Unit having its principal access from an entrance or hallway or exterior walkway common to the other Dwelling Units.

" Dwelling - Single Family " means any detached Building consisting of one Dwelling Unit containing only one kitchen with cooking facilities, which is occupied or intended to be occupied as the Permanent Residence by one Family only.

" Dwelling - Townhouse " means a Building which contains three or more Dwelling Units, with each Dwelling Unit having its principal access from a separate exterior entrance.

" Dwelling - Two Family " means a detached Building consisting of two Dwelling Units.

" Entertainment " means a Commercial Use contained within a Building providing recreational opportunities to the general public and specifically includes arcades, bowling alleys, billiard and pool halls, roller rinks, dance halls, Theatres, and similar Uses, but specifically excludes Adult Theatres.

" Escort Service " means a business which:

- (1) introduces or offers to introduce a person to another person for the purpose of providing companionship for a short period of time; and
- (2) charges or otherwise imposes a fee each time that an introduction is made or companionship is provided.

" Exterior Side Lot Line " means a Side Lot Line (of a Corner Lot) which forms the boundary on an abutting Highway.

" Family " means one or more persons related by blood, marriage, common law, adoption, or foster parenthood; or not more than four (4) unrelated persons sharing one Dwelling Unit.

" Floor Area " when used in reference to a floor or a Storey or Building means the entire Area which in plan is enclosed by the interior face of the exterior walls of the Storey or floor level. Floor Area excludes balconies, open decks, unenclosed porches or verandas, and Accessory Buildings. In multiple family residential Buildings, Floor Area excludes the Area of the floor or floors of any and all portions of the Building used or intended to be used for the parking or movement of vehicles, mezzanines, corridors, hallways, landings, foyers, staircases, stairwells, and elevator shafts.

" Floor Area Ratio " means the figure obtained when the Floor Area of all floors (subject to Section 14) in all Buildings on a Parcel is divided by the Area of the Parcel.

" Floating Home " means a house-like Structure built on a floatation system, intended for Use or being used or occupied as a Dwelling Unit and is not primarily intended for or usable in navigation.

"Floating Boat Shelter" means a Structure, intended for the protection of a boat, built on a floatation system.

"Front Lot Line" means the Lot Line common to the Parcel and an abutting Street. Where a Parcel has Lot Lines abutting two or more Streets, the Lot Line with the shorter distance abutting a Street is the Front Lot Line.

"Front Building Line" means a line most parallel to the Highway, on which a Parcel has its Frontage, at the innermost part of the required Front Yard Setback.

"Frontage" means that length of a Parcel boundary which immediately joins a Highway other than a lane or walkway. On a Parcel where more than one of the Parcel boundaries adjoins a Highway, the shortest Parcel boundary shall be considered its Frontage.

"Gaming Activity" means any game played on any mechanical or electronic device or machine for money, or anything of value, but excludes the purchase and sale of lottery tickets and electronic bingo in licensed bingo facilities.

"Garage, Private" means an Accessory Building or a portion of a Principal Building used primarily for the parking or temporary storage of motor vehicles owned by residents of the Parcel.

"Gas Bar" means any Building or Structure used or intended to be used for the retail sale of motor fuels and lubricants and excludes vehicle servicing.

"Grade" means the average natural levels of the ground adjoining each exterior wall of a Building, provided that localized depressions such as vehicle or pedestrian entrances need not be considered in the determination of average levels of natural ground.

"Group Children's Day Care Centre" means a facility providing for the care of children and licensed under the "Community Care Facility Act".

"Height" means the vertical distance of a Structure measured from Grade to the highest point of the Structure if the Structure has no roof or a flat roof; to the deck line of a mansard roof; to the mean level between the eaves and ridge of a gable, hip, gambrel, or other sloping roof. The measurement of Height shall exclude the projection of chimneys, vents, stacks, heating, ventilation, and air conditioning equipment, stairwells, and elevator lifting devices that protrude above the surrounding roof line.

"High Water Mark" means the Lot Line established by a British Columbia Land Surveyor on a legal survey plan between land and any body of water.

"Highway" includes a street, road, lane, bridge, viaduct, and any other way open to the use of the public, but does not include a private right of way on private property.

"Home Occupation" means any occupation or profession carried on by a resident of a Parcel on that Parcel, the nature of which is clearly incidental to the Use of the Dwelling Unit for residential purposes.

"Hotel" means a Building in which more than six sleeping units of accommodation without private cooking facilities are provided for transient lodgers. It may have a public dining room, café, banquet rooms, convention facilities, or licensed liquor facilities subject to the "Liquor Control and Licensing Act".

"Interior Side Lot Line" means a Side Lot Line which is common to two adjoining Parcels.

"Landscaping" means any or all of a combination of grass, shrubs, trees and other plants.

"Liquor Store" means a retail liquor store operated by the provincial government or by an agent appointed under the Liquor Distribution Act or a licensee retail store [commonly known as Cold Beer and Wine Stores].

"Liveaboard" means a boat that is primarily intended for or usable in navigation and is used as a Dwelling Unit.

"Lot Line" means the boundary of a Parcel or a Water Lot designated on a legal survey plan.

"Mobile Home" means a Dwelling Unit built in one or more units to be occupied in a place other than that of its manufacture and meeting Canadian Standards Association Standard Z240, equipped with a toilet, bathtub or shower, waste from which is disposed directly into a Municipal sewage collection system.

"Motel" means the commercial provision of temporary accommodation in which each sleeping unit has its own exterior access.

"Natural Boundary" means the visible High Water Mark of any river, creek or other body of water as established by a British Columbia Land Surveyor.

"Panhandle Lot" means a Parcel with an access strip and a Frontage of less than 10% of its perimeter.

"Parcel" means any lot, block or other area in which land is held or into which it is subdivided, but does not include a Highway.

"Parcel Size" means the total horizontal Area within the Lot Line boundaries of a Parcel.

"Permanent Residence" means premises used by individuals for daily eating, sleeping and living needs, occupied on an ongoing basis.

"Personal Service Establishment" means a Building or part of a Building wherein personal service is provided and includes the sale of articles accessory to the provision of such service.

"Principal Building" means a Building or Structure accommodating the Principal Use of a Parcel.

"Principal Use" means the main purpose for which land, Buildings or Structures are ordinarily used.

"Rear Lot Line" means any Lot Line other than a Front Lot Line or Side Lot Line.

"Restaurant" means an eating establishment where food is sold to the public for immediate consumption within the premises, or for removal from the premises, but where no provision is made for the consuming of food in motor vehicles on the site.

"Restaurant, Drive-in" means an eating establishment with facilities for serving customers in motor vehicles on the site of the Restaurant.

"Rest Home" means a boarding home or other institution where food or lodging, together with care or attention are furnished, with or without charge, for two or more persons who, on account of age, infirmity, physical or mental defect, or other disability, require attention or care, excepting a home maintained by a person to whom the residents are related by blood or marriage.

"Roomer" means a person who resides with a Family occupying a Single Family Dwelling and who pays for accommodation, but is not a member of that Family.

"Screening" means visual barrier formed by a row of shrubs or trees or by a wooden fence or a masonry wall or by a combination thereof.

"Sea" means any Area of salt water within the boundaries of the Corporation of the Township of Esquimalt.

"Setback" means the required minimum distance between a Building or Use and each of the respective Lot Lines.

"Service Station" means any Building or land Used or intended to be used for the retail sale of motor fuels and lubricants, the minor servicing, maintenance or mechanical repair of licensed motor vehicles, and may include the sale of automobile accessories, and a car wash.

"Sewage Pumping Facility" means a combination of electrical and mechanical equipment that establishes a hydraulic head on raw sewage.

"Sewage Screening Facility" means the equipment necessary to remove and dispose of objects from raw sewage that would otherwise float when discharged to the Sea.

"Side Lot Line" means a Lot Line intersecting with the Front Lot Line and marking the boundary between two Parcels, or between a Parcel and Highway in the case of a Corner Lot.

"Store, Retail" means the retail sales of goods and services, and may include temporary outdoor storage and display.

"Storey" means that portion of a Building which is situated between the top of any floor and the top of the next floor above it, and if there is no floor above it, that portion between the top of such floor and the ceiling above it.

"Storey, First" means the uppermost Storey having its floor level not more than 2 metres above grade.

"Street" means a Highway greater than 8 metres in width.

"Structure" means anything that is erected or constructed that is attached to, supported by or sunk into land or water but does not include Landscaping, surfacing improvements, fences permitted within the Zone and retaining walls under 1.0 metres in Height.

"Urban Hens" means female fowl kept for the purpose of laying eggs for food and does not include any fowl kept for breeding purposes.

"Tourist" means Use providing for the accommodation of the travelling public in individual Dwelling Units or sleeping units; may include within the Principal Building dining rooms, meeting rooms and retail sales.

"Theatre" means a Building, Structure, or part thereof intended for the production and viewing of the performing arts or the screening and viewing of motion pictures but excludes Adult Theatre.

"Use" means the purpose for which any Parcel, water surface, Building or Structure is designed, arranged or intended, occupied or maintained.

"Use, Single Family Residential" means a Use providing for domestic occupation of a Single Family Building and Accessory Buildings and includes residential activities incidental to such occupancy.

"Use, Two Family Residential" means a Use providing for domestic occupation of a Two Family Building and Accessory Buildings and includes residential activities incidental to such occupancy.

"Use, Townhouse Residential" means a Use providing for domestic occupation of a Townhouse Building and Accessory Buildings and includes residential activities incidental to such occupancy.

"Use, Apartment" means a Use providing for domestic occupation of an Apartment Building and Accessory Buildings and includes residential activities incidental to such occupancy.

"Usable Open Space" means a compact, level unobstructed area available for safe and convenient Use by all the Building's occupants, having no dimension less than 6.0 metres and no slope greater than 10%, providing for greenery, recreational space and leisure activities normally carried on outdoors. Usable Open Space shall exclude areas used for off street parking, off street loading, service driveways and required Front Yards, and roof Areas unless otherwise permitted in this Bylaw.

"Video Store" means a Building, or portion of a Building, where motion pictures are available for distribution, sale or rental.

"Warehouse Sales" means a Use of all or part of a Building where only furniture, carpets and floor coverings, curtains and drapery, light fixtures, plumbing fixtures and supplies, pictures, picture frames, mirrors and appliances are displayed and offered for sale to the public.

"Water Lot" means an Area of land covered by water below the historical High Water Mark designated as a separate and distinct Parcel on a legal Water Lot lease issued by the Authority Having Jurisdiction.

"Wholesaling and Wholesale Distribution" means the Use of land, Buildings, or Structures by businesses engaged in selling merchandise for resale to industrial, commercial, institutional or professional business users or to other wholesalers; or acting as agents or brokers buying merchandise for or selling merchandise to such businesses.

"Wrecked Motor Vehicle" means a motor vehicle (as defined in the "Motor Vehicle Act") that:

- (1) is not capable of being moved by its own motive-power, or
- (2) is reduced to parts, frames or bodies of a motor vehicle.

"Yard" means a required open space within a Parcel which is unoccupied and unobstructed by Structures or Buildings or any portion thereof, with the exception of fences, swimming pools and Accessory Buildings.

"Yard - Front" means that portion of the Lot, extending across the full width of the Lot from the front Lot Line to the nearest projection of the Principal Building and measured at right angles to the Front Lot Line.

"Yard - Rear" means that portion of the Lot extending across the full width of the Lot from the Rear Lot Line to the nearest projection of the Principal Building measured at right angles to the Lot Line.

"Yard - Side" means the portion of the Lot extending from the Front Yard to the Rear Yard and lying between the Side Lot Line and nearest projection of the Principal Building and measured at right angles to the Lot Line.

"Zone" means a Zone established under Section 903 of the "*Municipal Act*" by this Bylaw.

PART 2 - APPLICATION, COMPLIANCE, AND SEVERABILITY

3. APPLICATION

This Bylaw shall apply to all land, the surface of water, Buildings, and Structures within the boundaries of the Corporation of the Township of Esquimalt subject to the provisions of other Provincial and Federal statutes.

4. COMPLIANCE

Subject to the provisions of the "*Municipal Act*" respecting non-conforming Uses, no Building, Structure or land, including the surface of water, shall be used or occupied, and no Building or Structure or part thereof shall be erected, constructed, reconstructed, moved or structurally altered except in conformity with this Bylaw.

5. SEVERABILITY

Any section, subsection, sentence, clause or phrase of this Bylaw which is for any reason held to be invalid by the decision of any Court of competent jurisdiction, may be severed from the balance of this Bylaw without affecting the validity of the remaining portions of this Bylaw.

PART 3 - ADMINISTRATION AND ENFORCEMENT

6. ADMINISTRATION

- (1) The Director of Planning and Engineering Services and other persons appointed by Council for the purpose, are authorized to administer this Bylaw.
- (2) Persons appointed under Section 6(1) may enter any property subject to this Bylaw at all reasonable times for the purpose of ascertaining whether this Bylaw is being observed.

7. VIOLATION

- (1) No person shall contravene this Bylaw or suffer or permit any act or thing in contravention of this Bylaw.
- (2) No person shall prevent or obstruct any official appointed under Section 6(1) from the carrying out of their powers and duties under this Bylaw.

8. PENALTY

- (1) Every person who violates any of the provisions of this Bylaw or who suffers or permits any act or thing to be done in contravention of this Bylaw, is punishable in accordance with the "Offence Act", and shall be liable to the penalties hereby imposed.
- (2) Any person who violates any of the provisions of this Bylaw shall upon summary conviction thereof be liable to a penalty of not more than ten thousand dollars.
- (3) Each day that violation of this Bylaw is caused to continue, constitutes a separate offence.

9. UNIT OF MEASURE

All units of measure contained within this Bylaw are Metric (SI) Standards.

10. HEADINGS

Section headings, including the statements of intent contained in Part 5 do not form part of this Bylaw. They are included for convenience only and shall not be used in interpreting this Bylaw.

PART 4 - GENERAL REGULATIONS

11. PERMITTED USES

- (1) No land, the surface of water, Buildings or Structures in any Zone shall be used by the owner, occupier or any other person for any Use except as specifically permitted for the Zone in which they are located.
- (2) No Private Garage shall be used for repairing or servicing of motor vehicles, other than minor repairs and maintenance of vehicles owned by residents of the Parcel. No commercial vehicle repair equipment or facilities shall be located in a Private Garage.
- (3) Notwithstanding Section 11(1), land in the RD Zones may be used for Single Family Residential Use, land in the RM Zones may be used for Single Family and Two Family residential Use and land in the RM-4 and RM-5 Zones may be used for Single Family, Two Family and townhouse residential Use, subject to the following conditions:
 - (a) only one type of residential Use shall be developed on a Parcel;
 - (b) a Building developed for a Use which is not permitted except pursuant to this section shall be developed in accordance with the density, siting, size and dimension regulations in the lowest numbered Zone in which that Use is permitted; and
 - (c) Parcels zoned RS-4 and RS-4A shall be used only for Uses permitted in Section 36.1(1) and 37(1) and no Bed and Breakfast residential Uses are permitted in any other Zone.

12. NUMBER OF PRINCIPAL BUILDINGS

Not more than one Principal Building shall be located on any Parcel zoned Single Family or Two Family Residential.

13. HOME OCCUPATIONS

A Home Occupation is permitted provided:

- (1) there is only one Home Occupation per Dwelling Unit,
- (2) the Home Occupation, including any accessory storage of goods or materials, shall be operated and contained completely within the Dwelling Unit or Accessory Buildings;
- (3) the Home Occupation shall not occupy more than 15% of the Gross Floor Area of the Dwelling Unit, and in any event shall not exceed 46 square metres;
- (4) there is no evidence of the Home Occupation Use, including no exterior storage or operation of the Home Occupation, except a sign identifying the Home Occupation which shall comply with the Corporation of the Township of Esquimalt Sign Bylaw;
- (5) the Home Occupation Use is conducted only by a resident of the Dwelling Unit;

- (6) no person other than a member of the immediate Family occupying the Dwelling Unit is employed by the operator of the Home Occupation Use within the Dwelling Unit;
- (7) no discharge or emission of odorous, toxic or noxious matter of vapours, heat, glare, noise, electrical interference, radiation or recurring ground vibration occurs;
- (8) the Home Occupation does not generate pedestrian or vehicular traffic or parking in excess of that which is characteristic of the neighbourhood within which it is located;
- (9) no automobile, boat or other machinery servicing or repair is permitted;
- (10) the Home Occupation shall comply with all other applicable bylaws, including but not limited to Business Licence, Noise, Parking and Streets and Traffic.
- (11) no Body Painting Establishment, Body Rub Parlour, Dating Service and/or Escort Service is permitted.

14. CALCULATION OF FLOOR AREA RATIO

The following shall not be included as Floor Area for the purpose of computing Floor Area Ratio:

- (1) Structures which are permitted as projections into required Yards in Section 16 of this Bylaw.
- (2) Swimming pools, open sundecks, unenclosed porches and verandas, and Accessory Buildings.
- (3) Any portion of a penthouse containing elevator or ventilating machinery.
- (4) Any Basement or ground floor, or portion thereof, within a Single Family or Two Family Dwelling, where the ceiling is less than 1.2 metres above the natural Grade at any point.
 - (4.1) The exemption to the calculation of Floor Area provided in Section 14(4) above, does not apply to floor areas within a Multiple Family Residential Building.
- (5) In a Single Family Residential Zone, not more than 45 square metres of Floor Area used and maintained as a garage, in a Principal Building, for the parking of motor vehicles.
- (6) In a Two Family Residential Zone, not more than 40 square metres of Floor Area used and maintained as a garage, in a Principal Building, for the parking of motor vehicles.
- (7) In Multiple Family Residential Zones, any portion of the Building used or intended to be used for the parking or movement of motor vehicles.

15. HEIGHT EXCEPTIONS

The following Structures are exempt from the Height requirements of this Bylaw: church spires, chimneys, flagpoles, masts, satellite dishes, aerials, water tanks, monuments, transmission towers, elevators and ventilation machinery, provided that such Structures occupy less than 7% of the Area of the Parcel.

16. SITING EXCEPTIONS

Where chimneys, gutters, sills, eaves, sunlight control projections, canopies, bay windows having no Floor Area, or ornamental features project beyond the face of a Building, the minimum distance to an abutting Lot Line or as required elsewhere in this Bylaw, may be reduced by not more than 0.6 m, providing that such a reduction applies only to the projecting feature.

17. SPECIAL SITING REQUIREMENTS

Heat pumps shall not be located within 6 metres of any property line.

18. NON-CONFORMING USES

The lawful Use of any land, Building or Structure existing at the time of the adoption of this Bylaw may be continued subject to the provisions of the "*Municipal Act*", although such Use does not conform with the provisions of this Bylaw.

19. NON-CONFORMING SITING, DIMENSIONS, PARKING

Where a Building or Structure's siting, size, dimensions, parking or loading does not meet the requirements of a Zoning Bylaw adopted after they were constructed, the Buildings or Structures may be repaired, extended or altered, but only to the extent that the repair, extension or alteration would, when completed, involve no further contravention of the Bylaw beyond the contravention that existed prior to the time the repair, extension or alteration were commenced.

20. NON-CONFORMING PARCEL SIZE

Where a Parcel of land shown on a plan duly registered in the Land Title Office prior to the effective date of this Bylaw does not contain the minimum Parcel Size Area required in the Zone in which the Lot is located, the Parcel may be used subject to all other requirements of the Zone being met.

21. ACCESSORY BUILDINGS AND USES

- (1) No Accessory Building or Structure shall be erected on any Parcel unless the Principal Building to which the Accessory Building is an incidental Use has been erected or is being erected simultaneously with the Accessory Building.
- (2) Where an Accessory Building is attached to the Principal Building, it is considered a part of the Principal Building and shall comply in all respects with the requirements of the Bylaw applicable to the Principal Building.
- (3) Notwithstanding the restriction, contained elsewhere in this Bylaw, on placing Accessory Building in front of the front face of a Principal Building. Structures used to house Urban Hens, as regulated by the Animal Bylaw, may be located within the front yard setback provided that the Structure is screened by vegetation of a sufficient height and width to prevent the Structure being visible from the street or from any adjacent residence.

22. FENCES

- (1) Where a fence, or similar Structure is located on top of a retaining wall, the Height of the fence shall include the Height of the retaining wall. Where their combined Height exceeds 1.8 metres, the fence, wall or similar Structure alone shall have a Height of not more than 1.1 metres.
- (2) Barbed wire fencing or any other like material shall not be used.
- (3) Fences shall not be electrified.

23. SCREENING AND LANDSCAPING

- (1) Where a Parcel is developed for a commercial, industrial, or institutional Use and where such a Parcel shares a property line(s) with a Parcel that is Zoned for Residential Uses, Screening along such property line(s) of not less than 2 metres in Height shall be provided.
- (2) Where a Parcel is developed for a commercial, industrial, or institutional Use and where such a Parcel is separated by a lane from a Parcel that is Zoned for Residential Uses, Screening along the entire property line abutting the lane of not less than 1.2 metres in Height shall be provided.
- (3) Notwithstanding sub-section 23(2), Screening is not required for the points of ingress and egress and for a distance of 3 metres on either side of the points of ingress and egress.
- (4) Screening required by this Bylaw shall be maintained at all times by the owner of the Parcel on which it is required.
- (5) No garbage container exceeding 0.5 cubic metres in capacity shall be located so as to be visible from any Highway other than a lane.

24. VISIBILITY AT INTERSECTIONS

- (1) There shall be no obstruction to the line of vision by Buildings, Structures, or vegetation between the Heights of 1 metre and 3 metres above the established Grade of streets within an Area bounded by the centre lines of intersecting streets and a line joining a point on each of the centre lines 25 metres from their intersection.

25. WRECKED VEHICLES

- (1) The keeping of wrecked motor vehicles is not permitted in any Zone unless specifically provided for in that Zone, unless wrecked motor vehicles are required for the operation of business and in such case the wrecked motor vehicles shall be completely enclosed within a Building or a walled or fenced Area. The total number of wrecked motor vehicles stored on a Parcel shall not exceed five at any time.
- (2) Not more than one unlicensed vehicle shall be kept on any Parcel of land outside of a Building or Structure unless specifically permitted within a particular Zone. Unlicensed vehicles shall not be located within a Front Yard.

26. ACCESSORY RESIDENTIAL USE IN COMMERCIAL AND INDUSTRIAL ZONES

- (1) An accessory residential Use within a commercial or industrial Zone shall:
 - (a) be contained in the same Building as the Principal Use;
 - (b) be located over or behind the Principal Use;
 - (c) have separate exterior entrances from the portion of the Building used for the Principal Use; and
 - (d) have a maximum Floor Area per Dwelling Unit of 60 square metres.
- (2) Only one accessory residential Dwelling Unit is permitted on a Parcel Zoned for commercial or industrial Uses and the unit shall be used only for the accommodation of the owner, operator or an employee of the establishment on the Parcel.

27. TEMPORARY BUILDING

Temporary Structures or Buildings for the purpose of providing temporary office space or shelter for a caretaker or storage of materials for any residential, commercial or industrial Building or Structure for which a required Building permit has been obtained, shall be permitted provided the temporary Structure or Building is removed within thirty days of completion of the Principal Building.

28. MAJOR ROAD SETBACK

All Buildings and Structures shall be sited a minimum of 3 metres from the boundaries of Esquimalt Road and of Admirals Road (north of Lyall Street).

29. BARE LAND STRATA LOTS

- (1) This Bylaw applies to land subdivided by a bare land strata plan under the "Condominium Act".
- (2) Where a bare land strata lot does not front on a Highway, the boundary line between the bare land strata lot and an access route shall be deemed to be the "Front Lot Line" of that bare land strata Lot.

30. AREA, SHAPE AND DIMENSION OF LOTS

No subdivision shall be created in any Zone so that any Parcel created by the subdivision has an area or dimension less than that set out for the Zone in which it is located as specified by this Bylaw.

30.1 GENERAL PROHIBITION

- (1) No person shall Use any land, Building or Structure for any Gaming Activity.
- (2) The prohibition in Section 30.1(a) shall not apply to those lands zoned I-3 (Bulk Petroleum Storage).

30.2 VIDEO STORES

Where a Video Store is a permitted Use and the retailer is the holder of a joint licence to carry both motion pictures and Adult Motion Pictures, Adult Motion Pictures may be sold or rented in the Video Store, subject to the following conditions:

- (1) The portion of the Video Store in which the Adult Motion Pictures are displayed:
 - (a) is partitioned from the general area of the Video Store, having limited access and being signed to the effect that no person under 18 is allowed inside;
 - (b) comprises not more than 10% of total floor space of the retail/rental portion (not including storage, offices or staff space) of the Video Store;
 - (c) contains not more than 10% of the total retail/rental supply of motion pictures in the Video Store;
 - (d) contains no equipment by which Adult Motion Pictures may be viewed;
- (2) There is no external signage or advertising indicating that Adult Motion Pictures are available for sale or rental.

30.3 BOARDING USE

Boarding Use is permitted in the RS-1, RS-2, RS-3 and RS-5 zones provided that:

- (1) The residential building is a Single Family Dwelling that does not contain any secondary suites and is occupied by the registered owner.
- (2) No more than two [2] Roomers or Boarders are permitted in any residence.
- (3) The total area rented to all Roomers or Boarders is not more than 25% of the floor area of the residence.
- (4) There is no evidence of the Boarding Use visible from the exterior of the residence.
- (5) The Boarding Use shall comply with all other applicable bylaws, including but not limited to Noise, Parking, Streets and Traffic, and Maintenance of Property.”

30.4 URBAN HENS

The keeping of no more than four [4] Urban Hens is a permitted use in the RS-1, RS-2, RS-3, RS-4 and RS-5 zones provided that:

- a) *no roosters, cocks, or cockerels are kept on the property;*
- b) *the structure containing the hens or chickens, whether portable or stationary, is always located at least 1.5 metres from any property line;*
- c) *only one [1] structure containing hens or chickens is permitted on a parcel*

30.5 TEMPORARY COMMERCIAL AND INDUSTRIAL USE PERMITS

In circumstances where a proposed commercial or industrial land use may be necessary or desirable but does not fit with the current zoning, Council may consider allowing such a use on a temporary basis for a period of two years.

Temporary Commercial and Industrial Use Permits may only be considered after appropriate notification as required by the Local Government Act has been given.

If necessary, the temporary commercial or industrial use permit may be renewed for a second two year term, however, only one renewal is permitted.

PART 5 - ZONING DISTRICTS

31. ZONE DESIGNATIONS

For the purpose of this Bylaw, the Corporation of the Township of Esquimalt is classified and divided into the following Zones:

<u>Zone Title</u>	<u>Short Designation</u>
Single Family Residential	RS-1
Single Family Panhandle Residential	RS-2
Single Family Waterfront Residential	RS-3
Single Family Bed and Breakfast Residential	RS-4
Bed and Breakfast Residential	RS-4A
Single Family Large Lot Residential	RS-5
Two Family Residential	RD-1
Two Family Small Lot Residential	RD-2
Two Family Small Lot Modified	RD-2X
Two Family/Single Family Residential	RD-3
Multiple Family Residential	RM-1
Multiple Family Residential	RM-2
Multiple Family Residential	RM-3
Multiple Family Residential	RM-4
Multiple Family Residential – Congregate Care	RM-4C
Multiple Family Residential	RM-5
Multiple Family Residential – Congregate Care	RM-4-CP
Convenience Commercial	C-1
Neighbourhood Commercial	C-2
Core Commercial	C-3
Core Commercial Liquor	C-3A
Town Centre	T-C
Service Station Commercial	C-4
Tourist Commercial	C-5A
Tourist Commercial	C-5B
Tourist Commercial	C-5C
Licensed Liquor Establishment	C-6
Licensed Liquor Establishment – Professional Office	C-6A
West Bay Commercial	C-7
West Bay Commercial 2	C-7-A
Light Industrial	I-1
Heavy Industrial	I-2
Bulk Petroleum Storage	I-3
Utility	I-4
Sewage Handling Facilities	I-5

Public/Institutional		P-1
Parks and Open Space		P-2
Golf Course		P-3
Institutional Day Use		P-4
Marine (Land) Commercial		M-1
Marine Commercial		M-2
Marine Residential		M-3
Marine Navigation		M-4
Comprehensive Development No. 2	(1325 Esquimalt Road)	CD No. 2
Comprehensive Development No. 3	(924 Ellery Street)	CD No. 3
Comprehensive Development No. 5	(1083 Tillicum Road)	CD No. 5
Comprehensive Development No. 6	(1085 Tillicum Road)	CD No. 6
Comprehensive Development No. 7	(Gorge Boat Moorage)	CD No. 7
Comprehensive Development No. 8	(735 Admirals Road)	CD No. 8
Comprehensive Development No. 9	(851 Wollaston Street)	CD No. 9
Comprehensive Development No. 10	(434 Fraser Street)	CD No. 10
Comprehensive Development No. 11	(649 Admirals Road)	CD No. 11
Comprehensive Development No. 12	(Garrett Place)	CD No. 12
Comprehensive Development No. 13	(572 Head Street)	CD No. 13
Comprehensive Development No. 14	(445 Admirals Road)	CD No. 14
Comprehensive Development No. 15	(1132 Craigflower Road)	CD No. 15
Comprehensive Development No. 17	(1129 Wychbury Avenue)	CD No. 17
Comprehensive Development No. 18	(1179 Munro Avenue)	CD No. 18
Comprehensive Development No. 19	(1116 Craigflower Road)	CD No. 19
Comprehensive Development No. 20	(Abandoned)	
Comprehensive Development No. 21	(1112 Craigflower Road)	CD No. 21
Comprehensive Development No. 22	(612 Lampson Street)	CD No. 22
Comprehensive Development No. 23	(1379 Esquimalt Road)	CD No. 23
Comprehensive Development No. 24	(483 Constance Avenue)	CD No. 24
Comprehensive Development No. 25	Declined	
Comprehensive Development No. 26	(1011 Wychbury Avenue)	CD No. 26
Comprehensive Development No. 27	(750/754 Lampson Street)	CD No. 27
Comprehensive Development No. 28	(Gorge Vale Golf Course)	CD No. 28
Comprehensive Development No. 29	(Abandoned)	
Comprehensive Development No. 30	(1128 Wychbury Avenue)	CD No. 30
Comprehensive Development No. 31	(819 Dunsmuir Road)	CD No. 31
Comprehensive Development No. 32	(800 Colville Road)	CD No. 32
Comprehensive Development No. 33	(506 Grafton -Esq. Seniors)	CD No. 33
Comprehensive Development No. 34	(489 Foster Street)	CD No. 34
Comprehensive Development No. 35	(1137 Greenwood Avenue)	CD No. 35
Comprehensive Development No. 36	(1180 Munro Street)	CD No. 36
Comprehensive Development No. 37	(1128 Craigflower Road)	CD No. 37
Comprehensive Development No. 38	(1011/1015 Arcadia/862 Selkirk)	CD No.38
Comprehensive Development No. 39	(960 Admirals Road)	CD No. 39
Comprehensive Development No. 40	(484 Foster Street)	CD No. 40
Comprehensive Development No. 41	(487 Foster Street)	CD No. 41
Comprehensive Development No. 42	(1120 Wychbury Avenue)	CD No. 42

Comprehensive Development No. 43	(824 MacLeod Avenue)	CD No. 43
Comprehensive Development No. 44	(1169 Lyall Street)	CD No. 44
Comprehensive Development No. 45	(812 Lampson Street)	CD No. 45
Comprehensive Development No. 46	(1004 DeCosta Place)	CD No. 46
Comprehensive Development No. 47	(876 Admirals Road)	CD No. 47
Comprehensive Development No. 48	(1232 Lyall Street)	CD No. 48
Comprehensive Development No. 49	(847 Dunsmuir Road)	CD No. 49
Comprehensive Development No. 50	(1176 Colville Road)	CD No. 50
Comprehensive Development No. 51	(939 Craigflower Road)	CD No. 51
Comprehensive Development No. 52	(615/617 Drake Avenue)	CD No. 52
Comprehensive Development No. 53	(349 Lampson Street)	CD No. 53
Comprehensive Development No. 54	(930 Lyall Street)	CD No. 54
Comprehensive Development No. 55	(860 Selkirk Avenue)	CD No. 55
Comprehensive Development No. 56	(951 Admirals Road)	CD No. 56
Comprehensive Development No. 57	(1156-1180 Colville Road)	CD No. 57
Comprehensive Development No. 58	(625 Drake Avenue)	CD No. 58
Comprehensive Development No. 59	(1130 Wychbury Avenue)	CD No. 59
Comprehensive Development No. 60	(934 Lyall Street)	CD No. 60
Comprehensive Development No. 61	(659 Admirals Road)	CD No. 61
Comprehensive Development No. 62	(1303 Lyall Street)	CD No. 62
Comprehensive Development No. 63	(669 Constance Avenue)	CD No. 63
Comprehensive Development No. 64	(1105 Esquimalt Road)	CD No. 64
Comprehensive Development No. 65	(971 Wollaston Street)	CD No. 65
Comprehensive Development No. 66	(875 Phoenix Street)	CD No. 66

32. ZONING MAP

The zoning designation of all land is shown on Schedule "A" Zoning Map, attached to and forming part of this Bylaw.

33. ZONING BOUNDARIES

All zoning boundaries follow legally defined Lot Line, municipal boundary lines or the centre line of a Highway.

DIVISION 1 - RESIDENTIAL ZONES

34. SINGLE FAMILY RESIDENTIAL [RS-1]

The intent of this Zone is to accommodate Single Family Dwellings on individual Parcels of land.

(1) **Permitted Uses**

The following Uses and no others are permitted:

- (a) Single Family Residential
- (b) Home Occupation
- (c) keeping of up to a maximum of no more than two [2] Roomers or Boarders

(2) **Parcel Size**

The minimum Parcel Size for Parcels created by subdivision shall be 530 square metres.

(3) **Minimum Lot Width**

The minimum width of Parcels created by subdivision shall be 16 metres measured at the Front Building Line.

(4) **Floor Area Ratio**

The Floor Area Ratio shall not exceed 0.35.

(5) **Floor Area**

The minimum Floor Area for the First Storey of a Principal Building shall be 88 square metres.

(6) **Building Height**

- (a) No Principal Building shall exceed a Height of 7.3 metres.
- (b) No Accessory Building shall exceed a Height of 3.6 metres.

(7) **Building Width**

The minimum width for any Single Family Dwelling shall be 7 metres.

(8) **Lot Coverage**

- (a) All Principal Buildings, Accessory Buildings and Structures combined, shall not cover more than 30% of the Area of a Parcel.
- (b) All Accessory Buildings and Structures combined shall not exceed 10% of

the Area of Parcel.

(9) **Siting Requirements**

(a) **Principal Building**

- (i) Front Setback: No Principal Building shall be located within 7.5 metres of the Front Lot Line.
- (ii) Side Setback: No Principal Building shall be located within 1.5 metres of an Interior Side Lot Line, with the total Setback of all Side Yards not to be less than 4.5 metres. In the case where a Parcel is not served by a rear lane, one [1] Side Yard shall not be less than 3 metres. In the case of a Corner Lot, no Principal Building shall be located within 3.6 metres of an Exterior Side Lot Line
- (iii) Rear Setback: No Principal Building shall be located within 7.5 metres of a Rear Lot Line.

(b) **Accessory Building**

- (i) Front Setback: No Accessory Building shall be located in front of the front face of the Principal Building.
- (ii) Side Setback: No Accessory Building shall be located within 1.5 metres of an Interior Side Lot Line nor 3.6 metres of an Exterior Side Lot Line.
- (iii) Rear Setback: No Accessory Building shall be located within 1.5 metres of a Rear Lot Line.
- (iv) Building Separation: No Accessory Building shall be located within 2.5 metres of a Principal Building.

(10) **Fencing**

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.

(11) **Off Street Parking**

Off street parking shall be provided in accordance with the requirements of Parking Bylaw No. 2011.

35. SINGLE FAMILY PANHANDLE RESIDENTIAL [RS-2]

The intent of this Zone is to accommodate Single Family Dwellings on Panhandle Lots.

(1) **Permitted Uses**

The following Uses and no others are permitted:

- (a) Single Family Residential
- (b) Home Occupation
- (c) the keeping of up to a maximum of two [2] Roomers or Boarders.

(2) **Parcel Size**

The minimum Parcel size for Parcels created by subdivision shall be 650 square metres, excluding the Access Strip.

(3) **Parcel Shape**

All Parcels created by subdivision shall be Panhandle Lots.

(4) **Minimum Lot Width**

- (a) The minimum Frontage shall be 4.6 metres and Parcels in this zone shall be exempted from the statutory frontage requirement in Section 944 of the "*Municipal Act*".
- (b) The minimum Width of Parcels created by subdivision shall be 18 metres, measured at the Front Building Line.

(5) **Floor Area Ratio**

The Floor Area Ratio shall not exceed 0.35.

(6) **Floor Area**

The minimum Floor Area for the First Storey of a Principal Building shall be 88 square metres

(7) **Building Height**

- (a) No Principal Building shall exceed a Height of 7.3 metres
- (b) No Accessory Building shall exceed a Height of 3.6 metres

(8) **Building Width**

The minimum width for any Single Family Dwelling shall be 7 metres

(9) **Lot Coverage**

- (a) All Principal Buildings, Accessory Buildings and Structures combined shall not cover more than 30% of the Area of a Parcel.
- (b) All Accessory Buildings and Structures combined shall not exceed 10% of the Area of a Parcel.

(10) **Siting Requirements**

(a) **Principal Building**

- (i) Front Setback: No Principal Building shall be located within 7.5 metres of the Front Lot Line.
- (ii) Side Setback: No Principal Building shall be located within 1.5 metres of an Interior Side Lot Line, with the total Setback of all Side Yards not to be less than 4.5 metres. In the case where a Parcel is not served by a rear lane, one [1] Side Yard shall not be less than 3 metres. In the case of a Corner Lot, no Principal Building shall be located within 3.6 metres of an Exterior Side Lot Line.
- (iii) Rear Setback: No Principal Building shall be located within 7.5 metres of a Rear Lot Line. In the case where the Parcel abuts the sea, no Building shall be located within 12 metres of the High Water Mark.

(b) **Accessory Building**

- (i) Front Setback: No Accessory Building shall be located in front of the front face of the Principal Building.
- (ii) Side Setback: No Accessory Building shall be located within 1.5 metres of an Interior Side Lot Line nor 3.6 metres of an Exterior Side Lot Line.
- (iii) Rear Setback: No Accessory Building shall be located within 1.5 metres of a Rear Lot Line. In the case where a Parcel abuts the sea, no Accessory Building shall be located within 4.5 metres of the High Water Mark.
- (iv) Building Separation: No Accessory Building shall be located within 2.5 metres of a Principal Building.

(11) **Fencing**

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.

(12) **Off Street Parking**

Off street parking shall be provided in accordance with the requirements of Parking Bylaw No. 2011.

36. SINGLE FAMILY WATERFRONT RESIDENTIAL [RS-3]

The intent of this Zone is to accommodate Single Family Dwellings on properties that abut the Sea.

(1) **Permitted Uses**

The following Uses and no others are permitted:

- (a) Single Family Residential
- (b) Home Occupation
- (c) the keeping of up to a maximum of two [2] Roomers or Boarders

(2) **Parcel Size**

The minimum Parcel Size for Parcels created by subdivision shall be 530 square metres

(3) **Minimum Lot Width**

The minimum width of a Parcel created by subdivision shall be 16 metres, measured at the Front Building line.

(4) **Floor Area Ratio**

The Floor Area Ratio shall not exceed 0.35.

(5) **Floor Area**

The minimum Floor Area for the First Storey of a Principal Building shall be 88 square metres.

(6) **Building Height**

- (a) No Principal Building shall exceed a Height of 7.3 metres
- (b) No Accessory Building shall exceed a Height of 3.6 metres

(7) **Building Width**

The minimum width for any Single Family Dwelling shall be 7 metres

(8) **Lot Coverage**

- (a) All Principal Buildings, Accessory Buildings and Structures combined shall not cover more than 30% of the Area of a Parcel.
- (b) All Accessory Buildings and Structures combined shall not exceed 10% of the Area of a Parcel.

(9) **Siting Requirements**

(a) **Principal Building**

- (i) Front Setback: No Principal Building shall be located within 7.5 metres of the Front Lot Line.
- (ii) Side Setback: No Principal Building shall be located within 1.5 metres of an Interior Side Lot Line, with the total Setback of all Side Yards not to be less than 4.5 metres. In the case where a Parcel is not served by a rear lane, one [1] Side Yard shall not be less than 3 metres. In the case of a Corner Lot, no Principal Building shall be located within 3.6 metres of an Exterior Side Lot Line.
- (iii) Rear Setback: No Principal Building shall be located within 7.5 metres of a Rear Lot Line.
- (iv) Waterfront Setback: No Principal Building shall be located within 7.5 metres of the High Water Mark. The Setback shall follow a line drawn parallel to the indentations and sinuosities of the High Water Mark.

(b) **Accessory Building**

- (i) Front Setback: No Accessory Building shall be located in front of the front face of the Principal Building.
- (ii) Side Setback: No Accessory Building shall be located within 1.5 metres of an Interior Side Lot Line nor 3.6 metres of an Exterior Side Lot Line.
- (iii) Rear Setback: No Accessory Building shall be located within 1.5 metres of a Rear Lot Line.
- (iv) Waterfront Setback: No Accessory Building shall be located within 4.5 metres of the High Water Mark. The Setback shall follow a line drawn parallel to the indentations and sinuosities of the High Water Mark.
- (v) Building Separation: No Accessory Building shall be located within 2.5 metres of a Principal Building.

(10) **Fencing**

Subject to Section 22, no fence shall exceed a Height of 2 metres except that the Height of a Fence within 7.5 metres of a Highway adjoining the front yard shall not exceed 1.2 metres.

(11) **Off Street Parking**

Off street parking shall be provided in accordance with the requirements of Parking Bylaw No. 2011.

36.1 **BED AND BREAKFAST RESIDENTIAL [RS-4A]**

The intent of this Zone is to accommodate Bed and Breakfast in Single Family Dwellings on individual Parcels of land.

(1) **Permitted Uses**

The following Uses and no others are permitted:

- (a) Single Family Residential
- (b) Bed and Breakfast

(2) **Number of Guests**

No more than six [6] transient guests shall be accommodated, not including children who share a room with an adult.

(3) **Number of Rooms**

No more than three [3] rooms shall be provided for Bed and Breakfast.

(4) **Duration of Rental**

No Bed and Breakfast room shall be rented to the members of one Family for a continuous period of more than two [2] weeks.

(5) **Parcel Size**

The minimum Parcel Size for Parcels created by subdivision shall be 530 square metres.

(6) **Minimum Lot Width**

The minimum width of Parcels created by subdivision shall be 16 metres, measured at the Front Building Line.

(7) **Floor Area Ratio**

The Floor Area Ratio shall not exceed .46.

(8) **Floor Area**

The minimum Floor Area of the First Storey of a Principal Building shall be 88 square metres.

(9) **Building Height**

- (a) No Principal Building shall exceed a Height of 9.2 metres.
- (b) No Accessory Building shall exceed a Height of 3.6 metres.

(10) **Building Width**

The minimum width for any Single Family Bed and Breakfast Dwelling shall be 7 metres.

(11) **Lot Coverage**

- (a) All Principal Buildings, Accessory Buildings and Structures combined shall not cover more than 30% of the Area of the Parcel.
- (b) All Accessory Buildings and Structures combined shall not exceed 10% of the Area of a Parcel.

(12) **Siting Requirements**

(a) **Principal Building**

- (i) Front Setback: No Principal Building shall be located within 7.5 metres of the Front Lot Line.
- (ii) Side Setback: No Principal Building shall be located within 1.5 metres of an Interior Side Lot Line nor within 3.6 metres of an Exterior Side Lot Line. The total setback of both Side Yards shall not be less than 4.5 metres.
- (iii) Rear Setback: No Principal Building shall be located within 7.5 metres of a Rear Lot Line.

(b) **Accessory Building**

- (i) Front Setback: No Accessory Building shall be located in front of the front face of a Principal Building.
- (ii) Side Setback: No Accessory Building shall be located within 1.5 metres of an Interior Side Lot Line nor 3.6 metres from an Exterior Side Lot Line.
- (iii) Rear Setback: No Accessory Building shall be located within 1.5 metres of a Rear Lot Line.
- (iv) Building Separation: No Accessory Building shall be located within 2.5 metres of a Principal Building.

(13) **Fencing**

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.

(14) **Off Street Parking**

Off street parking shall be provided in accordance with the requirements of Parking Bylaw No. 2011.

37. SINGLE FAMILY BED AND BREAKFAST RESIDENTIAL [RS-4]

The intent of this Zone is to accommodate Bed and Breakfast in Single Family Dwellings on individual Parcels of land.

(1) **Permitted Uses**

The following Uses and no others are permitted:

- (a) Single Family Residential
- (b) Bed and Breakfast

(2) **Number of Guests**

No more than six [6] transient guests shall be accommodated, not including children who share a room with an adult.

(3) **Number of Rooms**

No more than three [3] rooms shall be provided for Bed and Breakfast.

(4) **Duration of Rental**

No Bed and Breakfast room shall be rented to the members of one Family for a continuous period of more than two [2] weeks.

(5) **Parcel Size**

The minimum Parcel Size for Parcels created by subdivision shall be 530 square metres

(6) **Minimum Lot Width**

The minimum width of Parcels created by subdivision shall be 16 metres, measured at the Front Building Line.

(7) **Floor Area Ratio**

The Floor Area Ratio shall not exceed 0.35.

(8) **Floor Area**

The minimum Floor Area for the First Storey of a Principal Building shall be 88 square metres

(9) **Building Height**

- (a) No Principal Building shall exceed a Height of 7.3 metres
- (b) No Accessory Building shall exceed a Height of 3.6 metres

(10) **Building Width**

The minimum width for any Single Family Dwelling shall be 7 metres

(11) **Lot Coverage**

- (a) All Principal Buildings, Accessory Buildings and Structures combined shall not cover more than 30% of the Area of the Parcel.
- (b) All Accessory Buildings and Structures combined shall not exceed 10% of the Area of a Parcel.

(12) **Siting Requirements**

(a) **Principal Building**

- (i) Front Setback: No Principal Building shall be located within 7.5 metres of the Front Lot Line.
- (ii) Side Setback: No Principal Building shall be located within 1.5 metres of an Interior Side Lot Line, with the total Setback of all Side Yards not to be less than 4.5 metres. In the case where a Parcel is not served by a rear lane, one [1] Side Yard shall not be less than 3 metres. In the case of a Corner Lot, no Principal Building shall be located within 3.6 metres of an Exterior Side Lot Line.
- (iii) Rear Setback: No Principal Building shall be located within 7.5 metres of a Rear Lot Line.

(b) **Accessory Building**

- (i) Front Setback: No Accessory Building shall be located in front of the front face of the Principal Building.
- (ii) Side Setback: No Accessory Building shall be located within 1.5 metres of an Interior Side Lot Line nor 3.6 metres of an Exterior Side Lot Line.
- (iii) Rear Setback: No Accessory Building shall be located within 1.5 metres of a Rear Lot Line.
- (iv) Building Separation: No Accessory Building shall be located within 2.5 metres of a Principal Building.

(13) **Fencing**

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.

(14) **Off Street Parking**

Off street parking shall be provided in accordance with the requirements of Parking Bylaw No. 2011.

37.1 **SINGLE FAMILY LARGE LOT RESIDENTIAL [RS-5]**

The intent of this Zone is to accommodate Single Family Dwellings on large individual Parcels of land.

(1) **Permitted Uses**

The following Uses and no others are permitted:

- (a) Single Family Residential
- (b) Home Occupation
- (c) the keeping of up to a maximum of two [2] Roomers or Boarders

(2) **Parcel Size**

The minimum Parcel Size for Parcels created by subdivision shall be 930 square metres excluding the Access Strip.

(3) **Minimum Lot Width**

- (a) The minimum width of Parcels created by subdivision shall be 21.3 metres measured at the Front Building Line;
- (b) the minimum frontage of any Access Strip where required shall be 4.6 metres
The requirements in Section 944 of the *Municipal Act* shall apply.

(4) **Floor Area Ratio**

The Floor Area Ratio shall not exceed 0.35.

(5) **Floor Area**

The minimum Floor Area for the First Storey of a Principal Building shall be 88 square metres

(6) **Building Height**

- (a) No Principal Building shall exceed a Height of 7.3 metres
- (b) No Accessory Building shall exceed a Height of 3.6 metres

(7) **Building Width**

The minimum width for any Single Family Dwelling shall be 7 metres

(8) **Lot Coverage**

- (a) All Principal Buildings, Accessory Buildings and Structures combined, shall not cover more than 30% of the Area of a Parcel.
- (b) All Accessory Buildings and Structures combined shall not exceed 10% of the

Area of a Parcel.

(9) **Siting Requirements**

(a) **Principal Building**

- (i) Front Setback: No Principal Building shall be located within 7.5 metres of the Front Lot Line.
- (ii) Side Setback: No Principal Building shall be located within 1.5 metres of an Interior Side Lot Line, with the total Setback of all Side Yards not to be less than 4.5 metres. In the case where a Parcel is not served by a rear lane, one [1] Side Yard shall not be less than 3 metres. In the case of a Corner Lot, no Principal Building shall be located within 3.6 metres of an Exterior Side Lot Line
- (iii) Rear Setback: No Principal Building shall be located within 7.5 metres of a Rear Lot Line.

(b) **Accessory Building**

- (i) Front Setback: No Accessory Building shall be located in front of the front face of the Principal Building.
- (ii) Side Setback: No Accessory Building shall be located within 1.5 metres of an Interior Side Lot Line nor 3.6 metres of an Exterior Side Lot Line.
- (iii) Rear Setback: No Accessory Building shall be located within 1.5 metres of a Rear Lot Line.
- (iv) Building Separation: No Accessory Building shall be located within 2.5 metres of a Principal Building.

(10) **Fencing**

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.

(11) **Off Street Parking**

Off street parking shall be provided in accordance with the requirements of Parking Bylaw No. 2011.

38. **TWO FAMILY RESIDENTIAL [RD-1]**

The intent of this Zone is to accommodate Two Family Dwelling Units on individual Parcels of land.

(1) **Permitted Uses**

The following Uses and no others are permitted:

- (a) Two Family Residential
- (b) Home Occupation

(2) **Parcel Size**

The minimum Parcel Size for Parcels created by subdivision shall be 668 square metres

(3) **Minimum Lot Width**

The minimum width of Parcels created by subdivision shall be 18.3 metres, measured at the Front Building Line.

(4) **Building Density [Floor Area Ratio]**

- (a) For parcels 800 square metres in area and larger, the Floor Area Ratio for Two Family Dwellings shall not exceed 0.35.
- (b) For parcels under 800 square metres in area the Floor Area Ratio for Two Family Dwellings *shall not exceed 0.4.*"

(5) **Floor Area**

The minimum Floor Area for the First Storey of a Principal Building shall be 88 square metres

(6) **Building Height**

- (a) No Principal Building shall exceed a Height of 7.3 metres
- (b) No Accessory Building shall exceed a Height of 3.6 metres
- (c) When developing a front to back Two Family Dwelling, the back Dwelling Unit shall be no higher than the highest point of the existing Dwelling Unit. A Two Family Dwelling is considered back to front if more than 75% of the floor area of the back Dwelling Unit is behind the rear wall of the front Dwelling Unit.

(7) **Building Width**

The minimum width of any Two Family Dwelling shall be 7 metres

(8) **Lot Coverage**

- (a) All Principal Buildings, Accessory Buildings and Structures combined shall not cover more than 30% of the Area of a Parcel.
- (b) All Accessory Buildings and Structures combined shall not exceed 10% of the Area of a Parcel.

(8.1) **Building Massing**

The second storey of any Two Family Dwelling shall be a maximum of 75% of the total floor area of the ground floor, including an attached garage.

(9) **Siting Requirements**

(a) **Principal Building**

- (i) Front Setback: No Principal Building shall be located within 7.5 metres of the Front Lot Line.
- (ii) Side Setback: No Principal Building shall be located within 1.5 metres of an Interior Side Lot Line, with the total Setback of all Side Yards not to be less than 4.5 metres. In the case where a Parcel is not served by a rear lane, one [1] Side Yard shall not be less than 3 metres. In the case of a Corner Lot, no Principal Building shall be located within 3.6 metres of an Exterior Side Lot Line.
- (iii) Rear Setback: No Principal Building shall be located within 7.5 metres of a Rear Lot Line.

(b) **Accessory Building**

- (i) Front Setback: No Accessory Building shall be located in front of the front face of the Principal Building.
- (ii) Side Setback: No Accessory Building shall be located within 1.5 metres of an Interior Side Lot Line nor 3.6 metres of an Exterior Side Lot line.
- (iii) Rear Setback: No Accessory Building shall be located within 1.5 metres of a Rear Lot line.
- (iv) Building Separation: No Accessory Building shall be located within 2.5 metres of a Principal Building.

- (c) **Garage Setback:** Detached and attached garages shall be set back a minimum of 1.5 metres from the front face of the Dwelling Unit.”

(10) **Common Wall Requirements**

The common wall overlap between the habitable areas of the two Dwelling Units shall be not less than 50%.

(11) **Fencing**

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.

(12) **Off Street Parking**

Off street parking shall be provided in accordance with the requirements of Parking Bylaw No. 2011.

(13) **Driveway Width**

The maximum width of a driveway surface on a Two Family Residential lot shall be a total of 5.5 metres. This applies to a double-wide driveway, or the combined width of two single lane driveways serving a Two Family Dwelling.

39. TWO FAMILY SMALL LOT RESIDENTIAL [RD-2]

The intent of this Zone is to accommodate existing Two Family Dwelling Units on existing small Parcels of land between 557 and 668 square metres

(1) **Permitted Uses**

The following Uses and no others are permitted:

- (a) Two Family Residential
- (b) Home Occupation

(2) **Parcel Size**

The minimum Parcel Size for Parcels created by subdivision shall be 668 square metres

(3) **Minimum Lot Width**

The minimum width of Parcels created by subdivision shall be 18.3 metres, measured at the Front Building Line.

(4) **Building Density [Floor Area Ratio]**

- (a) The Floor Area Ratio shall not exceed 0.4.

(5) **Building Height**

- (a) No Principal Building shall exceed a Height of 7.3 metres
- (b) No Accessory Building shall exceed a Height of 3.6 metres
- (c) When developing a front to back Two Family Dwelling, the back Dwelling Unit shall be no higher than the highest point of the existing Dwelling Unit. A Two Family Dwelling is considered back to front if more than 75% of the floor area of the back Dwelling Unit is behind the rear wall of the front Dwelling Unit.

(6) **Building Width**

The minimum width of any Two Family Dwelling shall be 7 metres

(7) **Lot Coverage**

- (a) All Principal Buildings, Accessory Buildings and Structures combined shall not cover more than 30% of the Area of a Parcel.
- (b) All Accessory Buildings and Structures combined shall not exceed 10% of the Area of a Parcel.

(7.1) **Building Massing**

The second storey of any Two Family Dwelling shall be a maximum of 75% of the total floor area of the ground floor, including an attached garage.

(8) **Siting Requirements**

(a) **Principal Building**

- (i) Front Setback: No Principal Building shall be located within 7.5 metres of the Front Lot Line.
- (ii) Side Setback: No Principal Building shall be located within 1.5 metres of an Interior Side Lot Line, with the total Setback of all Side Yards not to be less than 4.5 metres. In the case where a Parcel is not served by a rear lane, one [1] Side Yard shall not be less than 3 metres. In the case of a Corner Lot, no Principal Building shall be located within 3.6 metres of an Exterior Side Lot Line.
- (iii) Rear Setback: No Principal Building shall be located within 7.5 metres of a Rear Lot Line.

(b) **Accessory Building**

- (i) Front Setback: No Accessory Building shall be located in front of the front face of the Principal Building.
- (ii) Side Setback: No Accessory Building shall be located within 1.5 metres of an Interior Side Lot Line nor 3.6 metres of an Exterior Side Lot Line.
- (iii) Rear Setback: No Accessory Building shall be located within 1.5 metres of a Rear Lot Line.
- (iv) Building Separation: No Accessory Building shall be located within 2.5 metres of a Principal Building.

- (c) **Garage Setback:** Detached and attached garages shall be set back a minimum of 1.5 metres from the front face of the Dwelling Unit.

(9) **Common Wall Requirements**

The common wall overlap between the habitable areas of the two Dwelling Units shall be not less than 50%.

(10) **Fencing**

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.

(11) **Off Street Parking**

Off street parking shall be provided in accordance with the requirements of Parking Bylaw No. 2011.

(12) **Driveway Width**

The maximum width of a driveway surface on a Two Family Residential lot shall be a total of 5.5 metres. This applies to a double-wide driveway, or the combined width of two single lane driveways serving a Two Family Dwelling.

39.1 **TWO FAMILY SMALL LOT RESIDENTIAL MODIFIED [RD-2X]**

The intent of this Zone is to accommodate existing Two Family Dwelling Units on existing small Parcels of land less than 668 square metres.

(1) **Permitted Uses**

The following Uses and no others are permitted:

- (a) Two Family Residential
- (b) Home Occupation

(2) **Parcel Size**

The minimum Parcel Size for Parcels created by subdivision shall be 668 square metres

(3) **Minimum Lot Width**

The minimum width of Parcels created by subdivision shall be 18.3 metres, measured at the Front Building Line.

(4) **Floor Area Ratio**

The Floor Area Ratio shall not exceed 0.62.

(5) **Building Height**

- (a) No Principal Building shall exceed a Height of 7.3 metres
- (b) No Accessory Building shall exceed a Height of 3.6 metres

(6) **Lot Coverage**

- (a) All Principal Buildings, Accessory Buildings and Structures combined shall not cover more than 35% of the Area of a Parcel.
- (b) All Accessory Buildings and Structures combined shall not exceed 10% of the Area of a Parcel.

(7) **Siting Requirements**

(a) **Principal Building**

- (i) Front Setback: No Principal Building shall be located within 7.5 metres of the Front Lot Line.
- (ii) Side Setback: No Principal Building shall be located within 1.5 metres of an Interior Lot Line, with the total Setback of all Side Yards to be not less than 4.5 metres.
- (iii) Rear Setback: No Principal Building shall be located within 7.5 metres of

a Rear Lot Line.

- (iv) Building Separation: No Principal Building shall be located within 4.0 metres of any other Principal Building

(b) **Accessory Building**

- (i) Front Setback: No Accessory Building shall be located in front of the front face of the Principal Building.
- (ii) Side Setback: No Accessory Building shall be located within 1.5 metres of any Interior Side Lot Line.
- (iii) Rear Setback: No Accessory Building shall be located within 1.5 metres of a Rear Lot Line.
- (iv) Building Separation: No Accessory Building shall be located within 2.5 metres of a Principal Building.

(8) **Common Wall Requirements**

The common wall overlap between the habitable areas of the two Dwelling Units shall be not less than 50%.

(9) **Fencing**

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 no fence shall exceed a Height of 2 metres behind the front face of the Principal Building.

(10) **Off Street Parking**

The number of off street parking stalls shall be provided in the ratio of one [1] stall for each Dwelling Unit.

40. TWO FAMILY/SINGLE FAMILY RESIDENTIAL [RD-3]

The intent of this Zone is to accommodate Single Family or Two Family Dwelling Units on individual Parcels of land.

(1) **Permitted Uses**

The following Uses and no others are permitted:

- (a) Single Family Residential
- (b) Two Family Residential
- (c) Home Occupation

(2) **Parcel Size**

The minimum Parcel Size for Parcels created by subdivision shall be 668 square metres

(3) **Minimum Lot Width**

The minimum width of Parcels created by subdivision shall be 18.3 metres, measured at the Front Building Line.

(4) **Building Density [Floor Area Ratio]**

- (a) For parcels 800 square metres in area and larger, the Floor Area Ratio for Two Family Dwellings shall not exceed 0.35.
- (b) For parcels under 800 square metres in area the Floor Area Ratio for Two Family Dwellings shall not exceed 0.4.”

(5) **Floor Area**

The minimum Floor Area for the First Storey of a Principal Building shall be 88 square metres

(6) **Building Height**

- (a) No Principal Building shall exceed a Height of 7.3 metres
- (b) No Accessory Building shall exceed a Height of 3.6 metres
- (c) When developing a front to back Two Family Dwelling, the back Dwelling Unit shall be no higher than the highest point of the existing Dwelling Unit. A Two Family Dwelling is considered back to front if more than 75% of the floor area of the back Dwelling Unit is behind the rear wall of the front Dwelling Unit.

(7) **Building Width**

The minimum width of any Single Family or Two Family Dwelling shall be 7 metres

(8) **Lot Coverage**

(a) All Principal Buildings, Accessory Buildings and Structures combined shall not cover more than 30% of the Area of a Parcel.

(b) All Accessory Buildings and Structures combined shall not exceed 10% of the Area of a Parcel.

(8.1) **Building Massing**

The second storey of any Two Family Dwelling shall be a maximum of 75% of the total floor area of the ground floor, including an attached garage.

(9) **Siting Requirements**

(a) **Principal Building**

(i) Front Setback: No Principal Building shall be located within 7.5 metres of the Front Lot Line.

(ii) Side Setback: No Principal Building shall be located within 1.5 metres of an Interior Side Lot Line, with the total Setback of all Side Yards not to be less than 4.5 metres. In the case where a Parcel is not served by a rear lane, one [1] Side Yard shall not be less than 3 metres. In the case of a Corner Lot, no Principal Building shall be located within 3.6 metres of an Exterior Side Lot Line.

(iii) Rear Setback: No Principal Building shall be located within 7.5 metres of a Rear Lot Line.

(b) **Accessory Building**

(i) Front Setback: No Accessory Building shall be located in front of the front face of the Principal Building.

(ii) Side Setback: No Accessory Building shall be located within 1.5 metres of an Interior Side Lot Line nor 3.6 metres of an Exterior Side Lot line.

(iii) Rear Setback: No Accessory Building shall be located within 1.5 metres of a Rear Lot line.

(iv) Building Separation: No Accessory Building shall be located within 2.5 metres of a Principal Building.

(c) **Garage Setback:** Detached and attached garages shall be set back a minimum of 1.5 metres from the front face of the Dwelling Unit.”

(10) **Common Wall Requirements**

In Two Family Dwellings the common wall overlap between the habitable areas of the two Dwelling Units shall be not less than 50%.

(11) **Fencing**

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.

(12) **Off Street Parking**

Off street parking shall be provided in accordance with the requirements of Parking Bylaw No. 2011.

(13) ***Driveway Width***

The maximum width of a driveway surface on a Two Family Residential lot shall be a total of 5.5 metres. This applies to a double-wide driveway, or the combined width of two single lane driveways serving a Two Family Dwelling."

41. MULTIPLE FAMILY RESIDENTIAL [RM-1]

The intent of this Zone is to accommodate low density Townhouse development.

(1) **Permitted Uses**

The following Uses and no others shall be permitted:

- (a) Townhouse Residential
- (b) Home Occupation

(2) **Floor Area Ratio**

The Floor Area Ratio shall not exceed 0.40.

(3) **Unit Size**

The minimum Floor Area for each Dwelling Unit shall not be less than 75 square metres

(4) **Building Height**

- (a) No Principal Building shall exceed a Height of 7.5 metres
- (b) No Accessory Building shall exceed a Height of 4 metres

(5) **Lot Coverage**

- (a) All Principal Buildings, Accessory Buildings and Structures combined shall not cover more than 40% of the Area of a Parcel.
- (b) All Accessory Buildings and Structures combined shall not exceed 10% of the Area of a Parcel.

(6) **Siting Requirements**

(a) **Principal Building**

- (i) Front Setback: No Building shall be located within 7.5 metres of the Front Lot Line.
- (ii) Side Setback: No Building shall be located within 4.5 meters of an Interior Side Lot Line, nor 3.6 metres of an Exterior Side Lot Line.
- (iii) Rear Setback: No Building shall be located within 7.5 metres of a Rear Lot Line.

(b) **Accessory Building**

- (i) Front Setback: No Accessory Building shall be located in front of the front face of the Principal Building.
- (ii) Side Setback: No Accessory Building shall be located within 1.5 metres of an Interior Side Lot Line nor 3.6 metres of an Exterior Side Lot Line.
- (iii) Rear Setback: No Accessory Building shall be located within 1.5 metres of a Rear Lot Line.
- (iv) Building Separation: No Accessory Building shall be located within 2.5 metres of a Principal Building.

(7) **Usable Open Space**

Usable Open Space shall be provided in an amount of not less than 5% of the Area of the Parcel.

(8) **Fencing**

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.

(9) **Off Street Parking**

Off street parking shall be provided in accordance with the requirements of Parking Bylaw No. 2011.

42. MULTIPLE FAMILY RESIDENTIAL [RM-2]

The intent of this Zone is to accommodate medium density Townhouse development.

(1) **Permitted Uses**

The following Uses and no others shall be permitted:

- (a) Townhouse Residential
- (b) Home Occupation

(2) **Floor Area Ratio**

The Floor Area Ratio shall not exceed 0.50.

(3) **Unit Size**

The minimum Floor Area for each Dwelling Unit shall not be less than 75 square metres

(4) **Building Height**

- (a) No Principal Building shall exceed a Height of 9 metres
- (b) No Accessory Building shall exceed a Height of 4 metres

(5) **Lot Coverage**

- (a) All Principal Buildings, Accessory Buildings and Structures combined shall not cover more than 40% of the Area of a Parcel.
- (b) All Accessory Buildings and Structures combined shall not exceed 10% of the Area of a Parcel.

(6) **Siting Requirements**

(a) **Principal Building**

- (i) Front Setback: No Building shall be located within 7.5 metres of the Front Lot Line.
- (ii) Side Setback: No Building shall be located within 4.5 metres of an Interior Side Lot Line nor 3.6 metres of an Exterior Side Lot Line.
- (iii) Rear Setback: No Building shall be located within 7.5 metres of a Rear Lot Line.

(b) **Accessory Building**

- (i) Front Setback: No Accessory Building shall be located in front of the front face of the Principal Building.
- (ii) Side Setback: No Accessory Building shall be located within 1.5 metres of an Interior Side Lot Line nor 3.6 metres of an Exterior Side Lot Line.
- (iii) Rear Setback: No Accessory Building shall be located within 1.5 metres of a Rear Lot Line.
- (iv) Building Separation: No Accessory Building shall be located within 2.5 metres of a Principal Building.

(7) **Usable Open Space**

Usable Open Space shall be provided in an amount of not less than 5% of the Area of the Parcel.

(8) **Fencing**

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.

(9) **Off Street Parking**

Off street parking shall be provided in accordance with the requirements of Parking Bylaw No. 2011.

43. MULTIPLE FAMILY RESIDENTIAL [RM-3]

The intent of this Zone is to accommodate high density Townhouse or low density Apartment development.

(1) **Permitted Uses**

The following Uses and no others shall be permitted:

- (a) Townhouse Residential
- (b) Apartment Residential
- (c) Home Occupation

(2) **Floor Area Ratio**

The Floor Area Ratio shall not exceed 0.60.

(3) **Unit Size**

The minimum Floor Area for each Dwelling Unit shall not be less than 75 square metres

(4) **Building Height**

- (a) No Principal Building shall exceed a Height of 9 metres
- (b) No Accessory Building shall exceed a Height of 4 metres

(5) **Lot Coverage**

- (a) All Principal Buildings, Accessory Buildings and Structures combined shall not cover more than 25% of the Area of a Parcel.
- (b) All Accessory Buildings and Structures combined shall not exceed 10% of the Area of a Parcel.

(6) **Siting Requirements**

(a) **Principal Building**

- (i) Front Setback: No Building shall be located within 7.5 metres of the Front Lot Line.
- (ii) Side Setback: No Building shall be located within 4.5 metres of an Interior Side Lot Line nor 3.6 metres of an Exterior Side Lot Line.
- (iii) Rear Setback: No Building shall be located within 7.5 metres of a Rear Lot Line.

(b) **Accessory Building**

- (i) Front Setback: No Accessory Building shall be located in front of the front face of the Principal Building.
- (ii) Side Setback: No Accessory Building shall be located within 1.5 metres of an Interior Side Lot Line nor 3.6 metres of an Exterior Side Lot Line.
- (iii) Rear Setback: No Accessory Building shall be located within 1.5 metres of a Rear Lot Line.
- (iv) Building Separation: No Accessory Building shall be located within 2.5 metres of a Principal Building.

(7) **Usable Open Space**

Usable Open Space shall be provided in an amount of not less than 7.5% of the Area of the Parcel.

(8) **Fencing**

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.

(9) **Off Street Parking**

Off street parking shall be provided in accordance with the requirements of Parking Bylaw No. 2011.

44. MULTIPLE FAMILY RESIDENTIAL [RM-4]

The intent of this Zone is to accommodate medium density Apartment development.

(1) **Permitted Uses**

The following Uses and no others shall be permitted:

- (a) Apartment Residential
- (b) Home Occupation

(2) **Floor Area Ratio**

The Floor Area Ratio shall not exceed 1.00.

(3) **Unit Size**

The minimum Floor Area for each Dwelling Unit shall not be less than 60 square metres

(4) **Building Height**

- (a) No Principal Building shall exceed a Height of 11 metres
- (b) No Accessory Building shall exceed a Height of 4 metres

(5) **Lot Coverage**

- (a) All Principal Buildings, Accessory Buildings and Structures combined shall not cover more than 30% of the Area of a Parcel.
- (b) Accessory Buildings and Structures combined shall not exceed 10% of the Area of a Parcel.

(6) **Siting Requirements**

(a) **Principal Building**

- (i) Front Setback: No Building shall be located within 7.5 metres of the Front Lot Line.
- (ii) Side Setback: No Building shall be located within 6.0 metres of an Interior Side Lot Line nor 3.6 metres of an Exterior Side Lot Line.
- (iii) Rear Setback: No Building shall be located within 7.5 metres of a Rear Lot Line.

(b) **Accessory Building**

- (i) Front Setback: No Accessory Building shall be located in front of the front face of the Principal Building.
- (ii) Side Setback: No Accessory Building shall be located within 1.5 metres of an Interior Side Lot Line nor 3.6 metres of an Exterior Side Lot Line.
- (iii) Rear Setback: No Accessory Building shall be located within 1.5 metres of a Rear Lot Line.
- (iv) Building Separation: No Accessory Building shall be located within 2.5 metres of a Principal Building.

(7) **Usable Open Space**

Usable Open Space shall be provided in an amount of not less than 7.5% of the Area of the Parcel.

(8) **Fencing**

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.

(9) **Off Street Parking**

Off street parking shall be provided in accordance with the requirements of Parking Bylaw No. 2011.

44.1 MULTIPLE FAMILY RESIDENTIAL – CONGREGATE CARE [RM-4-C]

The intent of this Zone is to accommodate medium density Apartment development.

(1) **Permitted Uses**

The following Uses and no others shall be permitted:

- (a) Apartment Residential
- (b) Congregate Care Senior Citizens Apartments
- (c) Home Occupation
- (d) Food service for Congregate Care residents

(2) **Floor Area Ratio**

The Floor Area Ratio shall not exceed 1.00.

(3) **Unit Size**

The minimum Floor Area for each Dwelling Unit shall not be less than 60 square metres

(4) **Building Height**

- (a) No Principal Building shall exceed a Height of 11 metres.
- (b) No Accessory Building shall exceed a Height of 4 metres.

(5) **Lot Coverage**

- (a) All Principal Buildings, Accessory Buildings and Structures combined shall not cover more than 30% of the Area of a Parcel.
- (b) Accessory Buildings and Structures combined shall not exceed 10% of the Area of a Parcel.

(6) **Siting Requirements**

(a) **Principal Buildings:**

- (i) Front Setback: No Building shall be located within 7.5 metres of the Front Lot Line.
- (ii) Side Setback: No Building shall be located within 6.0 metres of an Interior Side Lot Line nor within 3.6 metres of an Exterior Side Lot Line.
- (iii) Rear Setback: No Principal Building shall be located within 7.5 metres of a Rear Lot Line.

(b) **Accessory Buildings:**

- (i) Front Setback: No Accessory Building shall be located in front of the front face of the Principal Building.
- (ii) Side Setback: No Accessory Building shall be located within 1.5 metres of an Interior Side Lot Line nor within 3.6 metres of an Exterior Side Lot Line.
- (iii) Rear Setback: No Accessory Building shall be located within 1.5 metres of a Rear Lot Line.
- (iv) Building Separation: No Accessory Building shall be located within 2.5 metres of a Principal Building.

(7) **Usable Open Space**

Usable Open Space shall be provided in an amount of not less than 7.5% of the Area of the Parcel.

(8) **Fencing**

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.

(9) **Off Street Parking**

Off street parking shall be provided in accordance with the requirements of Parking Bylaw No. 2011.

44.2 MULTIPLE FAMILY RESIDENTIAL – CONGREGATE CARE [RM-4 – CP]

The intent of this Zone is to accommodate medium density seniors Apartment development.

(1) **Permitted Uses**

The following Uses and no others shall be permitted:

- (a) Apartment Residential
- (b) Congregate Care Senior Citizens Apartments
- (c) Food service for Congregate Care residents

(2) **Floor Area Ratio**

The maximum Floor Area for the proposed Lot 1 [previously Lot A and part of Lot B, Plan 13654] shall be 2950 square metres.

(3) **Building Height**

- (a) No Principal Building shall exceed a Height of 11 metres.
- (b) No Accessory Building shall exceed a Height of 4.0 metres.

(4) **Lot Coverage**

- (a) All Principal Buildings, Accessory Buildings and Structures combined shall not cover more than 30% of the Area of a Parcel.
- (b) Accessory Buildings and Structures combined shall not exceed 10% of the Area of a Parcel.

For the purpose of calculating Lot Coverage, the Area of the Parcel shall be considered as the combined area of Lots A and B, Suburban Lot 26, Esquimalt District, Plan 13654 as it was before the dedication of park land.

(5) **Siting Requirements**

(a) **Principal Buildings:**

- (i) Front Setback: No Building shall be located within 7.5 metres of the Front Lot Line.
- (ii) Side Setback: No Building shall be located within 4.5 metres of an Interior Side Lot Line or within 3.6 metres of an Exterior Side Lot Line.
- (iii) Rear Setback: No Principal Building shall be located within 7 metres of a Rear Lot Line.

(b) **Accessory Buildings:**

- (i) Front Setback: No Accessory Building shall be located in front of the front face of the Principal Building.
- (ii) Side Setback: No Accessory Building shall be located within 1.5 metres of any Interior Side Lot Line or any Rear Lot Line
- (iii) Building Separation: No Accessory Building shall be located within 2.5 metres of a Principal Building.

(6) **Usable Open Space**

Usable Open Space shall be provided in an amount of not less than 7.5% of the Area of the Parcel.

(7) **Fencing**

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.

(8) **Off Street Parking**

Off street parking shall be provided in accordance with the requirements of Parking Bylaw No. 2011.

45. MULTIPLE RESIDENTIAL [RM-5]

The intent of this Zone is to accommodate high density Apartment development.

(1) **Permitted Uses**

The following Uses and no others shall be permitted:

- (a) Apartment Residential
- (b) Home Occupation

(2) **Floor Area Ratio**

The Floor Area Ratio shall not exceed 1.50.

(3) **Unit Size**

The minimum Floor Area for each Dwelling Unit shall not be less than 60 square metres

(4) **Building Height**

- (a) No Principal Building shall exceed a Height of 20 metres
- (b) No Accessory Building shall exceed a Height of 4 metres

(5) **Lot Coverage**

- (a) All Principal Buildings, Accessory Buildings and Structures combined, shall not cover more than 30% of the Area of a Parcel.
- (b) The Floor Area of each storey above the second storey of a Principal Building shall not exceed 25% of the Area of the Parcel.

(6) **Siting Requirements**

(a) **Principal Building**

- (i) No Principal Building shall be located with 7.5 metres of a Front, Side or Rear Lot Line.

(b) **Accessory Building**

- (i) Front Setback: No Accessory Building shall be located in front of the front face of the Principal Building.
- (ii) Side Setback: No Accessory Building shall be located within 1.5 metres of an Interior Side Lot Line nor 3.6 metres of an Exterior Side Lot Line.
- (iii) Rear Setback: No Accessory Building shall be located within 1.5 metres

of a Rear Lot Line.

- (iv) Building Separation: No Accessory Building shall be located within 2.5 metres of a Principal Building.

(7) **Usable Open Space**

Usable Open Space shall be provided in an amount of not less than 7.5% of the Area of the Parcel.

(8) **Fencing**

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.

(9) **Off Street Parking**

Off street parking shall be provided in accordance with the requirements of Parking Bylaw No. 2011.

DIVISION 2 - COMMERCIAL ZONES

46. CONVENIENCE COMMERCIAL [C-1]

The intent of this Zone is to accommodate a local Convenience Store that serves the day-to-day shopping needs of the residents of the immediate neighbourhood.

(1) Permitted Uses

The following Uses and no others are permitted:

- (a) Convenience Store
- (b) Accessory residential, subject to Section 26
- (c) Video Store

(1.1) Prohibited Uses

- (a) Adult Entertainment Uses;
- (b) Adult Motion Picture Studio;
- (c) Adult Theatre;
- (d) Adult Video Store; and
- (e) Escort Services

(2) Floor Area

The maximum Floor Area for a Convenience Store shall be 275 square metres

(3) Building Height

- (a) No Principal Building shall exceed a Height of 7.5 metres
- (b) No Accessory Building shall exceed a Height of 4 metres

(4) Lot Coverage

- (a) All Principal Buildings, Accessory Buildings and Structures combined shall not cover more than 30% of the Area of a Parcel.
- (b) All accessory Buildings and Structures combined shall not exceed 10% of the Area of a Parcel.

(5) Siting Requirements

(a) Principal Building

- (i) Front Setback: No Building shall be located within 7.5 metres of the Front Lot Line.

- (ii) Side Lot Line: No Principal Building shall be located within 1.5 metres of an Interior Side Lot Line, with the total Setback of all Side Yards not to be less than 4.5 metres. In the case where a Parcel is not served by a rear lane, one [[1] Side Yard shall not be less than 3 metres. In the case of a Corner Lot, no Principal Building shall be located within 3.6 metres of an Exterior Side Lot Line.
- (iii) Rear Setback: No Building shall be located within 7.5 metres of a Rear Lot Line.

(b) **Accessory Building**

- (i) Front Setback: No Accessory Building shall be located in front of the front face of the Principal Building.
- (ii) Side Setback: No Accessory Building shall be located within 1.5 metres of an Interior Side Lot Line nor 3.6 metres of an Exterior Side Lot Line.
- (iii) Rear Setback: No Accessory Building shall be located within 1.5 metres of a Rear Lot Line.
- (iv) Building Separation: No Accessory Building shall be located within 2.5 metres of a Principal Building.

(6) **Screening and Landscaping**

Screening and Landscaping shall be provided in accordance with Section 23.

(7) **Off Street Parking**

Off street parking shall be provided in accordance with the requirements as specified in Parking Bylaw No. 2011.

47. NEIGHBOURHOOD COMMERCIAL [C-2]

The intent of this Zone is to accommodate commercial establishments that serve the shopping, service, and Entertainment needs of a neighbourhood.

(1) **Permitted Uses**

The following Uses and no others are permitted:

- (a) Drive-in Restaurant
- (b) Business and Professional Office
- (c) Entertainment
- (d) Personal Service Establishment
- (e) Restaurant
- (f) Retail Store
- (g) Mixed commercial/residential subject to Section 47(6)
- (h) Convenience Store
- (i) Club House
- (j) Video Store
- (k) Group Children's Day Care Centre

(1.1) **Prohibited Uses**

- (a) Adult Entertainment Uses;
- (b) Adult Motion Picture Studio;
- (c) Adult Theatre;
- (d) Adult Video Store; and
- (e) Escort Services

(2) **Building Height**

No Building shall exceed a Height of 13 metres

(3) **Lot Coverage**

All Principal Buildings, Accessory Buildings and Structures combined shall not cover more than 80% of the Area of the Parcel for each Storey of a Building that is above the second Storey.

(4) **Siting Requirements**

- (a) Front Setback: Subject to Sections 24 and 28, no front Setback shall be required.
- (b) Side Setback: In cases where a Parcel abuts a residential Use within a residential Zone, no Building shall be located within 3 metres of the common property line.
- (c) Exterior Side Lot Line: Subject to Section 24 and 28, no Exterior Side Yard setback shall be required.

(d) Rear Setback: In cases where a Parcel abuts a residential Use within a residential Zone no Building shall be located within 3 metres of the common property line.

(5) **Screening and Landscaping**

Screening and Landscaping shall be provided in accordance with Section 23.

(6) **Mixed Commercial/Residential**

Where a Parcel is used for combined residential and Commercial Use,

(a) the residential Use shall:

- (i) be contained in the same Building as the Commercial Use; and
- (ii) have a separate entrance from outside.

(b) the Commercial Use shall be limited to those Uses specified in Section 47(1); and

(c) Dwelling Units shall not be less than 30 square metres.

(7) **Off Street Parking**

Off street parking shall be provided in accordance with the requirements as specified in Parking Bylaw No. 2011.

48. CORE COMMERCIAL [C-3]

The intent of this Zone is to accommodate commercial establishments usually found in the major commercial Area.

(1) **Permitted Uses**

The following Uses and no others are permitted:

- (a) Business and Professional Office
- (b) Financial institution
- (c) Hotel
- (d) Mixed commercial/residential subject to Section 48(6)
- (e) Personal Service Establishment
- (f) Retail Store
- (g) Restaurant
- (h) Entertainment and Theatre
- (i) Club House
- (j) Video Store
- (k) Assembly Use
- (i) Group Children's Day Care Centre

(1.1) **Prohibited Uses**

- (a) Adult Entertainment Uses;
- (b) Adult Motion Picture Studio;
- (c) Adult Theatre;
- (d) Adult Video Store; and
- (e) Escort Services

(2) **Building Height**

No Building shall exceed a Height of 13 metres

(3) **Lot Coverage**

All Principal Buildings, Accessory Buildings and Structures combined shall not cover more than 80% of the Area of the Parcel for each Storey of a Building that is above the second Storey.

(4) **Siting Requirements**

- (a) Front Setback: Subject to Section 24 and 28, no front Setback shall be required.
- (b) Side Setback: In cases where a Parcel abuts a residential Use within a residential Zone, no Building shall be located within 3 metres of the common property line.
- (c) Exterior Side Lot Line: Subject to Section 24 and 28, no Exterior Side Yard Setback shall be required.

(d) Rear Setback: In cases where a Parcel abuts a residential Use within a residential Zone, no Building shall be located within 3 metres of the common property line.

(5) **Screening and Landscaping**

Screening and Landscaping shall be provided in accordance with Section 23.

(6) **Mixed Commercial/Residential**

Where a Parcel is used for combined residential and Commercial Use,

(a) the residential Use shall:

(i) be contained in the same Building as the Commercial Use;

(ii) have a separate entrance from outside;

(b) the Commercial Use shall be limited to those Uses specified in Section 48(1);
and

(c) Dwelling Units shall not be less than 30 square metres

(7) **Off Street Parking**

Off street parking shall be provided in accordance with the requirements as specified in Parking Bylaw No. 2011.

48.2 CORE COMMERCIAL LIQUOR [C-3-A]

The intent of this Zone is to accommodate commercial establishments that serve the shopping, service and entertainment needs of the community including Liquor Stores.

(1) Permitted Uses

The following Uses and no others are permitted:

- (a) Business and Professional Office
- (b) Financial institution
- (c) Hotel
- (d) Mixed commercial/residential subject to Section 48(6)
- (e) Personal Service Establishment
- (f) Retail Store
- (g) Restaurant
- (h) Entertainment and Theatre
- (i) Club House
- (j) Video Store
- (k) Liquor Store

(1.1) Prohibited Uses

- (a) Adult Entertainment Uses;
- (b) Adult Motion Picture Studio;
- (c) Adult Theatre;
- (d) Adult Video Store; and
- (e) Escort Services

(3) Number of Liquor Stores

Only (1) Liquor Store is permitted on any Parcel.

(4) Maximum Floor Area for Liquor Store Use

The maximum floor area permitted for Liquor Store use in this zone shall be 372 square metres.

(5) Building Height

No Building shall exceed a Height of 13 metres

(6) Lot Coverage

All Principal Buildings, Accessory Buildings and Structures combined shall not cover more than 80% of the Area of the Parcel for each Storey of a Building that is above the second Storey.

(7) **Siting Requirements**

- (a) Front Setback: Subject to Section 24 and 28, no front Setback shall be required.
- (b) Side Setback: In cases where a Parcel abuts a residential Use within a residential Zone, no Building shall be located within 3 metres of the common property line.
- (c) Exterior Side Lot Line: Subject to Section 24 and 28, no Exterior Side Yard Setback shall be required.
- (d) Rear Setback: In cases where a Parcel abuts a residential Use within a residential Zone, no Building shall be located within 3 metres of the common property line.

(8) **Screening and Landscaping**

Screening and Landscaping shall be provided in accordance with Section 23.

(9) **Mixed Commercial/Residential**

Where a Parcel is used for combined residential and Commercial Use,

- (a) the residential Use shall:
 - (i) be contained in the same Building as the Commercial Use;
 - (ii) have a separate entrance from outside;
- (b) the Commercial Use shall be limited to those Uses specified in Section 48(1); and
- (c) Dwelling Units shall not be less than 30 square metres

(10) **Off Street Parking**

Off street parking shall be provided in accordance with the requirements as specified in Parking Bylaw No. 2011.

48.1 **TOWN CENTRE [TC]**

(1) **Permitted Uses**

The following Uses and no others are permitted:

- (a) Uses permitted under Section 48(1) [C-3 Core Commercial Zone]
- (b) Uses permitted under Section 58(1) [P-1 Public/Institutional Zone]
- (c) Uses permitted under Section 59(1) [P-2 Parks and Open Space]
- (d) Off street parking
- (e) Accessory Uses to those permitted under (1)(a)(b)(c) and (d) above.
- (f) Group Children's Day Care Centre

(2) **Building Height**

No Building shall exceed a Height of 15 metres

(3) **Lot Coverage**

All Principal Buildings, Accessory Buildings and Structures combined shall not cover more than 60% of the Area of the Parcel.

(4) **Siting Requirements**

- (a) No Building shall be located within
 - (i) 7.5 metres of the Parcel boundary abutting Carlisle Avenue or,
 - (ii) 3.0 metres of any Interior Side Lot Line.

(5) **Screening and Landscaping**

Screening and Landscaping shall be provided along all Interior Side Lot Lines and along the Carlisle Avenue frontage.

(6) **Off Street Parking**

- (a) Off Street parking shall be provided to a standard of 1 space for every 30 square metres of Gross Floor Area.
- (b) Parking required for uses within the Town Centre zone may be located on other lots in the Town Centre zone or adjacent commercial zones provided that the parking is secured through statutory easement.

49. SERVICE STATION COMMERCIAL [C-4]

The intent of this Zone is to accommodate Service Stations.

(1) **Permitted Uses**

The following Uses and no others are permitted:

- (a) Gas Bar
- (b) Accessory Convenience Store
- (c) Service Station
- (d) Video Store

(1.1) **Prohibited Uses**

- (a) Adult Entertainment Uses;
- (b) Adult Motion Picture Studio;
- (c) Adult Theatre;
- (d) Adult Video Store; and
- (e) Escort Services

(2) **Floor Area**

An accessory Convenience Store is limited to a maximum Floor Area of 60 square metres

(3) **Building Height**

No Building or Structure shall exceed a Height of 6 metres

(4) **Lot Coverage**

All Principal Buildings, Accessory Buildings and Structures combined shall not cover more than 40% of the Area of the Parcel.

(5) **Siting Requirements**

(a) **Principal Building**

- (i) Front Setback: No Principal Building shall be located within 7.5 metres of the front Building Line.
- (ii) Side Setback: No Principal Building shall be located within 3 metres of an Interior or Exterior Side Lot Line.
- (iii) Rear Setback: No Principal Building shall be located within 3 metres of a Rear Lot Line.

(b) **Accessory Building**

- (i) No Accessory Building shall be located within 3 metres of a Front, Side, or Rear Lot Line.

(6) **Screening and Landscaping**

Screening and Landscaping shall be provided in accordance with Section 23.

(7) **Off Street Parking**

Off street parking shall be provided in accordance with the requirements as specified in Parking Bylaw No. 2011.

50. TOURIST COMMERCIAL [C-5A]

The intent of this Zone is to accommodate commercial development that caters to the needs of the traveling public.

(1) **Permitted Uses**

The following Uses and no others are permitted:

- (a) Motel
- (b) Accessory Tourist Commercial Use
- (c) Accessory Residential, subject to Section 26

(2) **Building Height**

No Building shall exceed a Height of 9 metres

(3) **Lot Coverage**

All Principal Buildings, Accessory Buildings and Structures combined shall not cover more than 40% of the Area of a Parcel.

(4) **Siting Requirements**

- (a) Front Setback: No Building shall be located within 7.5 metres of a Front Lot Line.
- (b) Side Setback: No Building shall be located within 4.5 metres of an Interior Side Lot Line nor 7.5 metres of an Exterior Side Lot Line.
- (c) Rear Setback: No Building shall be located within 7.5 meters of a Rear Lot Line.

(5) **Screening and Landscaping**

Screening and Landscaping shall be provided in accordance with Section 23.

(6) **Off Street Parking**

Off street parking shall be provided in accordance with the requirements as specified in Parking Bylaw No. 2011.

51. TOURIST COMMERCIAL [C-5B]

The intent of this Zone is to accommodate specialized tourist commercial facilities.

(1) **Permitted Uses**

The following Uses and no others are permitted:

- (a) Motel
- (b) Hotel
- (c) Museum
- (d) Accessory Residential, subject to Section 26
- (e) Accessory Tourist Commercial Use
- (f) Amphitheatre
- (g) Parkade
- (h) Artisans' Studios

(2) **Building Height**

No Building shall exceed a Height of 12 metres

(3) **Lot Coverage**

All Principal Buildings, Accessory Buildings and Structures combined shall not cover more than 16% of the Area of Parcel.

(4) **Floor Area Ratio**

The Floor Area Ratio shall not exceed 0.40.

(5) **Siting Requirements**

(a) Principal Buildings

- (i) No Principal Building shall be located within 7.5 metres of a Front or Rear Lot Line.
- (ii) No Principal Building shall be located within 2.2 metres of the north Interior Lot Line.
- (iii) No Principal Building shall be located within 3.8 metres of the south Interior Lot Line.

(b) Accessory Buildings

- (i) No setback is required from any Lot Line for an Accessory Structure.

(6) **Parcel Size**

The minimum Parcel Size shall be 1 hectare.

(7) **Screening and Landscaping**

- (a) Screening and Landscaping shall be provided in accordance with Section 23.
- (b) Screening along the perimeter of surface parking Areas shall be provided of a width of not less than 1.5 metres
- (c) No wall or fence shall exceed a Height of 1.5 metres along a front or Exterior Side Lot Line, nor 2 metres along an Interior Side or Rear Lot Line.

(8) **Off Street Parking**

Off street parking shall be provided in accordance with the requirements as specified in Parking Bylaw No. 2011.

51.1. **TOURIST COMMERCIAL [C-5C]**

The intent of this zone is to accommodate tourist accommodation facilities which do not sell or serve liquor.

(1) **Permitted Uses**

The following uses and no others are permitted:

- (a) Motel
- (b) Hotel
- (c) Accessory Residential, subject to Section 26
- (d) Accessory Tourist Commercial Use

The following uses are prohibited:

- (a) Licensed Liquor Establishment

(2) **Building Height**

No Building shall exceed a Height of 10 metres.

(3) **Lot Coverage**

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

(4) **Siting Requirements**

(a) **Principal Buildings**

- (i) No Principal Building shall be located within 7.5 metres of the Front Lot Line.
- (ii) No Principal Building shall be located within 7.5 metres of the Rear Lot Line.
- (iii) No Principal Building shall be located within 1.6 metres of any Interior Lot Line.

(b) **Accessory Buildings**

- (i) No Accessory Building shall be located in front of the front face of the Principal Buildings.
- (ii) No Accessory Building shall be located within 1.5 metres of a Rear or Interior Lot Line.

(5) **Screening and Landscaping**

- (a) Screening and Landscaping shall be provided in accordance with Section 23.

(6) **Off-Street Parking**

Off-street parking shall be provided in accordance with the requirements as specified in Parking Bylaw No. 2011.

52. LICENSED LIQUOR ESTABLISHMENT [C- 6]

The intent of this Zone is to accommodate licensed liquor establishments.

(1) **Permitted Uses**

The following Uses and no others are permitted:

- (a) Licensed liquor establishments subject to the provisions of the “Liquor Control and Licensing Act” and Regulations.
- (b) Accessory Residential, subject to Section 26.
- (c) Liquor Store

(2) **Building Heights**

No Building shall exceed a Height of 9 metres

(3) **Lot Coverage**

All Principal Buildings, Accessory Buildings and Structures combined shall not cover more than 40% of the Area of a Parcel.

(4) **Siting Requirements**

(a) **Principal Building**

- (i) Front Setback: No Building shall be located within 7.5 metres of a Front Lot Line.
- (ii) Side Setback: No Building shall be located within 3 metres of an Interior Side Lot Line nor 7.5 metres of a Exterior Side Lot Line.
- (iii) Rear Setback: No Building shall be located within 7.5 metres of a Rear Lot Line.

(b) **Accessory Building**

- (i) No Accessory Building shall be located within 3 metres of a Front, Side or Rear Lot Line.
- (ii) No Accessory Building shall be located within 2.5 metres of a Principal Building.

(5) **Screening and Landscaping**

Screening and Landscaping shall be provided in accordance with Section 23.

(6) **Off Street Parking**

Off street parking shall be provided in accordance with the requirements as specified in Parking Bylaw No. 2011.

52.1 **LICENSED LIQUOR ESTABLISHMENT - PROFESSIONAL OFFICE [C-6A]**

The intent of this Zone is to accommodate licensed liquor establishments.

(1) **Permitted Uses**

The following Uses and no others are permitted:

- (a) Licensed liquor establishments subject to the provisions of the “Liquor Control and Licensing Act” and Regulations.
- (b) Business and Professional Office.
- (c) Accessory Residential, subject to Section 26.
- (d) Liquor Store

(2) **Building Heights**

No Building shall exceed a Height of 9 metres

(3) **Lot Coverage**

All Principal Buildings, Accessory Buildings and Structures combined shall not cover more than 40% of the Area of a Parcel.

(4) **Siting Requirements**

(a) **Principal Building**

- (i) Front Setback: No Building shall be located within 7.5 metres of a Front Lot Line.
- (ii) Side Setback: No Building shall be located within 3 metres of an Interior Side Lot Line nor 7.5 metres of an Exterior Side Lot Line.
- (iii) Rear Setback: No Building shall be located within 7.5 metres of a Rear Lot Line.

(b) **Accessory Building**

- (i) No Accessory Building shall be located within 3 metres of a Front, Side or Rear Lot Line.
- (ii) No Accessory Building shall be located within 2.5 metres of a Principal Building.

(5) **Screening and Landscaping**

Screening and Landscaping shall be provided in accordance with Section 23.

(6) **Off street Parking**

Off street parking shall be provided in accordance with the requirements as specified in Parking Bylaw No. 2011.

52.2 WEST BAY COMMERCIAL [C-7]

(1) Permitted Uses

The following Uses and no others are permitted:

- (a) Retail Store
- (b) Business and Professional Office
- (c) Entertainment
- (d) Personal Service Establishment
- (e) Restaurant
- (f) Tourist Accommodation
- (g) Mixed commercial/residential, subject to Section 52.2(7)
- (h) Video Store

(2) Prohibited Uses

- (a) Adult Entertainment Uses
- (b) Adult Motion Picture Studio
- (c) Adult Theatre
- (d) Adult Video Store
- (e) Escort Services

(3) Building Height

No Building shall exceed a Height of 13.0 metres.

(4) Lot Coverage

In order to create a stepped appearance, each Storey of a Building above the first Storey shall not cover more than 80% of the Area of the Parcel.

(5) Siting Requirements

- (a) Front Setback: Subject to Sections 24 and 28, no front Setback shall be required.
- (b) Side Setback: In cases where a Parcel abuts a residential Use within a residential Zone, no Building shall be located within 3 metres of the common property line.
- (c) Exterior Side Lot Line: Subject to Sections 24 and 28, no Exterior Side Yard setback shall be required.
- (d) Rear Setback: In cases where a Parcel abuts a residential Use within a residential Zone, no Building shall be located within 3 metres of the common property line.

(6) **Screening and Landscaping**

Screening and Landscaping shall be provided in accordance with Section 23.

(7) **Mixed Commercial Residential**

Where a Parcel is used for combined residential and Commercial Use,

(a) the residential Use shall:

- (i) be contained in the same Building as the Commercial Use; and
- (ii) have a separate entrance from the outside.

(b) the Commercial Use shall be limited to those Uses specified in Section 52.2 (1); and

(c) Dwelling Units shall not be less than 30 square metres in area.

(8) **Off Street Parking**

Off street parking shall be provided in accordance with the requirements as specified in Parking Bylaw No. 2011.

52.3 WEST BAY COMMERCIAL 2 [C-7-A]

(1) Permitted Uses

The following Uses and no others are permitted:

- (a) Retail Store
- (b) Business and Professional Office
- (c) Entertainment
- (d) Personal Service Establishment
- (e) Restaurant
- (f) Tourist Accommodation
- (g) Mixed commercial/residential, subject to Section 52.2(7)
- (i) Video Store

(2) Prohibited Uses

- (a) Adult Entertainment Uses
- (b) Adult Motion Picture Studio
- (c) Adult Theatre
- (d) Adult Video Store
- (e) Escort Services

(3) Building Height

No Building shall exceed a Height of 11.7 metres.

(4) Lot Coverage

All Principal Buildings, Accessory Buildings and Structures combined shall not cover more than 40% of the Area of the Parcel.

(5) Siting Requirements

- (a) Front Setback: Subject to Sections 24 and 28, no front Setback shall be required.
- (b) Side Setback: In cases where a Parcel abuts a residential Use within a residential Zone, no Building shall be located within 3 metres of the common property line.
- (c) Exterior Side Lot Line: Subject to Sections 24 and 28, no Exterior Side Yard setback shall be required.
- (d) Rear Setback: In cases where a Parcel abuts a residential Use within a residential Zone, no Building shall be located within 3 metres of the common property line.

(6) **Screening and Landscaping**

Screening and Landscaping shall be provided in accordance with Section 23.

(7) **Mixed Commercial Residential**

Where a Parcel is used for combined residential and Commercial Use,

(a) the residential Use shall:

- (i) be contained in the same Building as the Commercial Use; and
- (ii) have a separate entrance from the outside.

(b) the Commercial Use shall be limited to those Uses specified in Section 52.2 (1); and

(c) Dwelling Units shall not be less than 30 square metres in area.

(8) **Off Street Parking**

Off street parking shall be provided in accordance with the requirements as specified in Parking Bylaw No. 2011.

DIVISION 3 - INDUSTRIAL ZONES

53. LIGHT INDUSTRIAL [I-1]

The intent of this Zone is to accommodate light industrial establishments and related Uses.

(1) Permitted Uses

The following Uses and no others are permitted;

- (a) Accessory residential subject to Section 26
- (b) Arts and film studio and production
- (c) Auction
- (d) Automobile, recreational vehicle and trailer repair, servicing and body shop
- (e) Automobile, recreational vehicle and trailer sales
- (f) Building supply store or lumber yard
- (g) Business or professional office
- (h) Car wash
- (i) Club House
- (j) Cold storage plant
- (k) Commercial laundry or drycleaning plant
- (l) Commercial instruction and education
- (m) Commercial parking
- (n) Fitness centre
- (o) Food preparation
- (p) Laboratory and clinic
- (q) Light manufacturing and processing, including accessory retail
- (r) Personal Service Establishment, excluding Body Painting Establishment, Body Rub Parlour, Dating Service and Escort Service
- (s) Printing and publishing
- (t) Repair shop provided that all work takes place within the Principal Building
- (u) Research establishment
- (v) Restaurant or coffee shop
- (w) Trade contractor establishment
- (x) Transportation and trucking
- (y) Veterinary Clinic
- (z) Warehouse Sales
- (aa) Warehousing and storage
- (bb) Wholesaling and Wholesale Distribution, including Accessory Retail

(2) Conditions of Uses

Notwithstanding Section 53(1), a Use which is an offensive trade within the meaning of the "Public Health Act" or "Waste Management Act" and amendments thereto, or which is noxious or offensive because of odour, dust, smoke, gas, noise, vibration, heat, glare, electrical interference, or is a nuisance beyond the limits of the Parcel on which the Use is located, shall not be permitted.

(3) **Floor Area: Accessory Retail**

The Floor Area of an accessory retail Use shall not exceed 30% of the Floor Area of the Principal Use.

(4) **Building Height**

No Building shall exceed a Height of 10 metres

(5) **Siting Requirements**

(a) No Building shall be located within 7.5 metres of a Lot Line that is shared with a Parcel Zoned for a residential Use.

(b) Front Setback: No Building shall be located within 7.5 metres of the Front Lot Line.

(c) Side Setback: No Building shall be located within 4.5 metres of an Exterior Side Lot Line.

(6) **Screening and Landscaping**

(a) Screening and Landscaping shall be provided in accordance with Section 23.

(b) Landscaping shall occupy not less than 5% of the land area of the Parcel and shall be a minimum of 3 metres in depth provided along the Front Lot Line or in the case of a corner Lot, along the Front Lot Line and the Exterior Side Lot Line.

(7) **Off Street Parking**

Off street parking shall be provided in accordance with the requirements as specified in Parking Bylaw No. 2011.

(8) **Commercial Parking Use**

A commercial parking Use shall comply with the standards in *Parking Bylaw, 1992, No. 2011* in relation to design, siting, layout and surfacing of the parking facility.

54. HEAVY INDUSTRIAL [I-2]

The intent of this Zone is to accommodate heavy industrial establishments and related Uses.

(1) **Permitted Uses**

The following Uses and no others are permitted:

- (a) General and heavy construction contractor
- (b) Sale, service and manufacturing of machinery and heavy equipment
- (c) Welding shop
- (d) Cargo handling and wharf facility
- (e) Roofing contractor
- (f) Manufacturing, processing or packaging of food products
- (g) Manufacturing or processing textile products
- (h) Manufacturing or processing of wood and paper products
- (i) Adult Theatre
- (j) Manufacturing, processing, or finishing of certain non-metallic mineral products
- (k) Accessory office
- (l) Accessory residential subject to Section 26
- (m) Body Painting Establishment
- (n) Body Rub Parlour
- (o) Dating Service
- (p) Escort Service

(2) **Conditions of Uses**

Notwithstanding Section 54(1) a Use which is an offensive trade within the meaning of the "Public Health Act" or "Waste Management Act" and amendments thereto, or which is noxious or offensive because of odour, dust, smoke, gas, noise, vibration, heat, glare, electrical interference, or is a nuisance beyond the limits of the Parcel on which the Use is located, shall not be permitted.

(3) **Floor Area**

- (a) The Floor Area of an accessory office Use shall not exceed 20% of the Floor Area of the Principal Use, or 185 square metres, whichever is the lesser of the two.

(4) **Building Height**

No Building shall exceed a Height of 30 metres

(5) **Siting Requirements**

- (a) No Building shall be located within 7.5 metres of a Lot Line that is shared with a Parcel Zoned for a residential Use.
- (b) Front Setback: No Building shall be located within 7.5 metres of the Front Lot Line.

- (c) Side Setback: No Building shall be located within 4.5 metres of an Exterior Side Lot Line.

(6) **Screening and Landscaping**

- (a) Screening and Landscaping shall be provided in accordance with Section 23.
- (b) Landscaping shall be provided along the entire Front Lot Line for a minimum width of 7.5 metres except for points of ingress and egress. In the case of a Corner Lot, the exterior Side Yard Setback of 4.5 metres shall also be landscaped except for points of ingress and egress.

(7) **Off Street Parking**

Off street parking shall be provided in accordance with the requirements as specified in Parking Bylaw No. 2011.

55. BULK PETROLEUM STORAGE [I-3]

The intent of this Zone is to accommodate bulk petroleum storage facilities and related Uses.

(1) **Permitted Uses**

- (a) Bulk storage tanks
- (b) Accessory office
- (c) Accessory Residential, subject to Section 26
- (d) Adult Entertainment Use;
- (e) Adult Motion Picture Studio;
- (f) Adult Video Store.

(2) **Conditions of Use**

Notwithstanding Section 55(1), all facilities shall conform to all regulations concerning the construction, handling and storage of petroleum products established by the Authority Having Jurisdiction.

(3) **Floor Area**

The Floor Area of accessory office and Accessory Building Use shall not exceed 5% of the Lot Area.

(4) **Lot Coverage**

All Principal Buildings, Accessory Buildings and Structures combined shall not cover more than 7% of the area of the Parcel.

(5) **Building and Structure Height**

No Building or Structure shall exceed a Height of 10 metres

(6) **Siting Requirements**

- (a) No Building shall be located within 7.5 metres of a Lot Line that is shared with a Parcel zoned for residential Use.
- (b) Front Setback: No Building shall be located within 7.5 metres of the front Lot Line.
- (c) Exterior Side Setback: No Building shall be located within 4.5 metres of an Exterior Side Lot Line.

(7) **Screening and Landscaping**

- (a) Screening and Landscaping shall be provided in accordance with Section 23.

- (b) Landscaping shall be provided along the entire Front Lot Line for a minimum width of 7.5 metres except for points of ingress and egress. In the case of a Corner Lot, the exterior Side Yard Setback of 4.5 metres shall be landscaped except for points of ingress and egress.

(8) **Off Street Parking**

Off street parking shall be provided in accordance with the requirements as specified in Parking Bylaw No. 2011.

56. UTILITY [I-4]

The intent of this Zone is to accommodate installations related to gas and electrical distribution utilities.

(1) **Permitted Uses**

The following Uses and no others are permitted:

- (a) Gas pressure reduction facility
- (b) Electrical substation facility
- (c) Communication facility.

(2) **Conditions of Use**

Notwithstanding Section 56(1), all facilities and operation of said facilities shall conform to the regulations established by the Authority Having Jurisdiction. A Use which is offensive or noxious because of odour, dust, smoke, gas, noise, vibration, heat, glare, electrical interference or is a nuisance beyond the limits of the Parcel on which the Use is located shall not be permitted.

(3) **Floor Area**

The Floor Area of an Accessory Building shall not exceed 5% of the Lot Area.

(4) **Building and Structure Height**

- (a) No Accessory Building shall exceed a Height of 7.5 metres

(5) **Siting Requirements**

- (a) No Building shall be located within 7.5 metres of a Lot Line that is shared with a Parcel Zoned for a residential Use.
- (b) Front Setback: No Building shall be located within 7.5 metres of the Front Lot Line.
- (c) Exterior Side Setback: No Building shall be located within 4.5 metres of an Exterior Side Lot Line.

(6) **Screening and Landscaping**

- (a) Screening and Landscaping shall be provided in accordance with Section 23.
- (b) Landscaping shall be provided along the entire Front Lot Line for a minimum width of 7.5 metres except for points of ingress and egress. In the case of a Corner Lot, the exterior Side Yard Setback of 4.5 metres shall also be landscaped except for points of ingress and egress.

(7) **Off Street Parking**

Off street parking shall be provided in accordance with the requirements specified in Parking Bylaw No. 2011.

57. SEWAGE HANDLING FACILITIES [I-5]

The intent of this Zone is to accommodate sewage handling facilities and related Uses.

(1) **Permitted Uses**

- (a) Regional Sewage Pumping Facility
- (b) Sewage Screening Facility
- (c) Accessory laboratory
- (d) Accessory operation/alarm control centre
- (e) Accessory service and repair shop

(2) **Condition of Use**

Notwithstanding Section 57(1), all facilities and operations of the said facilities shall comply with the regulations established by the Authority Having Jurisdiction.

(3) **Building Height**

No Building shall exceed a Height of 7 metres

(4) **Siting Requirements**

- (a) No Building shall be located within 7.5 metres of a Lot Line that is shared with a Parcel Zoned for a residential Use.
- (b) Front Setback: No Building shall be located within 7.5 metres of the Front Lot Line.
- (c) Exterior Side Setback: No Building shall be located within 4.5 metres of an Exterior Side Lot Line.

(5) **Screening and Landscaping**

- (a) Screening and Landscaping shall be provided in accordance with Section 23.
- (b) Landscaping shall be provided along the entire Front Lot Line for a minimum width of 7.5 metres except for points of ingress and egress. In the case of a Corner Lot, the exterior Side Yard Setback of 4.5 metres shall also be landscaped except for points of ingress and egress.

(6) **Off Street Parking**

Off street parking shall be provided in accordance with the requirements as specified in Parking Bylaw No. 2011.

DIVISION 4 - INSTITUTIONAL AND CIVIC ZONES

58. PUBLIC/INSTITUTIONAL [P-1]

The intent of this Zone is to accommodate public and institutional facilities.

(1) Permitted Uses

The following Uses and no others are permitted:

- (a) Library
- (b) Government office
- (c) Sports Centre
- (d) Recreation Centre
- (e) Group Children's Day Care Centre
- (f) Group home
- (g) Rest home
- (h) Community Care Facility
- (i) Schools (public and private)
- (j) Hospital
- (k) Public Health Clinic or facility
- (l) Church
- (m) Fire hall
- (n) Police station
- (o) Parks nursery
- (p) Archive
- (q) Museum
- (r) Cemetery
- (s) Charitable organization office
- (t) Counselling Services

(2) Building Height

No Building shall exceed a Height of 13 metres

(3) Lot Coverage

All Principal Buildings, Accessory Buildings and Structures combined shall not cover more than 40% of the Area of a Parcel.

(4) Siting Requirements

- (a) Front Setback: No Building shall be located with 7.5 metres of a Front Lot Line.
- (b) Side Setback: No Building shall be located within 4.5 metres of an Interior or Exterior Side Lot Line.

- (c) Rear Setback: No Building shall be located within 7.5 metres of a Rear Lot Line.

(5) **Screening and Landscaping**

- (a) Screening and Landscaping shall be provided in accordance with Section 23.
- (b) Landscaping shall be provided along the entire Front Lot Line for a minimum width of 7.5 metres except for points of ingress and egress. In the case of a Corner Lot, the exterior Side Yard Setback of 4.5 metres shall also be landscaped except for points of ingress and egress.

(6) **Off Street Parking**

Off street parking shall be provided in accordance with the requirements specified in Parking Bylaw No. 2011.

59. PARKS AND OPEN SPACE [P-2]

The intent of this Zone is to accommodate public and private outdoor recreation opportunities.

(1) **Permitted Uses**

The following Uses and no others are permitted:

- (a) Park
- (b) Playground
- (c) Playing field
- (d) Boat launch
- (e) Public Open Space

(2) **Building Height**

No Building shall exceed a Height of 6 metres

(3) **Siting Requirements**

- (a) Front Setback: No Building shall be located with 7.5 metres of a Front Lot Line.
- (b) Side Setback: No Building shall be located within 4.5 metres of an Interior or Exterior Side Lot Line.
- (c) Rear Setback: No Building shall be located within 7.5 metres of a Rear Lot Line.

(4) **Screening and Landscaping**

Screening and Landscaping shall be provided in accordance with Section 23.

(5) **Off Street Parking**

Off street parking shall be provided in accordance with the requirements of the Parking Bylaw No. 2011.

60. GOLF COURSE [P-3]

The intent of this Zone is to accommodate golf course facilities and associated Uses.

(1) **Permitted Uses**

The following Uses and no others are permitted:

- (a) Golf Course
- (b) Golf driving range
- (c) Golf Club House
- (d) Retail sales and service of golf equipment
- (e) Restaurant, lounge and coffee shop facilities
- (f) Agricultural

(2) **Building Height**

- (a) No Principal Building shall exceed a Height of 7.5 metres
- (b) No Accessory Building shall exceed a Height of 3.5 metres

(3) **Siting Requirements**

- (a) No Building shall be located within 7.5 metres of a Lot Line that is shared with a Parcel Zoned for a residential Use.
- (b) Front Setback: No Building shall be located within 7.5 metres of the Front Lot Line.
- (c) Exterior Side Setback: No Building shall be located within 4.5 metres of an Exterior Side Lot Line.

(4) **Screening and Landscaping**

- (a) Screening and Landscaping shall be provided in accordance with Section 23.
- (b) Landscaping shall be provided in order to separate a Highway from Principal Buildings, Accessory Buildings, and off street surface parking Lots to the following depths adjacent to a Highway:
 - (i) 7.5 metres for Front Yards
 - (ii) 4.5 metres for Side Yards
 - (iii) 3 metres for surface parking Lots except for points of ingress and egress.

(5) **Off Street Parking**

Off street parking shall be provided in accordance with the requirements as specified in Parking Bylaw No. 2011.

60.1 **INSTITUTIONAL DAY USE [P-4]**

The intent of this zone is to accommodate facilities serving persons with mental disabilities.

(1) **Permitted Uses**

The following Use and no others are permitted:

- (a) Provision by a registered non-profit organization of day services to persons with mental disabilities.

(2) **Building Height**

- (a) No Principal Building shall exceed a Height of 7.5 metres
- (b) No Accessory Building shall exceed a Height of 4.0 metres

(3) **Lot Coverage**

All Principal Buildings, Accessory Buildings and Structures combined shall not cover more than 40% of the Area of a Parcel.

(4) **Siting Requirements**

(a) **Principal Building**

- (i) Front Setback: No Building shall be located within 7.5 metres of the Front Lot Line.
- (ii) Side Setback: No Building shall be located within 4.5 metres of an Interior Side Lot Line, nor 3.6 metres of an Exterior Side Lot Line.
- (iii) Rear Setback: No Building shall be located with 7.5 metres of a Rear Lot Line.

(b) **Accessory Building**

- (i) Front Setback: No Accessory Building shall be located in front of the front face of the Principal Building.
- (ii) Side Setback: No Accessory Building shall be located within 1.5 metres of an Interior Side Lot Line nor 3.6 metres of an Exterior Side Lot Line.
- (iii) Rear Setback: No Accessory Building shall be located within 1.5 metres of a Rear Lot Line.
- (iv) Building Separation: No Accessory Building shall be located within 2.5 metres of a Principal Building.

(5) **Screening and Landscaping**

- (a) Screening and Landscaping shall be provided in accordance with Section 23.
- (b) Landscaping shall be provided along the entire Front Lot Line for a minimum width of 7.5 metres except for points of ingress and egress. In the case of a Corner Lot, the exterior Side Yard Setback of 4.5 metres shall also be landscaped except for points of ingress and egress.

(6) **Off Street Parking**

Off street parking shall be provided in accordance with the requirements of Parking Bylaw No. 2011.

DIVISION 5 - MARINE ZONES

61. MARINE [LAND] COMMERCIAL [M-1]

The intent of this Zone is to accommodate land based commercial establishments that are related to the water and tourists.

(1) Permitted Uses

The following Uses and no others are permitted:

- (a) Boat rental and passenger charter
- (b) Marine Retail Store
- (c) Marine related Business and Professional Offices
- (d) Pleasure and commercial boat sales and service
- (e) Restaurants
- (f) Accessory Residential, subject to Section 26

(2) Building Height

No Building shall exceed a Height of 7.3 metres

(3) Lot Coverage

All Principal Buildings, Accessory Buildings and Structures combined shall not cover more than 40% of the Area of a Parcel.

(4) Siting Requirements

No Building shall be located within 7.5 metres of a Front Lot Line and 4.5 metres of a Side Lot Line nor 4.5 metres of the High Water Mark or Rear Lot Line.

(5) Screening and Landscaping

- (a) Screening shall be provided in accordance with Section 23.
- (b) Landscaping shall be provided along the entire Front Lot Line for a minimum width of 3 metres except for points of ingress and egress.

(6) Off Street Parking

Off street parking shall be provided in accordance with the requirements as specified in Parking Bylaw No. 2011.

DIVISION 5 - MARINE ZONES

61.1 MARINE COMMERCIAL [M-2]

The intent of this Zone is to accommodate land based commercial establishments that are related to the water and tourists.

(1) Permitted Uses

The following Uses and no others are permitted:

- (a) Marine Pub
- (b) Boat rental and passenger charter
- (c) Marine Retail Store
- (d) Marine related Business and Professional Offices
- (e) Pleasure and commercial boat sales and service
- (f) Restaurants
- (g) Tourist Accommodation
- (h) Accessory Residential, subject to Section 26

(2) Building Height

No Building shall exceed a Height of 11.5 metres

(3) Lot Coverage

All Principal Buildings, Accessory Buildings and Structures combined shall not cover more than 40% of the Area of a Parcel.

(4) Siting Requirements

No Building shall be located:

- (i) within 7.5 metres of a Front Lot Line;
- (ii) within 4.0 metres of a Side Lot Line;
- (iii) within 0.0 metres of the High Water Mark or Rear Lot Line.

(5) Screening and Landscaping

- (a) Screening shall be provided in accordance with Section 23.
- (b) Landscaping shall be provided along the entire Front Lot Line except for points of ingress and egress.

(6) Off Street Parking

Off street parking shall be provided in accordance with the requirements as specified in Parking Bylaw No. 2011.

62. MARINE RESIDENTIAL [M-3]

The intent of this Zone is to accommodate water based facilities on Water Lots adjacent to residential zoned properties.

(1) **Permitted Uses**

The following Uses and no others are permitted:

- (a) Pleasure Boat Moorage

(2) **Prohibited Uses**

- (a) No commercial or industrial activity on a Boat Moorage Facility
- (b) Floating Homes and Floating Boat Shelters
- (c) Liveaboards
- (d) The mooring of more than two [2] boats

(3) **Siting Requirements**

- (a) All Boat Moorage must be located within the boundaries of a Water Lot.
- (b) No section of a Boat Moorage shall exceed a width of 3 metres

63. MARINE NAVIGATION [M-4]

The intent of this Zone is to accommodate the navigation of commercial and recreational boats.

(1) **Permitted Uses**

The following Uses and no others are permitted:

- (a) Navigation of boats
- (b) Navigational aids installed by the Authority Having Jurisdiction

(2) **Prohibited Uses**

- (a) Boat Moorage
- (b) Anchoring buoys
- (c) Permanent boat anchorage

63. MARINE SMALL DOCK [M-5]

The intent of this Zone is to accommodate small private docks on Water Lots adjacent to residential properties.

(1) **Permitted Uses**

The following Uses and no others are permitted:

- (a) Boat Moorage Facility for small pleasure boats.

(2) **Prohibited Uses**

- (a) Commercial or industrial activity
- (b) Floating Homes and Floating Boat Shelters
- (c) Liveaboards
- (d) The mooring of more than two small boats
- (e) Accessory Buildings

(3) **Siting Requirements**

- (a) All Boat Moorage must be located within the boundaries of the Water Lot.

(4) **Maximum Size**

- (a) No section of a Boat Moorage ramp shall exceed a width of 1.5 metres.
- (b) The combined length of a Boat Moorage Facility [wharf, ramp, landing and dock], measured from the shoreline, shall not be more than 21 metres.
- (c) The area of a dock or float shall not be greater than 18.5 square metres in area.

DIVISION 6 - COMPREHENSIVE DEVELOPMENT ZONES

64. COMPREHENSIVE DEVELOPMENT DISTRICT NO. 2 [CD NO. 2]

In that Zone designated as CD No. 2, [Comprehensive Development District No. 2], 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**

Apartment Use

(2) **Number of Buildings**

Not more than one Apartment Building shall be erected, constructed, placed or maintained on any one Parcel of land.

(3) **Floor Area**

No Apartment Building shall have a Floor Area in excess of 4,000 square metres.

(4) **Lot Coverage**

The aggregate Site Coverage of any and all Buildings and Structures on a Parcel of land upon which there is an Apartment Building shall not exceed 35%.

(5) **Building Height**

No part of any Building shall exceed 18.5 m in Height.

(6) **Number of Dwelling Units**

The maximum number of Dwelling Units on a Parcel shall be fifty-two [52].

(7) **Number of Storeys**

The maximum number of Storeys shall be six [6].

(8) **Siting Requirements**

- (a) No part of any Building or Structure on a Parcel shall be within 7 metres of the Front Lot Line.
- (b) No Building or Structure on a Parcel shall be within 4.6 metres of the Side Lot Line.
- (c) No Building or Structure on a Parcel shall be within 16 metres of the Rear Lot Line.

(9) **Screening and Landscaping**

- (a) Landscaped Open Site Space shall be provided and maintained on every Parcel on which an Apartment is situated and such Landscaped Open Site Space shall have an Area in plan equal to not less than 30% of the Area in plan of the Parcel.
- (b) Landscape Screens shall be provided and maintained on the perimeter of all Areas used or intended to be used for surface parking on a Parcel on which there is an Apartment so that, save only for necessary entrances and exits thereto and therefrom, a Landscape Screen or part thereof shall be interposed in plan between any and all points in any and all such Areas and any and all points in any and all Parcels immediately adjacent to the Lot or Parcel on which the Apartment is situated.

(10) **Walls and Fences**

No wall or fence erected, constructed or placed on or along any boundary that a Lot or Parcel of land has in common with a Highway shall exceed 1.5 metres in Height or in the case of any other boundary, 2 metres in Height and where the Parcel is bounded on two or more sides by intersecting Highways, no wall or fence or part thereof lying within a distance of 6 metres of the point or any of the points of intersection of such Highways shall exceed 1 metre in Height.

(11) **Off Street Parking**

Off street parking shall be provided in accordance with the requirements as specified in Parking Bylaw No. 2011.

65. COMPREHENSIVE DEVELOPMENT DISTRICT NO. 3 [CD NO. 3]

In that Zone designated as CD No. 3, [Comprehensive Development District No. 3], 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**

Ambulance Station Uses.

(2) **Number of Buildings**

Not more than one Ambulance Station Building shall be erected, constructed, placed or maintained on any Parcel.

(3) **Floor Area**

No Ambulance Station Building shall have a Floor Area in excess of 225 square metres.

(4) **Lot Coverage**

The aggregate Site Coverage of any and all Buildings and Structures on Parcel upon which there is an Ambulance Station Building shall not exceed 45%.

(5) **Building Height**

No part of any Building shall exceed 8.5 metres in Height.

(6) **Siting Requirements**

- (a) No part of any Ambulance Station Building or of any other Building or Structure on a Parcel on which there is an Ambulance Station Building shall be nearer to any point on the Front Lot Line of the Parcel than 7.6 metres
- (b) On a site other than a Corner Lot, a Side Yard shall be provided on each side of the Ambulance Station Building so that the total of the two Side Yards shall be at least 4 metres and that no Side Yard be less than 1 metre wide, and further, provided that where a Lot is not served by a rear lane, one Side Yard shall be at least 3 metres wide.
- (c) No Ambulance Station Building or other Building or Structure on a Parcel on which there is an Ambulance Station Building and no part thereof shall be nearer to any point on any Rear Lot Line of the Parcel than a distance of 1 metre.

(7) **Screening and Landscaping**

- (a) Landscaped Open Site Space shall be provided and maintained on every Parcel on which an Ambulance Station Building is situated and such Landscaped Open Site Space shall have an Area in plan equal to not less than 20% of the Area in plan of the Parcel.
- (b) Landscape Screens shall be provided and maintained on and along the perimeter of all Areas used or intended to be used for surface parking on a Parcel on which there is an Ambulance Station Building so that, save only for necessary entrances and exits thereto and therefrom, a Landscape Screen or part thereof shall be interposed in plan between any and all such Areas and any and all points in any and all Parcels immediately adjacent to the Parcel on which the Ambulance Station Building is situated.

(8) **Walls and Fences**

No wall or fence erected, constructed or placed on or along any boundary that a Parcel has in common with a Highway shall exceed 1.5 metres in Height or in the case of any other boundary, 2 metres in Height and where the Lot or Parcel is bounded on two or more sides by intersecting Highways, no wall or fence or part thereof lying within a distance of 6 metres of the point or any of the points of intersection of such Highways shall exceed 1 metre in Height.

(9) **Off Street Parking**

Off street parking shall be provided in accordance with the requirements as specified in parking Bylaw No. 2011.

66. COMPREHENSIVE DEVELOPMENT DISTRICT NO. 5 [CD NO. 5]

In that Zone designated as CD No. 5, [Comprehensive Development District No. 5], 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**

Apartment Uses.

(2) **Number of Buildings**

Not more than one Apartment Building shall be erected, constructed, placed or maintained on any one lot or Parcel of land.

(3) **Floor Area**

No Apartment Building shall have a Floor Area in excess of 8,500 square metres

(4) **Lot Coverage**

The aggregate Site Coverage of any and all Buildings and Structures on a Parcel upon which there is an Apartment Building shall not exceed 42%.

(5) **Building Height**

No part of any Building shall exceed 12.0 metres in Height.

(6) **Number of Dwelling Units**

The maximum number of Dwelling Units on a Parcel shall be sixty-six [66].

(7) **Number of Storeys**

The maximum number of Stories shall be five, including any basement, or underground parking areas.

(8) **Siting Requirements**

- (a) Front Setback: No part of any Building or Structure on a Parcel of land shall be nearer to any point on the Front Lot Line than a distance of 6 metres
- (b) Side Setback: No Building or Structure on a Parcel shall be nearer to any point on any side boundary of the Parcel than a distance of 6 metres
- (c) Rear Setback: No Building or Structure on a Parcel shall be nearer to any point on any rear boundary of the Parcel than a distance of 7.6 metres

- (d) Waterfront Setback: No part of any Building shall be nearer to any point on the High Water Mark than a distance of 7.5 metres. The Setback shall follow the indentations and sinuosities of the High Water Mark.

(9) **Vehicle Parking**

Off street facilities for the parking of motor vehicles shall be provided as follows:

- (a) There shall be provided and maintained on every Parcel of land on which there is an Apartment, no fewer than as many parking units as shall be equal to the aggregate number of Dwelling Units in the Apartment situate on the lot or Parcel multiplied by a factor of 1.53;
- (b) Of the parking units referred to in Sub-section (a), no fewer than one parking unit for every four Dwelling Units on the Parcel shall be set aside and used exclusively for the purpose of providing space for the parking of motor vehicles in the care or control of the persons other than tenants or residents of the Parcel while such persons are actually in attendance within the Parcel as the guests or invitees of a tenant or resident thereof;
- (c) The parking units referred to in Subsection (b) shall be designated by conspicuous signs bearing the words 'Visitor Parking' which signs shall be displayed at all times and at all appropriate places including the entrance or entrances to the driveways giving access to the parking units so designated; and
- (d) No Charge shall be made for parking in order to discourage on-street parking by tenants and visitors.

(10) **Landscaped Open Site Space**

Landscaped Open Site Space shall be provided and maintained on every Parcel on which an Apartment is situate and such Landscaped Open Site Space shall have an area in plan equal to not less than 30% of the area in plan of the Parcel.

(11) **Landscape Screen**

Landscape Screens shall be provided and maintained on and along the perimeter of any and all areas used or intended to be used for surface parking on a Parcel on which there is an Apartment so that, save only for necessary entrances and exits thereto and therefrom, a Landscape Screen or part thereof shall be interposed in plan between any and all points in any and all such areas and any and all points in any and all Parcels immediately adjacent to the lot or Parcel on which the Apartment is situate.

(12) **Walls and Fences**

No wall or fence erected, constructed or placed on or along any Boundary that a Parcel of land has in common with a Highway shall exceed 1.5 metres in Height or in the case of any other boundary, 2 metres in Height and where the Parcel is bounded on two or more sides by intersecting Highways, no wall or fence or part thereof lying within a distance of 6 metres of the point or any of the points of intersection of such Highways shall exceed 1 metre in Height.

67. **COMPREHENSIVE DEVELOPMENT DISTRICT NO. 6 [CD NO. 6]**

In that Zone designated as CD No. 6, [Comprehensive Development District No. 6], 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 incorporate by reference into this Part.

(1) **Permitted Uses**

Apartment Use.

(2) **Number Of Buildings**

Not more than one Apartment Building shall be erected, constructed, placed or maintained on any one Parcel.

(3) **Floor Area**

No Apartment Building shall have a Floor Area in excess of 6,000 square metres.

(4) **Lot Coverage**

The aggregate Site Coverage of any and all Buildings and Structures on a Parcel upon which there is an Apartment Building shall not exceed 30%.

(5) **Building Height**

No part of any Building shall exceed 12 metres in Height.

(6) **Number of Dwelling Units**

The maximum number of Dwelling Units on a Parcel shall be forty-six [46].

(7) **Number of Storeys**

The maximum number of Stories shall be five, including any basement, or underground parking areas.

(8) **Siting Requirements**

(a) Front Setback: No part of any Building or Structure on a Parcel shall be nearer to any point on the Front Lot Line than a distance of 7.6 metres

(b) Side Setback: No Building or Structure on a Parcel shall be nearer to any point on any side boundary of the Parcel than a distance of 6 metres

(c) Rear Setback: No Building or Structure on a Parcel shall be nearer to any point on any rear boundary of the lot or Parcel than a distance of 7.6 metres

- (d) Waterfront Setback: No part of any Building shall be nearer to any point on the High Water Mark than a distance of 7.5 metres. The Setback shall follow the indentations and sinuosities of the High Water Mark.

(9) **Vehicle Parking**

Off street facilities for the parking of motor vehicles shall be provided as follows:

- (a) There shall be provided and maintained on every Parcel on which there is an Apartment, no fewer than as many parking units as shall be equal to the aggregate number of Dwelling Units in the Apartment situate on the lot or Parcel multiplied by a factor of 1.53;
- (b) Of the parking units referred to in Subsection (a), no fewer than one parking unit for every four Dwelling Units on the Parcel shall be set aside and used exclusively for the purpose of providing space for the parking of motor vehicles in the care or control of the persons other than tenants or residents of the Parcel while such persons are actually in attendance within the Multiple Dwelling as the guests or invitees of a tenant or resident thereof;
- (c) The parking units referred to in Subsection (b) shall be designated by conspicuous signs bearing the words 'Visitor Parking' which signs shall be displayed at all times and at all appropriate places including the entrance or entrances to the driveways giving access to the parking units so designated; and
- (d) No charge shall be made for parking in order to discourage on-street parking by tenants and visitors.

(10) **Landscaped Open Site Space**

Landscaped Open Site Space shall be provided and maintained on every Parcel on which an Apartment is situate and such Landscaped Open Site Space shall have an area in plan equal to not less than 40% of the area in plan of the Parcel.

(11) **Landscape Screen**

Landscape Screens shall be provided and maintained on and along the perimeter of any and all areas used or intended to be used for surface parking on a lot or Parcel on which there is an Apartment so that, save only for necessary entrances and exits thereto and therefrom, a Landscape Screen or part thereof shall be interposed in plan between any and all points in any and all such areas and any and all points in any and all Parcels immediately adjacent to the lot or Parcel on which the Apartment is situate.

(12) **Walls and Fences**

No wall or fence erected, constructed or placed on or along any Boundary that a Parcel has in common with a Highway shall exceed 1.5 metres in Height or in case of any other Boundary, 2 metres in Height and where the Parcel is bounded on two or more sides by intersecting Highways, no wall or fence or part thereof lying within a distance of 6 metres of the point or any of the points of intersection of such Highways shall exceed 1 metre in Height.

67.1 COMPREHENSIVE DEVELOPMENT DISTRICT NO. 7 [CD NO. 7]

In that zone designated as CD No. 7 [Comprehensive Development District No. 7], no Building or Structure or part thereof shall be erected, constructed, placed, maintained or used and no land or water surface 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 are permitted:

- (a) Pleasure Boat Moorage ancillary to Comprehensive Development District No. 5 and Comprehensive Development District No. 6

(2) **Prohibited Uses**

- (a) Commercial or Industrial activity on a Boat Moorage Facility
- (b) Floating Homes and Floating Boat Shelters
- (c) Liveaboards

(3) **Siting Requirements**

- (a) All Boat Moorage facilities and Pleasure Boats shall be located within the boundaries of a Water Lot, No. 128.
- (b) No section of a Boat Moorage Facility shall exceed a width of 3 metres

67.2 **COMPREHENSIVE DEVELOPMENT DISTRICT NO. 8 [CD NO. 8]**

In that Zone designated as CD No. 8 [Comprehensive Development District No. 8], 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) Home Occupation

(2) **Floor Area Ratio**

The Floor Area Ratio shall not exceed 0.75.

(3) **Unit Size**

The minimum Floor Area for each Dwelling Unit shall not be less than 75 square metres

(4) **Building Height**

- (a) No Principal Building shall exceed a Height of 10 metres
- (b) No Accessory Building shall exceed a Height of 4 metres

(5) **Lot Coverage**

- (a) All Principal Buildings, Accessory Buildings and Structures combined shall not cover more than 31% of the Area of a Parcel.
- (b) All Accessory Buildings and Structures combined shall not cover more than 10% of the Area of Parcel.

(6) **Siting Requirements**

(a) **Principal Building**

- (i) Front Setback: No Building shall be located within 7.5 metres of the Front Lot Line.
- (ii) Side Setback: No Building shall be located within 4.5 m of an Interior Side Lot Line nor 3.6 metres of an Exterior Lot Line.
- (iii) Rear Setback: No Building shall be located within 6 metres of the Rear Lot Line.

(b) **Accessory Building**

- (i) Front Setback: No Accessory Building shall be located in front of the front face of the Principal Building.
- (ii) Side Setback: No Accessory Building shall be located within 1.5 metres of an Interior Side Lot Line nor 3.6 metres of an Exterior Lot Line.
- (iii) Rear Setback: No Accessory Building shall be located within 1.5 metres of a Rear Lot Line.
- (iv) Building Separation: No Accessory Building shall be located within 2.5 metres of a Principal Building.

(7) **Usable Open Space**

Usable open space shall be provided in an amount of not less than 7.5% of the Area of the Parcel.

(8) **Fencing**

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.

(9) **Off Street Parking**

- (a) The number of parking stalls shall be provided in the ratio of one stall for every Dwelling Unit.
- (b) Parking stall dimensions and location shall be in accordance with the requirements of Parking Bylaw No. 2011.

67.3 **COMPREHENSIVE DEVELOPMENT DISTRICT NO. 9 [CD NO. 9]**

In that Zone designated as CD No. 9 [Comprehensive Development District No.9], 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) Single Family Residential
- (b) Multiple Family Residential
- (c) Home Occupation

(2) **Parcel Size**

The minimum Parcel size of Parcels created by subdivision shall be 316 square metres for the Single Family dwelling and 986 square metres for the Multiple Family dwelling.

(3) **Minimum Lot Width**

The minimum width of Parcels created by subdivision shall be 8.8 metres for the Single Family dwelling and 27.6 metres for the Multiple Family dwelling measured at the Front Building Line.

(4) **Number of Buildings**

Not more than one Single Family dwelling and one Multiple Family dwelling shall be erected, constructed, placed or maintained on Lots 55 and 56 Esquimalt District Plan 265.

(5) **Floor Area Ratio**

(a) **Combined**

The total combined Floor Area Ratio for the development of Lots 55 and 56, Plan 265, shall not exceed 0.53.

(b) **Multi-Family Lot**

The Floor Area Ratio shall not exceed 0.56.

(c) **Single Family Lot**

The Floor Area Ratio shall not exceed 0.43.

(6) **Unit Size**

The minimum Floor Area for each Dwelling Unit shall not be less than 37 square metres.

(7) **Building Height**

- (a) The Multiple Family dwelling shall not exceed a Height of 10.7 metres
- (b) The Single Family dwelling shall not exceed a Height of 7.8 metres
- (c) No Accessory Building shall exceed a Height of 3.6 metres

(8) **Lot Coverage**

(a) **Combined**

- (i) The total combined lot coverage for the development of Lots 55 and 56, Plan 265 shall not exceed 30%.

(b) **Multi-Family Lot**

- (i) All Principal Buildings, Accessory Buildings and Structures combined shall not cover more than 25% of the Area of the Parcel.
- (ii) All Accessory Buildings and Structures combined shall not cover more than 10% of the Area of a Parcel.

(c) **Single Family Lot**

- (i) All Principal Buildings, Accessory Buildings and Structures combined shall not cover more than 40% of the Area of the Parcel.
- (ii) All Accessory Buildings and Structures combined shall not cover more than 10% of the Area of a Parcel.

(9) **Siting Requirements**

(a) **Principal Buildings**

- (i) Front Setback: No Building shall be located within 7.5 metres of the Front Lot Line.
- (ii) Side Setback: No Building shall be located within 1.5 metres of an Interior Side Lot Line.
- (iii) Rear Setback: No Building shall be located within 7.5 metres of the Rear Lot Line.
- (iv) Building Separation: No Principal Building shall be located within 4.5 metres of the other Principal Building on this Parcel or any other Parcel.

(b) **Accessory Building**

- (i) Front Setback: No Accessory Building shall be located in front of the front face of the Principal Building.
- (ii) Side Setback: No Accessory Building shall be located within 1.5 metres of an Interior Side Lot Line.
- (iii) Rear Setback: No Accessory Building shall be located within 1.5 metres of a Rear Lot Line.
- (iv) Building Separation: No Accessory Building shall be located within 2.5 metres of a Principal Building.

(10) **Usable Open Space**

Usable Open Space shall be provided in an amount of not less than 7.5% of the Area of the Parcel.

(11) **Fencing**

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.

(12) **Off Street Parking**

Off street parking shall be provided in accordance with the requirements of Parking Bylaw No. 2011.

67.4 COMPREHENSIVE DEVELOPMENT DISTRICT NO. 10 [CD NO. 10]

In that Zone designated as CD No. 10 [Comprehensive Development District No. 10], 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) Single Family Residential
- (b) Two Family Residential
- (c) Home Occupation

(2) **Density**

The number of Dwelling Units permitted shall be limited to 4 for a density of one unit per 472.6 square metres [5087.2 sq. ft.].

(3) **Floor Area Ratio**

The total combined Floor Area Ratio shall not exceed 0.32.

(4) **Unit Size**

The minimum Floor Area for each Dwelling Unit shall be not less than 133 square metres.

(5) **Building Height**

- (a) No Principal Building shall exceed a Height of 7.3 metres
- (b) No Accessory Building shall exceed a Height of 3.6 metres

(6) **Lot Coverage**

- (a) The total combined lot coverage of all Principal Buildings, Accessory Buildings and Structures shall not exceed 40% of the Area of the Parcel.
- (b) The total combined lot coverage of all Accessory Buildings and Structures shall not exceed 10% of the Area of the Parcel.

(7) **Siting Requirements**

(a) Principal Buildings

- (i) Front Setback: No Principal Building shall be located within 7.85 metres of the Front Lot Line.
- (ii) Side Setback: No Principal Building shall be located within 1.5 metres of an Interior Side Lot Line.

- (iii) No Principal Building shall be located within 8.4 metres of another Principal Building on the same property.
- (iv) Rear Setback: No Principal Building shall be located within 1.5 metres of a Rear Lot Line.

(b) Accessory Building

- (i) Front Setback: No Accessory Building shall be located in front of the front face of the Principal Building.
- (ii) Side Setback: No Accessory Building shall be located within 1.5 metres of an Interior Side Lot Line.
- (iii) Rear Setback: No Accessory Building shall be located within 1.5 metres of a Rear Lot Line.
- (iv) Building Separation: No Accessory Building shall be located within 1.5 metres of any Principal Building.

(8) Fencing

Subject to Section 22 of Zoning Bylaw No. 2050, no fence shall exceed a Height of 1.2 metres in front of the front face of a Principal Building and 2 metres behind the front face of a Principal Building.

(9) Off Street Parking

Two off street parking spaces shall be provided for each Dwelling Unit.

67.5 **COMPREHENSIVE DEVELOPMENT DISTRICT NO. 11 [CD NO. 11]**

In that Zone designated as CD No. 11 [Comprehensive Development District No. 11], 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) Single Family Residential
- (b) Multiple Family Residential
- (c) Home Occupation

(2) **Parcel Size**

The minimum Parcel Size of fee simple Parcels created by subdivision shall be 2296 m².

(3) **Density**

The number of Dwelling Units permitted shall be limited to 12 for a density of one unit per 191.3 square metres .

(4) **Minimum Lot Width**

The minimum width of Parcels created by subdivision shall be 51.6 metres measured at the Front Building Line.

(5) **Number of Buildings**

Not more than one Building containing a Single Family dwelling and two Buildings containing Multiple Family dwellings shall be erected, constructed, placed, or maintained on Lot A, Suburban Lot 43, Esquimalt District, Plan 19331.

(6) **Floor Area Ratio**

The total combined Floor Area Ratio for the development of Lot A, Suburban Lot 43, Esquimalt District, Plan 19331, shall not exceed .50.

(7) **Unit Size**

The minimum Floor Area for each Dwelling Unit shall not be less than 60 square metres.

(8) **Building Height**

- (a) The Buildings containing multiple Family Dwelling Units shall not exceed a Height of 7.9 metres
- (b) The Single Family dwelling shall not exceed a Height of 6.9 metres
- (c) No Accessory Building shall exceed a Height of 2.4 metres

(9) **Lot Coverage**

The total combined lot coverage for the development of Lot A, Suburban Lot 43, Esquimalt District, Plan 19331 shall not exceed 21%.

(10) **Siting Requirements**

(a) **Principal Buildings**

- (i) Front Setback: No Building shall be located within 6.9 metres of the Front Lot Line.
- (ii) Side Setback: No Building shall be located within 3.0 metres of an Interior Lot Line.
- (iii) Rear Setback: No Building shall be located within 7.6 metres of the Rear Lot Line.
- (iv) Building Separation: No Principal Building shall be located within 4.2 metres of another Principal Building on this Parcel or any other Parcel.

(b) **Accessory Buildings**

- (i) Front Setback: No Accessory Building shall be located in front of the front face of the Principal Buildings.
- (ii) Side Setback: No Accessory Building shall be located within 1.5 metres of an Interior Lot Line.
- (iii) Rear Setback: No Accessory Building shall be located within .75 metres of a Rear Lot Line.
- (iv) Building Separation: No Accessory Building shall be located within .9 metres of a Principal Building.

(11) **Usable Open Space**

Usable Open Space shall be provided in an amount of not less than 7.5% of the area of the Parcel.

(12) **Fencing**

Subject to Section 22, no fence shall exceed a Height of 1.2 metres in front of the front face of the Principal Building closest to Admirals Road and 2 metres behind the front face that Building.

(13) **Off Street Parking**

- (a) Parking stall dimensions shall be in accordance with the requirements of Parking Bylaw No. 2011.

67.6 **COMPREHENSIVE DEVELOPMENT DISTRICT NO. 12 [CD NO. 12]**

In that Zone designated as CD No. 12 [Comprehensive Development District No. 12], 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, or otherwise by this bylaw made applicable to this Part.

(1) **Permitted Uses**

The following Uses and no others shall be permitted within Comprehensive Development District No. 12:

- (a) Apartment and Townhouse Dwellings
- (b) Church
- (c) Day Care Use
- (d) Recreation and Assembly Use
- (e) Home Occupation

(2) **Parcel Size**

The minimum Parcel Size of fee-simple Parcels created by subdivision shall be 22,267 square metres [2.226 ha].

(3) **Number of Buildings**

The following Buildings only are permitted:

- (a) one Apartment Building;
- (b) two Buildings containing not more than ten Townhouse Dwellings in total;
- (c) one Building containing a church, day care Use and recreation and assembly Use.

(4) **Lot Coverage**

The aggregate lot coverage of any and all Buildings and Structures shall not exceed 15 %.

(5) **Floor Area Ratio**

- (a) The Floor Area Ratio shall not exceed .77. The calculation of this figure is based on the total of the Area of Right of Way 2965 plus the Area of Lots 2 and 3, Section 11, Esquimalt District, Plan 48085.

(6) **Number of Dwelling Units**

The maximum number of Dwelling Units shall not exceed the following:

- 110 Apartment Dwellings;
- 10 Townhouse Dwellings;
- 120 Total Dwellings

(7) **Siting Requirements**

(a) **Residential Buildings and Buildings for Assembly Use**

- (i) Front Setback: No Building or Structure intended for residential or assembly Use shall be located within 9.0 metres of the Front Lot Line.
- ii) Rear Setback: No Building or Structure intended for residential or assembly Use shall be located within 8.0 metres of the Rear Lot Line.
- (iii) Side Setback: No Building or Structure intended for residential or assembly Use shall be located within 2.0 metres of any Exterior Side Lot Line or within 10.0 metres of any Interior Side Lot Line.

(b) **Accessory Buildings**

- (i) Front Setback: No Accessory Building or Structure shall be located within 9.0 metres of the Front Lot Line.
- (ii) Rear Setback: No Accessory Building or Structure shall be located within 8.0 metres of the Rear Lot Line.
- (iii) Side Setback: No Accessory Building or Structure shall be located within 2.0 metres of any Exterior Side Lot Line or within 1.5 metres of any Interior Side Lot Line.

(8) **Building Height**

The maximum Height of any Building shall be 31.0 metres

(9) **Landscaping and Open Space**

- (a) Landscaped Open Space shall be provided and maintained and have an Area of not less than 30% of the Area of the Parcel.
- (b) Usable Open Space shall be provided in an amount of not less than 7.5% of the area of the Parcel.

(10) **Fencing**

Subject to Section 22, no fence bordering the Front Lot Line or any Exterior Side Lot Line shall exceed a Height of 1.2 m and no fence bordering a Rear Lot Line or any Interior Side Lot Line shall exceed a Height of 2.0 metres.

67.7 COMPREHENSIVE DEVELOPMENT DISTRICT NO. 13 [CD NO. 13]

In that Zone designated as CD No. 13, [Comprehensive Development District No.13], 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) 2 detached single Family residential Dwelling Units
- (b) Home Occupation

(2) Number of Buildings

Not more than two [2] residential Buildings shall be erected, constructed, placed, or maintained on Lot 1, Block E, Section 11, Esquimalt District, Plan 292.

(3) Number of Dwelling Units

The maximum number of Dwelling Units on Lot 1, Block E, Section 11, Esquimalt District, Plan 292 shall be two [2].

(4) Building Height

- (a) No residential Building shall exceed a Height of 7.3 metres.
- (b) No Accessory Building shall exceed a Height of 3.6 metres.

(5) Lot Coverage

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

(6) Siting Requirements

(a) Residential Building(s):

- (i) Front Setback: No residential Building shall be located within 3.4 metres of the Front Lot Line.
- (ii) Side Setback: No residential Building shall be located within 0 metres of any Interior Side Lot Line or within .21 metres of an Exterior Side Lot Line.
- (iii) Rear Setback: No residential Building shall be located within .28 metres of a Rear Lot Line.

(b) **Accessory Buildings**

- (i) Front Setback: No Accessory Building shall be located in front of the front face of either of the 2 residential Buildings on the subject property.
- (ii) Side Setback: No Accessory Building shall be located within 1.5 metres of an Interior Side Lot Line nor within 3.6 metres of an Exterior Side Lot Line.
- (iii) Rear Setback: No Accessory Building shall be located within 1.5 metres of a Rear Lot Line.
- (iv) Building Separation: No Accessory Building shall be located within 2.5 metres of a Principal Building.

(7) **Walls and Fences**

Notwithstanding Sections 22(1) and 24(1) of Zoning Bylaw No. 2050, the existing stone wall along the perimeter of the subject property shall be maintained.

(8) **Off Street Parking**

- (a) Notwithstanding Section 13 of Parking Bylaw No. 2011, the number of off street parking stalls shall be provided in the ratio of one stall for each Dwelling Unit.
- (b) Parking stall dimensions and location shall be in accordance with Table 2 of Parking Bylaw No. 2011.

67.8 **COMPREHENSIVE DEVELOPMENT DISTRICT NO. 14 [CD NO. 14]**

In that Zone designated as CD No. 14 [Comprehensive Development District No. 14], 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) Single Family Residential
- (b) Home Occupation

(2) **Parcel Size**

The minimum Parcel Size of fee simple Parcels created by subdivision shall be 1585 square metres.

(3) **Density**

The number of Dwelling Units permitted on Lot A [DD EE90338], Section 11 and Suburban Lot 49, Esquimalt District, Plan 17985 shall be limited to four [4] for a density of one unit per 396. square metres.

(4) **Building Height**

- (a) No residential Building shall exceed a Height of 7.3 metres.
- (b) No Accessory Building shall exceed a Height of 3.6 metres.

(5) **Lot Coverage**

All Principal Buildings, Accessory Buildings and Structures combined shall not cover more than 30% of the Area of Lot A [DD EE90338], Section 11 and Suburban Lot 49, Esquimalt District, Plan 17985.

(6) **Floor Area Ratio**

The total combined Floor Area Ratio for the development of Lot A [DD EE90338], Section 11 and Suburban Lot 49, Esquimalt District, Plan 17985 shall not exceed .35.

(7) **Siting Requirements**

(a) **Residential Buildings:**

- (i) Front Setback: No residential Building shall be located within 3.35 metres of the Front Lot Line.
- (ii) Side Setback: No residential Building shall be located within 1.5 metres of any Interior Side Lot Line or within 3.56 metres of any Exterior Side Lot Line.

(iii) Rear Setback: No residential Building shall be located within 1.5 metres of a Rear Lot Line.

(b) **Accessory Buildings:**

(i) Front Setback: No Accessory Building shall be located within 7.46 metres of the Front Lot Line.

(ii) Side Setback: No Accessory Building shall be located within 2.1 metres of any Interior side Lot Line or within 3.6 metres of any Exterior Side Lot Line.

(iii) Rear Setback: No Accessory Building shall be located within 1.5 metres of a Rear Lot Line.

(8) **Fencing**

Subject to Section 22, no fence shall exceed a Height of 1.2 metres in front of the front face of the Principal Buildings closest to Admirals Road and 2 metres behind the front face of that Building.

(9) **Off Street Parking**

(a) Notwithstanding Section 13 of Parking Bylaw No. 2011, the number of off street parking stalls shall be provided in the ratio of 1.75 stalls for each Dwelling Unit.

67.9 **COMPREHENSIVE DEVELOPMENT DISTRICT NO. 15 [CD NO. 15]**

In that Zone designated as CD No. 15 [Comprehensive Development District No. 15], 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) Single Family Residential;
- (b) Home Occupation.

(2) **Parcel Size**

The minimum Parcel Size of fee simple Parcels created by subdivision shall be 1053 square metres.

(3) **Density**

The number of Dwelling Units permitted on Lot 3, Section 10, Esquimalt District, Plan 6105 shall be limited to two [3] or a density of one unit per 526 square metres.

(4) **Building Height**

- (a) No residential Building shall exceed a Height of 7.3 metres.
- (b) No Accessory Building shall exceed a Height of 3.6 metres.

(5) **Lot Coverage**

All Principal Buildings, Accessory Buildings and Structures combined shall not cover more than 30% of the Area of Lot 3, Section 10, Esquimalt District, Plan 6105.

(6) **Floor Area Ratio**

The total combined Floor Area Ratio for the development of Lot 3, Section 10, Esquimalt District, Plan 6105 shall not exceed 0.35.

(7) **Siting Requirements**

(a) **Residential Buildings:**

- (i) Front Setback: No residential Building shall be located within 7.3 metres of the Front Lot Line.
- (ii) Side Setback: No residential Building shall be located within 1.5 metres of any Interior Side Lot Line.
- (iii) Rear Setback: No residential Building shall be located within 1.5 metres of a Rear Lot Line.

(b) **Accessory Buildings:**

- (i) Front Setback: No Accessory Building shall be located in front of the front face of the Dwelling Unit located closest to Craigflower Road.
- (ii) Side Setback: No Accessory Building shall be located within 1.5 metres of any Interior Side Lot Line.
- (iii) Rear Setback: No Accessory Building shall be located within 1.5 metres of a Rear Lot Line.
- (iv) Building Separation: No Accessory Building shall be located within 2.5 metres of a Principal Building.

(8) **Fencing**

Subject to Section 22, no fence shall exceed a Height of 1.2 metres in front of the front face of the Principal Building closest to Craigflower Road and 2 metres behind the front face of that Building.

(9) **Off Street Parking**

- (a) Notwithstanding Section 13 of Parking Bylaw No. 2011, the number of off street parking stalls shall be provided in the ratio of two stalls for each Dwelling Unit.

67.10 COMPREHENSIVE DEVELOPMENT DISTRICT NO. 17 [CD NO. 17]

In that Zone designated as CD No. 17 [Comprehensive Development District No. 17], 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 to this Part.

(1) Permitted Uses

The following Uses and no others shall be permitted:

- (a) Single Family Residential;
- (b) Home Occupation.

(2) Parcel Size

The minimum Parcel Size of fee simple Parcels created by subdivision shall be 841 square metres.

(3) Density

The number of Dwelling Units permitted on Lot 1, Section 11, Esquimalt District, Plan 5564 shall be limited to two [2] for a density of one unit per 420 square metres.

(4) Building Height

- (a) No residential Building shall exceed a Height of 6.5 metres.
- (b) No Accessory Building shall exceed a Height of 3.6 metres.

(5) Lot Coverage

All Principal Buildings, Accessory Buildings and Structures combined shall not cover more than 26% of the Area of Lot 1, Section 11, Esquimalt District, Plan 5564.

(6) Floor Area Ratio

The total combined Floor Area Ratio for the development of Lot 1, Section 11, Esquimalt District, Plan 5564 shall not exceed .36.

(7) Siting Requirements

(a) Residential Buildings:

- (i) Front Setback: No Residential Building shall be located within 8.3 metres of the Front Lot Line.
- (ii) Side Setbacks: No Residential Building shall be located within 2.84 metres of any Interior Side Lot Line nor within 4.38 metres of any Exterior Side Lot Line.
- (iii) Rear Setback: No Residential Building shall be located within 6.1 metres of a Rear Lot Line.

(iv) Building Separation: No Residential Building shall be located within 4.38 metres of any other Residential Building.

(b) **Accessory Buildings:**

(i) Front Setback: No Accessory Building shall be located in front of the front face of the Dwelling Unit fronting on Wychbury Avenue or in front of the front face of the Dwelling Unit fronting on Kinver Street.

(ii) Side Setbacks: No Accessory Building shall be located within 1.5 metres of any Interior Side Lot Line nor within .36 metres of any Exterior Side Lot Line.

(iii) Rear Setback: No Accessory Building shall be located within 1.5 metres of a Rear Lot Line.

(iv) Building Separation: No Accessory Building shall be located within 2.5 metres of a Principal Building.

(8) **Fencing**

Subject to Section 22, no fence shall exceed a Height of 1.2 metres in front of the front face of either Dwelling Unit and no fence shall exceed a Height of 2 metres behind the front face of either Dwelling Unit.

(9) **Off street Parking**

Notwithstanding Section 13 of Parking Bylaw No. 2011, the number of off street parking stalls shall be provided in the ratio of one stall for each Dwelling Unit.

67.11 COMPREHENSIVE DEVELOPMENT DISTRICT NO. 18 [CD NO. 18]

In that Zone designated as CD No. 18 [Comprehensive Development District No. 18], 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) Single Family Residential
- (b) Home Occupation

(2) Parcel Size

The minimum Parcel Size of fee simple Parcels created by subdivision shall be 2494 square metres.

(3) Density

The number of Dwelling Units permitted on Lots 1 and 2, Section 11, Esquimalt District, Plan 31508 shall be limited to three ([3] for a density of one unit per 831 square metres.

(4) Building Height

- (a) No residential Building shall exceed a Height of 8.8 metres.
- (b) No Accessory Building shall exceed a Height of 3.6 metres.

(5) Lot Coverage

All Principal Buildings, Accessory Buildings and Structures combined shall not cover more than 22% of the Area of the consolidated Lots 1 and 2, Section 11, Esquimalt District, Plan 31508.

(6) Floor Area Ratio

The total combined Floor Area Ratio for the development of Lots 1 and 2, Section 11, Esquimalt District, Plan 31508 shall not exceed .31.

(7) Siting Requirements

(a) Residential Buildings:

- (i) Front Setback: No residential Building shall be located within 20.1 metres of the Front Lot Line.
- (ii) Side Setback: No residential Building shall be located within 1.5 metres of any Interior Side Lot Line.
- (iii) Rear Setback: No residential Building shall be located within 7.62 metres of a Rear Lot Line.

(b) **Accessory Buildings:**

- (i) Front Setback: No Accessory Building shall be located within 30.3 metres of the Front Lot Line.
- (ii) Side Setback: No Accessory Building shall be located within 1.5 metres of any Interior Side Lot Line.
- (iii) Rear Setback: No Accessory Building shall be located within 7.62 metres of a Rear Lot Line.

(8) **Fencing**

Subject to Section 22, no fence shall exceed a Height of 1.2 metres in front of the front face of the Principal Building closest to Munro Street and 2 metres behind the front face of that Building.

(9) **Off Street Parking**

- (a) Notwithstanding Section 13 of Parking Bylaw No. 2011, the number of off street parking stalls shall be provided in the ratio of one stall for each Dwelling Unit.

67.12 COMPREHENSIVE DEVELOPMENT DISTRICT NO. 19 [CD NO. 19]

In that Zone designated as CD No. 19 [Comprehensive Development District No. 19], 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 an 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) Single Family Residential;
- (b) Home Occupation.

(2) Parcel Size

The minimum Parcel Size of fee simple Parcels created by subdivision shall be 1092 square metres.

(3) Density

The number of Dwelling Units permitted on Lot 7, Section 10, Esquimalt District, Plan 6105 shall be limited to two [2] for a density of one unit per 546 square metres.

(4) Building Height

- (a) No residential Building shall exceed a Height of 7.0 metres.
- (b) No Accessory Building shall exceed a Height of 3.6 metres.

(5) Lot Coverage

All Principal Buildings, Accessory Buildings and Structures combined shall not cover more than 22% of the Area of Lot 7, Section 10, Esquimalt District, Plan 6105.

(6) Floor Area Ratio

The total combined Floor Area Ratio for the development of Lot 7, Section 10, Esquimalt District, Plan 6105 shall not exceed .28.

(7) Siting Requirements

(a) Residential Buildings:

- (i) Front Setback: No residential Building shall be located within 8.2 metres of the Front Lot Line.
- (ii) Side Setbacks: No residential Building shall be located within 1.79 metres of any Interior Lot Line.
- (iii) Rear Setback: No residential Building shall be located within 7.6 metres of a Rear Lot Line.
- (iv) Building Separation: No residential Building shall be located within 4.5

metres of any other residential Building.

(b) **Accessory Buildings:**

- (i) Front Setback: No Accessory Building shall be located in front of the front face of the Dwelling Unit fronting on Craigflower Road.
- (ii) Side Setbacks: No Accessory Building shall be located within 1.5 metres of any Interior Side Lot Line.
- (iii) Rear Setback: No Accessory Building shall be located within 1.5 metres of a Rear Lot Line.
- (iv) Building Separation: No Accessory Building shall be located within 2.5 metres of a Principal Building.

(8) **Fencing**

Subject to Section 22, no fence shall exceed a Height of 1.2 metres in front of the front face of the Dwelling Unit nearest to Craigflower Road and no fence shall exceed a Height of 2 metres behind the front face of the Dwelling Unit nearest to Craigflower Road.

(9) **Off street Parking**

The number of off street parking stalls shall be provided in the ratio of two stalls for each Dwelling Unit.

67.13 COMPREHENSIVE DEVELOPMENT DISTRICT NO. 21 [CD NO. 21]

In that Zone designated as CD No. 21 [Comprehensive Development District No. 21], 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) Single Family Residential;
- (b) Home Occupation;

(2) **Parcel Size**

The minimum Parcel Size of fee simple Parcels created by subdivision shall be 1053 square metres.

(3) **Density**

The number of Dwelling Units permitted on Lot 8, Section 10, Esquimalt District, Plan 6105 shall be limited to two [2] for a density of one unit per 526 square metres.

(4) **Building Height**

- (a) No residential Building shall exceed a Height of 7.0 metres.
- (b) No Accessory Building shall exceed a Height of 3.6 metres.

(5) **Lot Coverage**

All Principal Buildings, Accessory Buildings and Structures combined shall not cover more than 22% of the Area of Lot 8, Section 10, Esquimalt District, Plan 6105.

(6) **Floor Area Ratio**

The total combined Floor Area Ratio for the development of Lot 8, Section 10, Esquimalt District, Plan 6105 shall not exceed .30.

(7) **Siting Requirements**

(a) **Residential Buildings:**

- (i) Front Setback: No residential Building shall be located within 12.0 metres of the Front Lot Line.
- (ii) Side Setbacks: No residential Building shall be located within 1.5 metres of any Interior Lot Line.

- (iii) Rear Setback: No residential Building shall be located within 7.5 metres of the Rear Lot Line.
- (iv) Building Separation: No residential Building shall be located within 4.5 metres of any other residential Building.

(b) **Accessory Buildings:**

- (i) Front Setback: No Accessory Building shall be located in front of the front face of the Dwelling Unit fronting on Craigflower Road.
- (ii) Side Setbacks: No Accessory Building shall be located within 1.5 metres of any Interior Side Lot Line.
- (iii) Rear Setback: No Accessory Building shall be located within 1.5 metres of a Rear Lot Line.
- (iv) Building Separation: No Accessory Building shall be located within 2.5 metres of a Principal Building.

(8) **Fencing**

Subject to Section 22, no fence shall exceed a Height of 1.2 metres in front of the front face of the Dwelling Unit nearest to Craigflower Road and no fence shall exceed a Height of 2 metres behind the front face of the Dwelling Unit nearest to Craigflower Road.

(9) **Off street Parking**

The number of off street parking stalls shall be provided in the ratio of two stalls for each Dwelling Unit.

67.14 COMPREHENSIVE DEVELOPMENT DISTRICT NO. 22 [CD NO. 22]

In that zone designated as CD No. 22 [Comprehensive Development District No. 22], 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) Single Family Residential
- (b) Home Occupation

(2) **Parcel Size**

The minimum Parcel Size of fee simple Parcels created by subdivision shall be 1081 square metres.

(3) **Density**

The number of Dwelling Units permitted on Lot 4, Section 11, Esquimalt District, Plan 4618 shall be limited to two [2] for a density of one unit per 540 square metres.

(4) **Building Height**

- (a) No residential Building shall exceed a Height of 7.3 metres.
- (b) No Accessory Building shall exceed a Height of 3.6 metres.

(5) **Lot Coverage**

All Principal Buildings, Accessory Buildings and Structures combined shall not cover more than 21% of the area of Lot 4, Section 11, Esquimalt District Plan 4618.

(6) **Floor Area Ratio**

The total combined Floor Area Ratio for the development of Lot 4, Section 11, Esquimalt District, Plan 4618 shall not exceed .35.

(7) **Siting Requirements**

(a) **Residential Buildings:**

- (i) Front Setback: No residential Building shall be located within 16.25 metres of the Front Lot Line.

- (ii) Side Setbacks: No residential Building shall be located within 1.5 metres of the north Interior Lot Line or within 4.0 metres of the south Interior Lot Line.
- (iii) Rear Setback: No residential Building shall be located within 5.0 metres of the Rear Lot Line.
- (iv) Building Separation: No residential Building shall be located within 12.3 metres of any other residential Building.

(b) **Accessory Buildings:**

- (i) Front Setback: No Accessory Building shall be located in front of the front face of the Dwelling Unit fronting on Lampson Street.
- (ii) Side Setbacks: No Accessory Building shall be located within 1.5 metres on any Interior Side Lot Line.
- (iii) Rear Setback: No Accessory Building shall be located within 1.5 metres of the Rear Lot Line.
- (iv) Building Separation: No Accessory Building shall be located within 2.5 metres of a Principal Building.

(9) **Fencing**

Subject to Section 22, no fence shall exceed a Height of 1.2 metres in front of the front face of the Dwelling Unit nearest to Lampson Street and no fence shall exceed a Height of 2 metres behind the front face of the Dwelling Unit nearest to Lampson Street.

(10) **Off street Parking**

The number of off street parking stalls shall be provided in the ratio of two stalls for each Dwelling Unit.

67.15 COMPREHENSIVE DEVELOPMENT DISTRICT NO. 23 [CD NO. 23]

In that zone designated as CD No. 23 [Comprehensive Development District No. 23], 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 bylaw.

(1) Permitted Uses

The following Uses and no others shall be permitted:

- (a) multiple Family residential
- (b) church
- (c) parish hall
- (d) meeting rooms
- (e) guest suite

(2) Parcel Size

The minimum Parcel size of fee simple Parcels created by subdivision shall be 6284 square metres.

(3) Density

The number of Dwelling Units permitted on Lots 1, 2, 3, 4 and 5, Suburban Lot 27, Section 339MA, Esquimalt District, Plan 5092 shall be limited to thirty-nine [39] plus [1] guest suite for a density of one unit per 157 square metres.

(4) Building Height

- (a) No residential Building shall exceed a Height of 20 metres.
- (b) No Institutional Building shall exceed a Height of 20 metres.
- (c) No Accessory Building shall exceed a Height of 3.6 metres.

(5) Lot Coverage

All Principal Buildings, Accessory Buildings and Structures combined shall not cover more than 30% of the combined area of Lots 1, 2, 3, 4 and 5, Suburban Lot 27, Section 339MA, Esquimalt District, Plan 5092.

(6) Floor Area Ratio

The total combined Floor Area Ratio for the development of Lots 1, 2, 3, 4 and 5, Suburban Lot 27, Section 339MA, Esquimalt District, Plan 5092 shall not exceed 1.00.

(7) **Siting Requirements**

(a) **Residential Buildings:**

- (i) No residential Building shall be located within 17.0 metres of Esquimalt Road.
- (ii) No residential Building shall be located within 8.5 metres of Grafton Street.
- (iii) No residential Building shall be located within 4.5 metres of the south property line or within 12.0 metres of the east property line.
- (iv) Building Separation: No residential Building shall be located within 4.5 metres of any other residential Building.

(b) **Accessory Buildings**

- (i) No Accessory Building shall be located in front of the Buildings fronting onto Grafton Street or Esquimalt Road.
- (ii) No Accessory Building shall be located within 1.5 metres of the east or south property lines.
- (iii) Building Separation: No Accessory Building shall be located within 2.5 metres of a Principal Building.

(8) **Fencing**

Subject to Section 22, no fence shall exceed a Height of 1.2 metres along the Grafton Street or Esquimalt Road frontages. No fence shall exceed a Height of 2.0 metres along the east and south property lines.

(9) **Off street Parking**

The number of off street parking stalls shall be provided in the ratio of 0.5 stalls for the residential units and 1 space per 10 seats within the church for a total of 45 parking stalls.

67.16 COMPREHENSIVE DEVELOPMENT DISTRICT NO. 24 [CD NO. 24]

In that Zone designated as CD No. 24 [Comprehensive Development District No. 24], 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 to this Part.

(1) Permitted Uses

The following Uses and no others shall be permitted:

- (a) Single Family Residential;
- (b) Home Occupation.

(2) Parcel Size

The minimum Parcel Size of fee simple Parcels created by subdivision shall be 978 square metres.

(3) Density

The number of Dwelling Units permitted on Amended Lot 7 [DD247591i], Block C, Suburban Lot 49, Esquimalt District, Plan 4618 shall be limited to two [2] for a density of one unit per 489 square metres.

(4) Building Height

- (a) No residential Building shall exceed a Height of 7.3 metres.
- (b) No Accessory Building shall exceed a Height of 3.6 metres.

(5) Lot Coverage

All Principal Buildings, Accessory Buildings and Structures combined shall not cover more than 25% of the Area of Amended Lot 7 [DD247591i], Block C, Suburban Lot 49, Esquimalt District, Plan 4618.

(6) Floor Area Ratio

The total combined Floor Area Ratio for the development of Amended Lot 7 [DD247591i], Block C, Suburban Lot 49, Esquimalt District, Plan 4618 shall not exceed .34.

(7) Siting Requirements

(a) Residential Buildings:

- (i) Front Setback: No residential Building shall be located within 4.4 metres of the Front Lot Line.
- (ii) Side Setbacks: No residential Building shall be located within 0.9 metres of any Interior Side Lot Line.
- (iii) Rear Setback: No residential Building shall be located within 7.5 metres

of any other residential Building.

- (iv) Building Separation: No residential Building shall be located within 6.0 metres of any other residential Building.

(b) **Accessory Buildings:**

- (i) Front Setback: No Accessory Building shall be located in front of the front face of the Dwelling Unit furthest from Constance Avenue.
- (ii) Side Setbacks: No Accessory Building shall be located within 1.5 metres of any Interior Side Lot Line.
- (iii) Rear Setback: No Accessory Building shall be located within 1.5 metres of a Rear Lot Line.
- (iv) Building Separation: No Accessory Building shall be located within 2.5 metres of a Principal Building.

(8) **Fencing**

West Side: Subject to Section 22, no fence shall exceed a Height of 1.2 metres along that side of the property.

North Side: Subject to Section 22, no fence shall exceed a Height of 1.2 metres along that portion of the north property line which is in front of the front face of Dwelling Unit A and no fence shall exceed a Height of 2.0 metres behind the front face of Dwelling Unit A.

East Side: Subject to Section 22, no fence shall exceed a Height of 2.0 metres along the east property line.

South Side: Subject to Section 22, no fence shall exceed a Height of 1.2 metres along that portion of the south Lot Line which is in front of the front face of Dwelling Unit B and no fence shall exceed a Height of 2.0 metres behind the front face of Dwelling Unit B.

(9) **Off street Parking**

Notwithstanding Section 13 of Parking Bylaw No. 2011, the number of off street parking stalls shall be provided in the ratio of one stall for each Dwelling Unit.

67.17 COMPREHENSIVE DEVELOPMENT DISTRICT NO. 26 [CD NO. 26]

In that Zone designed as CD No. 26 [Comprehensive Development District No. 26], 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) Single Family Residential
- (b) Home Occupation

(2) Parcel Size

The minimum Parcel size of fee simple Parcels created by subdivision shall be 816 square metres.

(3) Density

The number of Dwelling Units permitted on Lot A, Section 11, Esquimalt District, Plan VIP 60066 shall be limited to two [2] for a density of one unit per 408 square metres.

(4) Building Height

- (a) No residential Building shall exceed a Height of 7.65 metres.
- (b) No Accessory Building shall exceed a Height of 3.6 metres.

(5) Lot Coverage

All Principal Buildings, Accessory Buildings and Structures combined shall not cover more than 26% of the area of Lot A, Section 11, Esquimalt District Plan VIP 60066.

(6) Floor Area Ratio

The total combined Floor Area Ratio for the development of Lot A, Section 11, Esquimalt District, Plan VIP 60066 shall not exceed .32.

(7) Siting Requirements

(a) Residential Buildings:

- (i) Front Setback: No residential Building shall be located within 5.95 metres of the Front Lot Line.
- (ii) Side Setbacks: No residential Building shall be located within 1.5 metres of any Interior Lot Line.
- (iii) Rear Setback: No residential Building shall be located within 10.4 metres of the Rear Lot Line.
- (iv) Building Separation: No residential Building shall be located within 3.5

metres of any other residential Building.

(b) **Accessory Buildings:**

- (i) Front Setback: No Accessory Building shall be located in front of the front face of the Dwelling Unit nearest to Wychbury Avenue.
- (ii) Side Setbacks: No Accessory Building shall be located within 1.5 metres on any Interior Side Lot Line.
- (iii) Rear Setback: No Accessory Building shall be located within 1.5 metres of the Rear Lot Line.
- (iv) Building Separation: No Accessory Building shall be located within 2.5 metres of a Principal Building.

(8) **Fencing**

Subject to Section 22, no fence shall exceed a Height of 1.2 metres in front of the front face of the Dwelling Unit nearest to Wychbury Street and no fence shall exceed a Height of 2.0 metres behind the front face of the Dwelling Unit nearest to Wychbury Avenue.

(9) **Off street Parking**

The number of off street parking stalls shall be provided in the ration of one stall for each Dwelling Unit.

67.18 COMPREHENSIVE DEVELOPMENT DISTRICT NO. 27 [CD NO.27]

In that Zone designed as CD No. 27 [Comprehensive Development District No. 27] 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) Single Family Residential
- (b) Home Occupation

(2) Parcel Size

The minimum Parcel size of fee simple Parcels created by subdivision shall be 2228 square metres.

(3) Density

The number of Dwelling Units permitted on Lots 9 and 10, Section 10, Esquimalt District, Plan 5563 shall be limited to four [4] for a density of one unit per 557 square metres.

(4) Building Height

- (a) No residential Building shall exceed a Height of 7.62 metres.
- (b) No Accessory Building shall exceed a Height of 3.6 metres.

(5) Lot Coverage

All Principal Buildings, Accessory Buildings and Structures combined shall not cover more than 19% of the area of Lots 9 and 10, Section 10, Esquimalt District Plan 5563.

(6) Floor Area Ratio

The total combined Floor Area Ratio for the development of Lots 9 and 10, Section 10, Esquimalt District, Plan 5563 shall not exceed .21.

(7) Siting Requirements

(a) Residential Buildings:

- (i) Front Setback: No residential Building shall be located within 7.5 metres of the Front Lot Line.
- (ii) Side Setbacks: No residential Building shall be located within 3.0 metres of the southern Lot Line.
- (iii) Side Setbacks: No residential Building shall be located within 19.0 metres of the northern Lot Line.

- (iv) Rear Setback: No residential Building shall be located within 5.4 metres of the Rear Lot Line.
- (v) Building Separation: No residential Building shall be located within 5.4 metres of any other residential Building.

(b) **Accessory Buildings:**

- (i) Front Setback: No Accessory Building shall be located in front of the front face of the Dwelling Unit nearest to Lampson Street.
- (ii) Side Setbacks: No Accessory Building shall be located within 14.6 metres on any Interior Side Lot Line.
- (iii) Rear Setback: No Accessory Building shall be located within 18. metres of the Rear Lot Line.
- (iv) Building Separation: No Accessory Building shall be located within 6.7 metres of a Principal Building.

(8) **Fencing**

Subject to Section 22, no fence shall exceed a Height of 1.2 metres in front of the front face of either Dwelling Unit nearest to Lampson Street and no fence shall exceed a Height of 2. metres behind the front face of either Dwelling Unit nearest to Lampson Street.

(9) **Off street Parking**

The number of off street parking stalls shall be provided in the ratio of 1.25 stalls for each Dwelling Unit.

67.19 COMPREHENSIVE DEVELOPMENT DISTRICT NO. 28 [CD NO. 28]

In that Zone designed as CD No. 28 [Comprehensive Development District No. 28], 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) Apartment Dwellings
- (b) Townhouse Dwellings
- (c) Home Occupation

(2) Parcel Size

The minimum Parcel size of fee simple Parcels created by subdivision shall be 13,000 square metres.

(3) Density

The number of Dwelling Units permitted within CD Zone 28 shall not exceed the following:

13 Townhouse Dwellings
98 Apartment Dwellings
Total: 110

(4) Building Height

- (a) No residential Building shall exceed a Height of 20.5 metres.

(5) Lot Coverage

Lot coverage for all Principal Buildings, Accessory Buildings and Structures combined shall not exceed 32% of the area of the Parcel.

(6) Floor Area Ratio

The total Floor Area Ratio for all Buildings within CD Zone 28 shall not exceed 1.0.

(7) Siting Requirements

(a) Residential Buildings:

- (i) Front Setback [Craigflower Road]: No Building containing Townhouse Dwellings shall be located within 6.2 metres of the Front Lot Line. No Building containing Apartment Dwellings shall be located within 25.5 metres of the Front Lot Line.
- (ii) Side Setbacks: No residential Building shall be located within 2.4 metres of any Side Lot Line.

- (iii) Rear Setback: No Building shall be located within 2.4 metres of the Rear Lot Line.
- (iv) Building Separation: No residential Building shall be located within 3.5 metres of any other residential Building.

(8) **Off street Parking**

The number of off street parking stalls shall be provided in the ratio of 1.61 stalls for each Dwelling Unit.

67.20 COMPREHENSIVE DEVELOPMENT DISTRICT NO. 30 [CD NO. 30]

In that Zone designed as CD No. 30 [Comprehensive Development District No. 30] 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) Single Family Residential
- (b) Home Occupation

(2) Parcel Size

The minimum Parcel size of fee simple Parcels created by subdivision shall be 802 square metres.

(3) Density

The number of Dwelling Units permitted on Lot 4, Block 3, Section 11, Esquimalt District, Plan 6016 shall be limited to two [2] for a density of one unit per 401 square metres.

(4) Building Height

- (a) No residential Building shall exceed a Height of 7.35 metres.
- (b) No Accessory Building shall exceed a Height of 3.6 metres.

(5) Lot Coverage

All Principal Buildings, Accessory Buildings and Structures combined shall not cover more than 26% of the area of Lot 4, Block 3, Section 11, Esquimalt District, Plan 6016.

(6) Floor Area Ratio

The total combined Floor Area Ratio for the development of Lot 4, Block 3, Section 11, Esquimalt District, Plan 6016 shall not exceed .35.

(7) Siting Requirements

(a) Residential Buildings:

- (i) Front Setback: No residential Building shall be located within 9.0 metres of the Front Lot Line.
- (ii) Side Setbacks: No residential Building shall be located within 1.5 metres of any Interior Lot Line.

- (iii) Rear Setback: No residential Building shall be located within 13.0 metres of the Rear Lot Line.
- (iv) Building Separation: No residential Building shall be located within 4.5 metres of any other residential Building.

(b) **Accessory Buildings:**

- (i) Front Setback: No Accessory Building shall be located in front of the front face of the Dwelling Unit.
- (ii) Side Setbacks: No Accessory Building shall be located within 1.5 metres on any Interior Side Lot Line.
- (iii) Rear Setback: No Accessory Building shall be located within 1.5 metres of the Rear Lot Line.
- (iv) Building Separation: No Accessory Building shall be located within 2.5 metres of a Principal Building.

(8) **Fencing**

Subject to Section 22, no fence shall exceed a Height of 1.2 metres in front of the front face of either Dwelling Unit and no fence shall exceed a Height of 1.8 metres behind the front face of either Dwelling Unit.

(9) **Off street Parking**

The number of off street parking stalls shall be provided in the ratio of one stall for each Dwelling Unit.

67.21 COMPREHENSIVE DEVELOPMENT DISTRICT NO. 31 [CD NO. 31]

In that zone designated as CD No. 31 [Comprehensive Development District No. 31], 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) Home Occupation

(2) Parcel Size

The Minimum Parcel size of fee simple parcels created by subdivision shall be 867 square metres.

(3) Density

The number of Dwelling Units permitted on Lot 13, Section 11, Esquimalt District, Plan 330 shall be limited to four [4] for a density of one unit per 216 square metres.

(4) Building Height

- (a) No Residential Building shall exceed a Height of 8.7 metres.
- (b) No Accessory Building shall exceed a Height of 3.6 metres.

(5) Lot Coverage

All Principal Buildings, Accessory Buildings and Structures combined shall not cover more than 35% of the area of Lot 13, Section 11, Esquimalt District Plan 330.

(6) Floor Area Ratio

The total combined Floor Area Ratio for the development of Lot 13, Section 11, Esquimalt District, Plan 330 shall not exceed .72.

(7) Siting Requirements

(a) Residential Buildings:

- (i) Front Setback: No Residential Building shall be located within 7.9 metres of the Front Lot Line.
- (ii) Side Setbacks: No Residential Building shall be located within 3.9 metres of any Interior Lot Line.

- (iii) Side Setbacks: No Residential Building shall be located within 3.9 metres of any Exterior Lot Line.
- (iv) Rear Setback: No Residential Building shall be located within 2.4 metres of the Rear Lot Line.
- (v) Building Separation: No Residential Building shall be located within 9.7 metres of any other Residential Building.

(b) **Accessory Buildings:**

- (i) Front Setback: No Accessory Building shall be located within the front yard or the exterior side yard.
- (ii) Side Setbacks: No Accessory Building shall be located within 1.5 metres on any Interior Side Lot Line.
- (iii) Rear Setback: No Accessory Building shall be located within 1.5 metres of the Rear Lot Line.
- (iv) Building Separation: No Accessory Building shall be located within 2.5 metres of a Principal Building.

(8) **Fencing**

Subject to Section 22, no fence shall exceed a Height of 1.2 metres along the Dunsmuir Road frontage or along the Sea Terrace frontage.

(9) **Off-Street Parking**

The number of off street parking stalls shall be provided in the ratio of one [1] stall for each Dwelling Unit.

67.22 COMPREHENSIVE DEVELOPMENT DISTRICT NO. 32 [CD NO. 32]

In that zone designated as CD No. 32 [Comprehensive Development District No. 32], 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) Single Family Residential
- (b) Home Occupation

(2) Parcel Size

The minimum Parcel size of fee simple Parcels created by subdivision shall be 5580 square metres.

The average size of bare land strata lots will be 250 square metres with no lot being less than 232 square metres.

(3) Density

The number of Dwelling Units permitted on Lots 1 to 18 , Section 10, Esquimalt District, Plan VIS5131 shall be limited to eighteen [18] for a density of one unit per 310 square metres.

(4) Building Height

- (a) No Principal Building shall exceed a Height of 8.6 metres.
- (b) No Accessory Building shall exceed a Height of 3.6 metres.

(5) Lot Coverage

All Principal Buildings, Accessory Buildings and Structures combined shall not cover more than 50% of the area of the Parcel.

(6) Floor Area Ratio

The total combined Floor Area Ratio for the development of Lot 1, Section 10, Esquimalt District, Plan VIP 72764 shall not exceed 0.60.

(7) Siting Requirements

- (a) **Principal Buildings:**

- (i) Front Setback: No Principal Building shall be located within 4.5 metres of the Front Lot Line.
- (ii) Side Setbacks: No Principal Building shall be located within 1.5 metres of any interior Lot Line.
- (iii) Side Setbacks: No Principal Building shall be located within 1.5 metres of any Exterior Side Lot Line.
- (iii) Rear Setback: No Principal Building shall be located within 4.5 metres of the Rear Lot Line.
- (iv) Building Separation: No Principal Building shall be located within 3.0 metres of any other residential Building.

(b) **Accessory Buildings:**

- (i) Front Setback: No Accessory Building shall be located in front of the Principal Building.
- (ii) Side Setback: No Accessory Building shall be located within 1.5 metres of any Side Lot Line.
- (iii) Rear Setback: No Accessory Building shall be located within 1.5 metres of a Rear Lot Line.
- (iv) Building Separation: No Accessory Building shall be located within 2.5 metres of any Principal Building.

(8) **Fencing**

Subject to Section 22, no fence shall exceed a Height of 1.2 metres along the Colville Road frontage or a Height of 2.0 metres along the east, south and west property lines.

(9) **Off Street Parking**

The number of off street parking spaces shall be provided in the ratio of one [1] stall for each Dwelling Unit.

67.23 COMPREHENSIVE DEVELOPMENT DISTRICT NO. 33 [CD NO. 33]

In that zone designated as CD No. 33 [Comprehensive Development District No. 33], 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 to this Part.

(1) Permitted Uses

The following uses and no others shall be permitted:

- (a) Apartment Use

(2) Parcel Size

The minimum Parcel Size of fee simple Parcels created by subdivision shall be 1990 square metres.

(3) Number of Buildings

Not more than one [1] Apartment Building shall be erected, constructed, placed or maintained on any one Parcel of land.

(4) Floor Area

No Apartment Building shall have a Floor Area in excess of 2985 square metres. For the purpose of calculating lot coverage, that Area of Lot 1, Section 11, Esquimalt District, Plan VIP 72764 that has been dedicated for park use is included in the Parcel Area.

(5) Lot Coverage

All Principal Buildings, Accessory Buildings and Structures combined shall not cover more than 45% of the Area of Lot 8, Section 21, Esquimalt District, Plan 2538. For the purpose of calculating lot coverage, that Area of Lot 8, Section 21, Esquimalt District, Plan 2538 which has been dedicated for park use is included in the Parcel Area.

(6) Building Height

No part of any Building shall exceed 13.0 metres in Height.

(7) Number of Dwelling Units

The maximum number of Dwelling Units on Lot 8, Section 21, Esquimalt District Plan 2538 shall be 40.

(8) Siting Requirements

- (a) **Residential Buildings**

- (i) Front Setback: No Building or Structure intended for residential Use shall be located within 6.0 metres of the Front Lot Line [i.e. Esquimalt Road].
- (ii) Rear Setback: No Building or Structure intended for residential Use shall be located within 19.4 metres of the Rear Lot Line.
- (iii) Side Setback: No Building or Structure intended for residential Use shall be located within 2.1 metres of any Interior Side Lot Line.

(b) **Accessory Buildings**

- (i) Front Setback: No Accessory Building or Structure shall be located in front of the front face of the Principal Building metres of the Front Lot Line.

(9) **Landscaping and Open Space**

- (a) Landscaped Open Space shall be provided and maintained along the Esquimalt Road and Grafton Street frontages.
- (b) Usable Open Space shall be provided in an amount of not less than 10% of the Area of the Parcel.

(10) **Fencing**

No fence bordering the Front Lot Line or any Exterior Side Lot Line shall exceed a Height of 1.2 metres and no fence bordering the Rear Lot Line or any Interior Side Lot Line shall exceed a height of 2.0 metres.

(11) **Parking**

Off street parking shall be provided in accordance with the requirements of Parking Bylaw No. 2011.

67.24 COMPREHENSIVE DEVELOPMENT DISTRICT NO. 34 [CD NO. 34]

In that zone designated as CD No. 34 [Comprehensive Development District No. 34], 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) Single Family Residential
- (b) Home Occupation

(2) Parcel Size

The minimum Parcel size of fee simple Parcels created by subdivision shall be 751 square metres.

(3) Density

The number of Dwelling Units permitted on Lot 6, Suburban Lot 47, Esquimalt District, Plan 722A shall be limited to two (2) for a density of one (1) unit per 375 square metres.

(4) Building Height

- (a) No Principal Building shall exceed a Height of 6.4 metres.
- (b) No Accessory Building shall exceed a Height of 3.6 metres.

(5) Lot Coverage

All Principal Buildings, Accessory Buildings and Structures combined shall not cover more than 28% of the area of Lot 6, Suburban Lot 47, Esquimalt District, Plan 722A.

(6) Floor Area Ratio

The total combined Floor Area Ratio for the development of Lot 6, Suburban Lot 47, Esquimalt District, Plan 722A shall not exceed 0.36.

(7) Siting Requirements

(a) Principal Buildings:

- (i) Front Setback: No Principal Building shall be located within 7.6 metres of the Front Lot Line.
- (ii) Side Setbacks: No Principal Building shall be located within 1.5 metres of any Interior Side Lot Line.

- (v) Rear Setback: No Principal Building shall be located within 13.3 metres of the Rear Lot Line.
- (vi) Building Separation: No Principal Building shall be located within 3.0 metres of any other Principal Building.

(b) **Accessory Buildings:**

- (I) Front Setback: No Accessory Building shall be located in front of the front face of the Principal Buildings.
- (II) Side Setback: No Accessory Building shall be located within 1.5 metres of any Side Lot Line.
- (III) Rear Setback: No Accessory Building shall be located within 1.5 metres of a Rear Lot Line.
- (iv) Building Separation: No Accessory Building shall be located within 2.5 metres of any Principal Building.

(8) **Fencing**

Subject to Section 22, no fence shall exceed a Height of 1.2 metres in front of the front face of the Dwelling Units or a Height of 2.0 metres behind the front face of the Dwelling Units.

(9) **Off Street Parking**

The number of off street parking spaces shall be provided in the ratio of one [1] stall for each Dwelling Unit.

67.25 COMPREHENSIVE DEVELOPMENT DISTRICT NO. 35 [CD NO. 35]

In that zone designated as CD No.35 [Comprehensive Development District No. 35], 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) Single Family Residential
- (b) Home Occupation

(2) Parcel Size

The Minimum Parcel size of fee simple parcels created by subdivision shall be 840 square metres.

(3) Density

The number of Dwelling Units permitted on Lot 12, Block 2, Section 11, Esquimalt District, Plan 5725 shall be limited to two [2] for a density of one unit per 420 square metres.

(4) Building Height

- (a) No Residential Building shall exceed a Height of 7.3 metres.
- (b) No Accessory Building shall exceed a Height of 3.6 metres.

(5) Lot Coverage

All Principle Buildings, Accessory Buildings and Structures combined shall not cover more than 28% of the area of Lot 12, Block 2, Section 11, Esquimalt District Plan 5725.

(6) Floor Area Ratio

The total combined Floor Area Ratio for the development of Lot 12, Block 2, Section 11, Esquimalt District, Plan 5725 shall not exceed .32.

(7) Siting Requirements

(a) Residential Buildings:

- (i) Front Setback: No Residential Building shall be located within 7.9 metres of the Front Lot Line [i.e. the Greenwood Avenue frontage].
- (ii) Side Setbacks: No Residential Building shall be located within 4.5 metres of the Interior Lot Line or within 4.5 metres of the Exterior Lot Line [i.e. Kinver Street], however the front portico of the Dwelling Unit

on Lot A may be within 3.4 metres of the Exterior Lot Line.

- (iii) Rear Setback: No Residential Building shall be located within 4.5 metres of the Rear Lot Line.
- (iv) Building Separation: No Residential Building shall be located within 5.4 metres of any other Residential Building.

(b) **Accessory Buildings:**

- (i) Front Setback: No Accessory Building shall be located in front of the front face of any Dwelling Unit
- (ii) Side Setbacks: No Accessory Building shall be located within 0.3 metres on any Interior Side Lot Line.
- (iii) Rear Setback: No Accessory Building shall be located within 0.3 metres of the Rear Lot Line.
- (iv) Building Separation: No Accessory Building shall be located within 1.8 metres of a Principal Building.

(8) **Fencing**

Subject to Section 22, no fence shall exceed a Height of 1.2 metres on either the Greenwood or Kinver frontages and no fence shall exceed a Height of 2. metres behind the front face of either of the Dwelling Units.

(9) **Off-Street Parking**

The number of off street parking stalls shall be provided in the ratio of one [1] stall for each Dwelling Unit.

67.26 **COMPREHENSIVE DEVELOPMENT DISTRICT NO. 36 [CD NO. 36]**

In that zone designated as CD No.36 [Comprehensive Development District No. 36], 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) Single Family Residential
- (b) Home Occupation

(2) **Parcel Size**

The Minimum Parcel size of fee simple parcels created by subdivision shall be 898 square metres.

(3) **Density**

The number of Dwelling Units permitted on Lot 1, Section 11, Esquimalt District, Plan 5050 except that part in Plan 14484, shall be limited to two [2] for a density of one unit per 449 square metres.

(4) **Building Height**

- (a) No Residential Building shall exceed a Height of 6.4 metres.
- (b) No Accessory Building shall exceed a Height of 3.6 metres.

(5) **Lot Coverage**

All Principle Buildings, Accessory Buildings and Structures combined shall not cover more than 20% of the area of Lot 1, Section 11, Esquimalt District, Plan 5050 except that part in Plan 14484.

(6) **Floor Area Ratio**

The total combined Floor Area Ratio for the development of Lot 1, Section 11, Esquimalt District, Plan 5050 except Plan 14484 shall not exceed .24.

(7) **Siting Requirements**

(a) **Residential Buildings:**

- (i) Front Setback: No Residential Building shall be located within 8.2 metres of the Front Lot Line [i.e. the Munro Street frontage].
- (ii) Side Setbacks: No Residential Building shall be located within 6.1 metres of the Interior Lot Line or within 4.0 metres of the Exterior Lot Line.

- (iii) Rear Setback: No Residential Building shall be located within 4.6 metres of the Rear Lot Line.
- (iv) Building Separation: No Residential Building shall be located within 4.0 metres of any other Residential Building.

(b) **Accessory Buildings:**

- (i) Front Setback: No Accessory Building shall be located in front of the front face any Dwelling Unit.
- (ii) Side Setbacks: No Accessory Building shall be located within 1.5 metres on any Interior Side Lot Line.
- (iii) Rear Setback: No Accessory Building shall be located within 1.5 metres of the Rear Lot Line.
- (iv) Building Separation: No Accessory Building shall be located within 2.5 metres of a Principal Building.

(8) **Fencing**

Subject to Section 22, no fence shall exceed a Height of 1.2 metres on the Hadfield Avenue or Munro Street frontages and no fence shall exceed a Height of 2. metres on the Rear and Interior Lot Lines.

(9) **Off-Street Parking**

The number of off street parking stalls shall be provided in the ratio of one [1] stall for each Dwelling Unit.

67.27 COMPREHENSIVE DEVELOPMENT DISTRICT NO. 37 [CD NO. 37]

In that zone designated as CD No. 37 [Comprehensive Development District No. 37], 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) Single Family Residential
- (b) Home Occupation

(2) Parcel Size

The Minimum Parcel size of fee simple parcels created by subdivision shall be 1053 square metres.

(3) Density

The number of Dwelling Units permitted on Lot 4, Section 10, Esquimalt District, Plan 6105 shall be limited to two [2] for a density of one [1] unit per 526 square metres.

(4) Building Height

- (a) No Residential Building shall exceed a Height of 7.3 metres.
- (b) No Accessory Building shall exceed a Height of 3.6 metres.

(5) Lot Coverage

All Principle Buildings, Accessory Buildings and Structures combined shall not cover more than 26% of the area of Lot 4, Section 10, Esquimalt District, Plan 6105.

(6) Floor Area Ratio

The total combined Floor Area Ratio for the development of Lot 4, Section 10, Esquimalt District, Plan 6105 shall not exceed .35.

(7) Siting Requirements

(a) Principal Buildings:

- (i) Front Setback: No Principal Building shall be located within 9.1 metres of the Front Lot Line.
- (ii) Side Setbacks: No Principal Building shall be located within 3.6 metres of the west Interior Lot Line or within 2.1 metres of the east Interior Lot Line.
- (iii) Rear Setback: No Principal Building shall be located within

6.9 metres of the Rear Lot Line.

- (iv) Building Separation: No Principal Building shall be located within 4.5 metres of any other Principal Building.

(b) **Accessory Buildings:**

- (i) Front Setback: No Accessory Building shall be located in front of the front face of the Dwelling Unit fronting on Craigflower Road.
- (ii) Side Setbacks: No Accessory Building shall be located within 1.5 metres on any Interior Side Lot Line.
- (iii) Rear Setback: No Accessory Building shall be located within 1.5 metres of the Rear Lot Line.
- (iv) Building Separation: No Accessory Building shall be located within 2.5 metres of a Principal Building.

(8) **Fencing**

Subject to Section 22, no fence shall exceed a Height of 1.2 metres in front of the front face of the Dwelling Unit nearest to Craigflower Road and no fence shall exceed a Height of 2. metres behind the front face of the Dwelling Unit nearest to Craigflower Road.

(9) **Off-Street Parking**

The number of off street parking stalls shall be provided in the ratio of one [1] stalls for each Dwelling Unit.

67.28 **COMPREHENSIVE DEVELOPMENT DISTRICT NO. 39 [CD NO. 39]**

In that Zone designated as CD No. 39 [Comprehensive Development District No. 39] 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) Home Occupation

(2) **Parcel Size**

The Minimum Parcel size of fee simple parcels created by subdivision shall be 9000 square metres.

(3) **Number of Dwelling Units**

The maximum number of Dwelling Units shall not exceed 30.

(4) **Lot Coverage**

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

(5) **Floor Area Ratio**

The Floor Area Ratio shall not exceed .40.

(6) **Building Height**

- (a) No Principal Building shall exceed a Height of 7.75 metres.
- (b) No Accessory Building shall exceed a Height of 3.6 metres.

(7) **Siting Requirements**

(a) **Residential Buildings:**

- (i) No Principal Building shall be located within 4.5 metres of the south lot line.
- (ii) No Principal Building shall be located within 7.0 metres of the southwest lot line.

- (iii) No Principal Building shall be located within 9.3 metres of the west lot line.
- (iv) No Principal Building shall be located within 2.8 metres of the north lot line.
- (v) No Principal Building shall be located within 5.8 metres of the east lot line.
- (b) **Accessory Buildings:**
 - (i) No Accessory Building shall be located within 1.5 metres of any Lot Line.
 - (ii) Building Separation: No Accessory Building shall be located within 2.5 metres of a Principal Building.

(8) **Fencing**

Subject to Section 22, no fence shall exceed a Height of 2 metres.

(9) **Landscaping and Open Space**

Landscaping and Open Space shall be as shown on the plans submitted with the application and controlled by Development Permit No. 10/2002

(10) **Off-Street Parking**

The number of off street parking stalls shall be provided in the ratio of two [2] stalls for each Dwelling Unit and 30 of the required stalls may be tandem (i.e. stacked) parking spaces.

67.29 COMPREHENSIVE DEVELOPMENT DISTRICT NO. 40 [CD NO. 40]

In that Zone designated as CD No. 40 [Comprehensive Development District No. 40] 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) Single Family Residential
- (b) Home Occupation

(2) Parcel Size

The Minimum Parcel size of fee simple parcels created by subdivision shall be 375 square metres.

(3) Density

The number of Dwelling Units permitted on Lot 9, Block G, Suburban Lot 30, Esquimalt District, Plan 772A shall be limited to two [2] for a density of one unit per 375 square metres.

(4) Building Height

- (a) No residential Building shall exceed a Height of 7.3 metres.
- (b) No Accessory Building shall exceed a Height of 3.6 metres.

(5) Lot Coverage

All Principal Buildings, Accessory Buildings and Structures combined shall not cover more than 25% of the Area of Lot 9, Block G, Suburban Lot 30, Esquimalt District, Plan 772A.

(6) Floor Area Ratio

The combined Floor Area Ratio for Lot 9, Block G, Suburban Lot 30, Esquimalt District, Plan 772A shall not exceed .31.

(7) Siting Requirements

(a) Principal Buildings:

- (i) No Principal Building shall be located within 7.5 metres of the Front Lot Line.
- (ii) No Principal Building shall be located within 1.5 metres of any Interior Lot Line.

(iii) No Principal Building shall be located within 7.5 metres of the Rear Lot Line.

(v) The separation between Principal Buildings within comprehensive Development District No. 40 [CD No. 40] shall not be less than 3.0 metres.

(b) **Accessory Buildings:**

(i) No Accessory Building shall be located in front of the front face of either of the Principal Buildings within Comprehensive Development District No. 40 [CD- No. 40].

(ii) No Accessory Building shall be located within 1.5 metres of any Interior or Rear Lot Line.

(ii) Building Separation: No Accessory Building shall be located within 2.5 metres of any Principal Building.

(8) **Fencing**

Subject to Section 22, no fence shall exceed a Height of 1.2 metres in front of the front face of either of the Principal Buildings and no fence shall exceed a height of 1.8 metres behind the front face of the Principal Buildings.

(9) **Landscaping and Open Space**

Landscaping and Open Space shall be as shown on the plans submitted with the application and controlled by Development Permit No. 15/2002

(10) **Off-Street Parking**

The number of off street parking stalls shall be provided in the ratio of one [1] stall for each Dwelling Unit.

67.30 COMPREHENSIVE DEVELOPMENT DISTRICT NO. 41 [CD NO. 41]

In that Zone designated as CD No. 41 [Comprehensive Development District No. 41] no Building or Structure or part hereof 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) Single Family Residential
- (b) Home Occupation

(2) **Parcel Size**

The Minimum Parcel size of fee simple parcels created by subdivision shall be 375 square metres

(3) **Density**

The number of Dwelling Units permitted on Lot 8, Block F, Suburban Lot 47, Esquimalt District, Plan 772A shall be limited to two [2] for a density of one unit per 375 square metres

(4) **Building Height**

- (a) No residential Building shall exceed a Height of 7.0 metres.
- (b) No Accessory Building shall exceed a Height of 3.6 metres.

(5) **Lot Coverage**

All Principal Buildings, Accessory Buildings and Structures combined shall not cover more than 26% of the Area of Lot 8, Block F, Suburban Lot 47, Esquimalt District, Plan 772A.

(6) **Floor Area Ratio**

The combined Floor Area Ratio for Lot 8, Block F, Suburban Lot 47, Esquimalt District, Plan 772A shall not exceed .32.

(7) **Siting Requirements**

(a) **Principal Buildings:**

- (i) No Principal Building shall be located within 7.6 metres of the Front Lot Line.
- (ii) No Principal Building shall be located within 1.5 metres of any Interior Lot Line.

- (iii) No Principal Building shall be located within 12.8 m metres of the Rear Lot Line.
- (iv) The separation between Principal Buildings within comprehensive Development District No. 41 [CD No. 41] shall not be less than 3.0 metres.

(b) **Accessory Buildings:**

- (i) No Accessory Building shall be located in front of the front face of either of the Principal Buildings within Comprehensive Development District No. 41 [CD- No. 41].
- (ii) No Accessory Building shall be located within 1.5 metres of any Interior or Rear Lot Line.
- (iii) Building Separation: No Accessory Building shall be located within 2.5 metres of any Principal Building.

(8) **Fencing**

Subject to Section 22, no fence shall exceed a Height of 1.2 metres in front of the front face of either of the Principal Buildings and no fence shall exceed a height of 1.8 metres behind the front face of the Principal Buildings.

(9) **Landscaping and Open Space**

Landscaping and Open Space shall be as shown on the plans submitted with the application and controlled by Development Permit No. 14/2002

(10) **Off-Street Parking**

The number of off street parking stalls shall be provided in the ratio of one [1] stall for each Dwelling Unit.

67.31 COMPREHENSIVE DEVELOPMENT DISTRICT NO. 42 [CD NO. 42]

In that Zone designated as CD No. 42 [Comprehensive Development District No. 42] 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) Single Family Residential
- (b) Home Occupation

(2) Density

The number of Dwelling Units permitted on each of Lots 1 and 2, Section 11, Esquimalt District, Plan 5091 shall be limited to two [2] for a total of four [4] units with a density not to exceed one [1] unit per 385 square metres.

(3) Building Height

- (a) No residential Building shall exceed a Height of 7.3 metres.
- (b) No Accessory Building shall exceed a Height of 3.6 metres.

(4) Lot Coverage

All Principal Buildings, Accessory Buildings and Structures combined shall not cover more than 29% of the Parcel Area.

(5) Floor Area Ratio

The combined Floor Area Ratio shall not exceed .35.

(6) Siting Requirements

(a) Principal Buildings:

- (i) No Principal Building shall be located within 7.1 metres of the Front Lot Line.
- (ii) No Principal Building shall be located within 1.5 metres of any Interior Lot Line.
- (iii) No Principal Building shall be located within 8.0 metres of the Rear Lot Line.
- (iv) The separation between Principal Buildings within comprehensive Development District No. 42 [CD No. 42] shall not be less than 6.0 metres.

(b) **Accessory Buildings:**

- (i) No Accessory Building shall be located in front of the front face of either of the Principal Buildings within Comprehensive Development District No. 42 (CD-No. 42).
- (ii) No Accessory Building shall be located within 1.5 metres of any Interior or Rear Lot Line.
- (ii) Building Separation: No Accessory Building shall be located within 2.5 metres of any Principal Building.

(7) **Fencing**

Subject to Section 22, no fence shall exceed a Height of 1.2 metres in front of the front face of either of the Principal Buildings and no fence shall exceed a height of 1.8 metres behind the front face of the Principal Buildings.

(8) **Landscaping and Open Space**

Landscaping and Open Space shall be as shown on the plans submitted with the application and controlled by Development Permit No. 12/2002.

(9) **Off-Street Parking**

The number of off street parking stalls shall be provided in the ratio of two [2] stalls for each Dwelling Unit.

67.32 COMPREHENSIVE DEVELOPMENT DISTRICT NO. 43 [CD NO. 43]

In that Zone designated as CD No. 43 [Comprehensive Development District No. 43] no Building or Structure or part hereof 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) Single Family Residential
- (b) Home Occupation

(2) Parcel Size

The minimum Parcel Size of fee simple Parcels created by subdivision shall be 375 square metres.

(3) Density

The number of Dwelling Units permitted on Lot 20, Section 10, Esquimalt District, Plan 7328 shall be limited to two [2] for a density of one unit per 410 square metres.

(4) Building Height

- (a) No Principal Building shall exceed a Height of 7.3 metres
- (b) No Accessory Building shall exceed a Height of 3.6 metres.

(5) Lot Coverage

All Principal Buildings, Accessory Buildings and Structures combined shall not cover more than 22% of the Area of Lot 20, Section 10, Esquimalt District, Plan 7328.

(6) Floor Area Ratio

The combined Floor Area Ratio for Lot 20, Section 10, Esquimalt District, Plan 7328 shall not exceed .26.

(7) Siting Requirements

(a) Principal Buildings:

- (i) No Principal Building shall be located within 7.5 metres of the Front Lot Line.
- (ii) No Principal Building shall be located within 3.0 metres of any Exterior Lot Line.

- (iii) No Principal Building shall be located within 6.0 metres of any Interior Lot Line.
- (iv) No Principal Building shall be located within 6.0 metres of the Rear Lot Line.
- (v) The separation between Principal Buildings within Comprehensive Development District No. 43 [CD No. 43] shall not be less than 15 metres.

(b) **Accessory Buildings:**

- (i) No Accessory Building shall be located in front of the front face of either of the Principal Buildings within Comprehensive Development District No. 43 [CD No. 43].
- (ii) No new Accessory Building shall be located within 1.5 metres of an Interior or Rear Lot Line.
- (iii) The separation between any new Accessory Building and any Principal Building within Comprehensive Development District No. 43 [CD No. 43] shall not be less than 2.5 metres.

(8) **Fencing**

Subject to Section 22 no fence shall exceed a Height of 1.2 metres in front of the front face of either of the Principal Buildings and no fence shall exceed a Height of 1.6 metres behind the front face of either of the Principal Buildings on Lot 20, Section 10, Esquimalt District, Plan 7328.

(9) **Landscaping and Open Space**

Landscaping and Open Space shall be as shown on the plans submitted with the application and controlled by Development Permit No. 19/2002.

(10) **Off-Street Parking**

The number of off-street parking stalls shall be provided in the ratio of one [1] stall for each Dwelling Unit.

67.33 COMPREHENSIVE DEVELOPMENT DISTRICT NO. 44 [CD NO. 44]

In that Zone designated as CD No. 44 [Comprehensive Development District No. 44] no Building or Structure or part hereof 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) Single Family Residential
- (b) Home Occupation

(2) **Parcel Size**

The minimum Parcel Size of fee simple Parcels created by subdivision shall be 357 square metres.

(3) **Density**

The number of Dwelling Units permitted on Lot 1, Block 1, Section 11, Esquimalt District, Plan 6016 except that part in Plan 13605 shall be limited to two [2] for a density of one unit per 402 square metres.

(4) **Building Height**

- (a) No Principal Building shall exceed a Height of 6.8 metres
- (b) No Accessory Building shall exceed a Height of 3.6 metres.

(5) **Lot Coverage**

All Principal Buildings, Accessory Buildings and Structures combined shall not cover more than 25% of the Area of Lot 1, Block 1, Section 11, Esquimalt District, Plan 6016 except that part in Plan 13605.

(6) **Floor Area Ratio**

The combined Floor Area Ratio for Lot 1, Block 1, Section 11, Esquimalt District, Plan 6016 except that part in Plan 13605 shall not exceed .36.

(7) **Siting Requirements**

(a) **Principal Buildings:**

- (i) No Principal Building shall be located within 4.8 metres of the Front Lot Line.
- (ii) No Principal Building shall be located within 1.5 metres of any Interior Lot Line.

- (iii) No Principal Building shall be located within 3.0 metres of the Rear Lot Line.
 - (iv) The separation between Principal Buildings within Comprehensive Development District No. 44 [CD No. 44] shall not be less than 4.5 metres.
- (b) **Accessory Buildings:**
- (i) No Accessory Building shall be located in front of the front face of either of the Principal Buildings within Comprehensive Development District No. 44 [CD No. 44].
 - (ii) No Accessory Building shall be located within 1.5 metres of an Interior or Rear Lot Line.
 - (iii) The separation between any Accessory Building and any Principal Building within Comprehensive Development District No. 44 [CD No. 44] shall not be less than 2.5 metres.

(8) **Fencing**

Subject to Section 22 no fence shall exceed a Height of 1.2 metres in front of the front face of either of the Principal Buildings and no fence shall exceed a Height of 1.6 metres behind the front face of either of the Principal Buildings on Lot 1, Block 1, Section 11, Esquimalt District, Plan 6016 except that part in Plan 13605.

(9) **Landscaping and Open Space**

Landscaping and Open Space shall be as shown on the plans submitted with the application and controlled by Development Permit No. 21/2002.

(10) **Off-Street Parking**

The number of off-street parking stalls shall be provided in the ratio of one [1] stall for each Dwelling Unit.

67.34 COMPREHENSIVE DEVELOPMENT DISTRICT NO. 45 [CD NO. 45]

In that Zone designated as CD No. 45 [Comprehensive Development District No. 45] 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) Single Family Residential
- (b) Home Occupation

(2) **Parcel Size**

The minimum Parcel Size of Parcels created by subdivision shall be 530 square metres.

(3) **Density**

The number of dwelling units permitted on Lot 1, Section 10, Esquimalt District, Plan 6700 shall be limited to two [2] for a density of one unit per 646 square metres.

(4) **Building Height**

- (a) No Principal Building shall exceed a Height of 7.3 metres.
- (b) No Accessory Building shall exceed a Height of 3.6 metres.

(5) **Lot Coverage**

All Principal Buildings, Accessory Buildings and Structures combined shall not cover more than 21% of the Area of Lot 1, Section 10, Esquimalt District, Plan 6700.

(6) **Floor Area Ratio**

The combined Floor Area Ratio for Lot 1, Section 10, Esquimalt District, Plan 6700 shall not exceed .31.

(7) **Siting Requirements**

(a) **Residential Buildings:**

- (i) Front Setback: No Principal Building shall be located within 4.2 metres of the Front Lot Line.
- (ii) Side Setbacks: No Principal Building shall be located within 2.9 metres of any southern Interior Lot Line. No Principal Building shall

be located within 1.9 metres of the northern Interior Lot Line.

- (iii) Rear Setback: No Principal Buildings shall be located within 10.9 metres of the Rear Lot Line.
- (iv) Building Separation: No Principal Building shall be located within 4.6 metres of any other Principal Building.

(b) **Accessory Buildings:**

- (i) Front Setback: No Accessory Building shall be located in front of the front face of the Principal Building closest to Lampson Street.
- (ii) Side Setbacks: No Accessory Building shall be located within 1.5 metres on any Interior Side Lot Line.
- (iii) Rear Setback: No Accessory Building shall be located within 1.5 metres of the Rear Lot Line.
- (iv) Building Separation: No Accessory Building shall be located within 2.5 metres of a Principal Building.

(8) **Fencing**

Subject to Section 22, no fence shall exceed a Height of 1.2 metres in front of the front face of the Principal Building closest to Lampson Street and no fence shall exceed a Height of 2 metres behind the front face of the Principal Building closest to Lampson Street.

(9) **Landscaping and Open Space**

Landscaping and Open Space shall be as shown on the plans submitted with the application and controlled by Development Permit No. 01/2004.

(10) **Off-Street Parking**

The number of off street parking stalls shall be provided in the ratio of two [2] stalls for each Dwelling Unit.

67.35 COMPREHENSIVE DEVELOPMENT DISTRICT NO. 46 [CD NO. 46]

In that zone designated as CD No. 46 [Comprehensive Development District No. 46], 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) Multiple Family Residential
- (b) Home Occupation

(2) **Parcel Size**

The Minimum Parcel size of fee simple parcels created by subdivision shall be 1656 square metres.

(3) **Floor Area Ratio**

The combined Floor Area Ratio shall not exceed .30.

(4) **Density**

The number of Dwelling Units permitted shall be limited to three [3] for a density of one unit per 552 square metres.

(5) **Building Height**

- (a) No Principal Building shall exceed a Height of 7.3 metres.
- (b) No Accessory Building shall exceed a Height of 3.6 metres.

(6) **Lot Coverage**

- (a) All Principal Buildings and Structures combined shall not cover more than 25% of the Area of the Parcel.
- (b) All Accessory Buildings and Structures combined shall not exceed 10% of the Area of a Parcel.

(7) **Siting Requirements**

(a) **Residential Buildings:**

- (i) No Principal Building shall be located within 11.6 metres of the south Lot Line.
- (ii) No Principal Building shall be located within 3.6 metres of either the east or west Lot Line.

- (iii) No Principal Building shall be located within 20 metres of the High Water Mark of the Gorge Waters.
- (iv) No Principal Building shall be located within 7.6 metres of any other Principal Building.

(b) **Accessory Buildings:**

- (i) No Accessory Building shall be located in front of the front face of the Principal Building closest to DeCosta Place.
- (ii) No Accessory Building shall be located within 1.5 metres on any Lot Line.
- (iii) No Accessory Building shall be located within 20 metres of the High Water Mark of the Gorge Waters.
- (iv) Building Separation: No Accessory Building shall be located within 2.5 metres of a Principal Building.

(8) **Fencing**

No fence shall exceed a Height of 2 metres.

(9) **Landscaping and Open Space**

Landscaping and Open Space shall be as shown on the plans submitted with the application and controlled by Development Permit No. 5/03.

(10) **Off-Street Parking**

The number of off street parking stalls shall be provided in the ratio of 2.6 stalls per Dwelling Unit.

67.36 **COMPREHENSIVE DEVELOPMENT DISTRICT NO. 47 [CD NO. 47]**

In that Zone designated as CD No. 47 [Comprehensive Development District No. 47] 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) Single Family Residential
- (b) Home Occupation

(2) **Parcel Size**

The minimum Parcel Size of Parcels created by subdivision shall be 465 square metres.

(3) **Density**

The number of dwelling units permitted on Lot A, Section 2, Esquimalt District, Plan 18637, except that part thereof lying North Easterly of a line parallel to and 65 feet perpendicularly distant from the North Easterly boundary of the said Lot A shall be limited to three (3) for a density of one unit per 479 square metres.

(4) **Building Height**

- (a) No Principal Building shall exceed a Height of 7.0 metres.
- (b) No Accessory Building shall exceed a Height of 3.6 metres.

(5) **Lot Coverage**

All Principal Buildings, Accessory Buildings and Structures combined shall not cover more than 20% of the Area of Lot A, Section 2, Esquimalt District, Plan 18637, except that part thereof lying North Easterly of a line parallel to and 65 feet perpendicularly distant from the North Easterly boundary of the said Lot A.

(6) **Floor Area Ratio**

The combined Floor Area Ratio for Lot A, Section 2, Esquimalt District, Plan 18637, except that part thereof lying North Easterly of a line parallel to and 65 feet perpendicularly distant from the North Easterly boundary of the said Lot A shall not exceed .30.

(7) **Siting Requirements**

- (a) **Residential Buildings:**

- (i) Front Setback: No Principal Building shall be located within 6.0 metres of any Front Lot Line.
- (ii) Side Setbacks: No Principal Building shall be located within 1.6 metres of any Interior Lot Line. No Principal Building shall be located within 3.9 metres of any Exterior Lot Line.
- (iii) Rear Setback: No Principal Building shall be located within 6.0 metres of any Rear Lot Line.
- (iv) Building Separation: No Principal Building shall be located within 4.5 metres of any other Principal Building.

(b) **Accessory Buildings:**

- (i) Front Setback: No Accessory Building shall be located in front of the front face of either the Principal Building fronting on Admirals Road or the Principal Buildings fronting on Cole Street.
- (ii) Side Setbacks: No Accessory Building shall be located within 1.6 metres of any Interior Side Lot Line or within 3.9 metres of any Exterior Lot Line.
- (iii) Rear Setback: No Accessory Building shall be located within 1.5 metres of any Rear Lot Line.
- (iv) Building Separation: No Accessory Building shall be located within 2.5 metres of any Principal Building.

(8) **Fencing**

Subject to Section 22, no fence shall exceed a Height of 1.2 metres in front of the front face of any of the Principal Buildings and no fence shall exceed a Height of 2 metres behind the front face of any Principal Building.

(9) **Landscaping and Open Space**

Landscaping and Open Space shall be as shown on the plans submitted with the application and controlled by Development Permit No. 05/2004.

(10) **Off-Street Parking**

The number of off street parking stalls shall be provided in the ratio of one [1] stall for each Dwelling Unit.

67.37 COMPREHENSIVE DEVELOPMENT DISTRICT NO. 48 [CD NO. 48]

In that Zone designated as CD No. 48 [Comprehensive Development District No. 48] 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) Single Family Residential
- (b) Home Occupation

(2) **Parcel Size**

The minimum Parcel Size of Parcels created by subdivision shall be 274 square metres.

(3) **Density**

The number of dwelling units permitted on Lot J (DD EG63914), Suburban Lot 40, Esquimalt District, Plan 2854 shall be limited to two (2) for a density of one unit per 395 square metres.

(4) **Building Height**

- (a) No Principal Building shall exceed a Height of 6.6 metres.
- (b) No Accessory Building shall exceed a Height of 3.6 metres.

(5) **Lot Coverage**

All Principal Buildings, Accessory Buildings and Structures combined shall not cover more than 23% of the Area of Lot J (DD EG63914), Suburban Lot 40, Esquimalt District, Plan 2854.

(6) **Floor Area Ratio**

The combined Floor Area Ratio of both Dwelling Units located on Lot J (DD EG63914), Suburban Lot 40, Esquimalt District, Plan 2854 shall not exceed .34.

(7) **Siting Requirements**

(a) **Residential Buildings:**

- (i) Front Setback: No Principal Building shall be located within 6.7 metres of any Front Lot Line.

- (ii) Side Setbacks: No Principal Building shall be located within 1.5 metres of any Interior Lot Line. No Principal Building shall be located within 3.6 metres of any Exterior Lot Line.
- (iii) Rear Setback: No Principal Building shall be located within 6.5 metres of any Rear Lot Line.
- (iv) Building Separation: No Principal Building shall be located within 3.9 metres of any other Principal Building.

(b) **Accessory Buildings:**

- (i) Front Setback: No Accessory Building shall be located in front of the front face of either the Principal Buildings fronting on Lyall Street or Comerford Street.
- (ii) Side Setbacks: No Accessory Building shall be located within 3.6 metres of any Interior Side Lot Line or within 3.6 metres of any Exterior Lot Line.
- (iii) Rear Setback: No Accessory Building shall be located within 1.5 metres of any Rear Lot Line.
- (iv) Building Separation: No Accessory Building shall be located within 2.5 metres of any Principal Building.

(8) **Fencing**

Subject to Section 22, no fence shall exceed a Height of 1.2 metres in front of the front face of either Principal Building or along the property lines parallel to Lyall Street or Comerford Street. No fence shall exceed a Height of 2 metres behind the front face of either of the Principal Buildings.

(9) **Landscaping and Open Space**

Landscaping and Open Space shall be as shown on the plans submitted with the application and controlled by Development Permit No. 10/2004.

(10) **Off-Street Parking**

The number of off street parking stalls shall be provided in the ratio of one [1] stall for each Dwelling Unit.

67.38 COMPREHENSIVE DEVELOPMENT DISTRICT NO. 49 [CD NO. 49]

In that Zone designated as CD No. 49 [Comprehensive Development District No. 49], 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, or otherwise by this bylaw made applicable to this Part.

(1) **Permitted Uses**

The following Uses and no others shall be permitted within Comprehensive Development District No. 49:

- (a) Apartment Residential
- (b) Townhouse Residential
- (c) Home Occupation
- (d) Park
- (e) Single Family Residential

(2) **Development Area and Conservation Area**

For the purposes of this zone "Schedule B" of this Bylaw sets out the general location of the Development and Conservation Areas.

(3) **Parcel Size**

- (a) No Parcel within the Development Area of this zone shall be created with less than 2500 square metres in Area.
- (b) Subdivision shall not be permitted in the Conservation Area of this zone.

(4) **Number of Buildings**

More than one building is permitted on a parcel.

(5) **Lot Coverage**

The aggregate lot coverage of any and all buildings on parcels in this zone, excluding balconies, shall not exceed 15%.

(6) **Maximum Floor Area**

The maximum combined Floor Area of all buildings within this zone shall not exceed 17,350 square metres.

(7) **Siting Requirements**

- (a) No Building shall be located within 9 metres of Dunsmuir Road.
- (b) No Building shall be located within 9 metres of an Interior or Exterior Side Lot Line.

(8) **Building Height**

The maximum height of any Building shall be 31 metres.

(9) **Landscaping and Open Space**

(a) Landscaped Open Space shall be provided and maintained and have an Area of not less than 30% of the Area of a Parcel.

(b) The Conservation Area as shown in Schedule "B" of this Bylaw shall be preserved as a natural area.

(10) **Parking**

The required number of off-street parking stalls shall be provided in the following ratio:

(a) for Apartment Residential Use – 1.4 stall per Dwelling Unit;

(b) for Townhouse Residential Use – 2 stalls per Dwelling unit.

(c) for Single Family Residential Use – 2 stalls per Dwelling Unit.

67.39 COMPREHENSIVE DEVELOPMENT DISTRICT NO. 50 [CD NO. 50]

In that Zone designated as CD No. 50 [Comprehensive Development District No. 50] 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) Single Family Residential
- (b) Multiple Family Residential
- (c) Home Occupation

(2) **Parcel Size**

The minimum Parcel Size of Parcels created by subdivision shall be 5000 square metres.

(3) **Building Height**

- (a) No Principal Building shall exceed a Height of 15.3 metres.
- (b) No Accessory Building shall exceed a Height of 3.6 metres.

(4) **Lot Coverage**

All Principal Buildings, Accessory Buildings and Structures combined shall not cover more than 25% of the Area of Lot 2, Section 10, Esquimalt District, Plan 6987 and Lots 3, 4, 5, 6, and 7, Section 10, Esquimalt District, Plan 6743.

(5) **Floor Area Ratio**

- (a) The combined Floor Area Ratio of all Apartment Dwelling Units and Single Family Dwelling Units shall not exceed 1.07.
- (b) The combined Floor Area Ratio of all Single Family Dwelling Units shall not exceed .25.

(6) **Siting Requirements**

(a) **Residential Buildings:**

- (i) Front Setback: No Principal Building shall be located within 2.0 metres of any Front Lot Line.
- (ii) Side Setbacks: No Principal Building shall be located within 1.5 metres of any Interior Lot Line.

- (iii) Rear Setback: No Principal Building shall be located within 5.0 metres of any Rear Lot Line.
- (iv) Building Separation: No Principal Building shall be located within 3.0 metres of any other Principal Building.

(7) **Fencing**

Subject to Section 22, no fence shall exceed a Height of 1.2 metres in front of the front face of any Principal Building. No fence shall exceed a Height of 2 metres behind the front face of any Principal Building.

(8) **Landscaping and Open Space**

Landscaping and Open Space shall be as shown on the plans submitted with the application and controlled by Development Permit No. 09/2004.

(9) **Off-Street Parking**

The number of off street parking stalls shall be provided in the following ratios:

- (a) 1 stall for each Single Family Dwelling Unit;
- (b) 1.3 stalls for each Multiple Family Dwelling Unit.

67.40 COMPREHENSIVE DEVELOPMENT DISTRICT NO. 51 [CD NO. 51]

In that Zone designated as CD No. 51 (Comprehensive Development District No. 51) 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) Single Family Residential
- (b) Two Family Residential
- (c) Home Occupation

(2) **Parcel Size**

The minimum Parcel Size of Parcels created by subdivision shall be 639 square metres.

(3) **Density**

The number of Dwelling Units permitted on [Lot 1, Section 10, Esquimalt District, Plan 2856] shall be limited to two [2] for a combined density of one unit per 319.5 square metres.

(4) **Building Height**

- (a) No Principal Building shall exceed a Height of 8.6 metres.
- (b) No Accessory Building shall exceed a Height of 3.6 metres.

(5) **Lot Coverage**

All Principal Buildings, Accessory Buildings and Structures combined shall not cover more than 28% of the Area of Lot 1, Section 10, Esquimalt District, Plan 2856.

(6) **Floor Area Ratio**

The combined Floor Area Ratio of the two [2] Dwelling Units on Lot 1, Section 10, Esquimalt District, Plan 2856 shall not exceed .50.

(7) **Siting Requirements**

(a) **Principal Building:**

- (i) Front Setback: No Principal Building shall be located within 5.7 metres of the Front Lot Line.
- (ii) Side Setbacks: No Principal Building shall be located within 3.9 metres of any Interior Lot Line. No Principal Building shall be located

within 3.0 metres of any Exterior Lot Line.

- (iii) Rear Setback: No Principal Building shall be located within 16 metres of any Rear Lot Line.

(b) **Accessory Buildings:**

- (i) Front Setback: No Accessory Building shall be located in front of the front face of the Principal Building.
- (ii) Side Setbacks: No Accessory Building shall be located within 1.5 metres of any Interior Side Lot Line or within 3.7 metres of any Exterior Lot Line.
- (iii) Rear Setback: No Accessory Building shall be located within 1.5 metres of any Rear Lot Line.
- (iv) Building Separation: No Accessory Building shall be located within 2.5 metres of any Principal Building.

(8) **Fencing**

Subject to Section 22, no fence shall exceed a Height of 1.2 metres in front of the front face of the Principal Building. No fence shall exceed a Height of 2 metres behind the front face of the Principal Building.

(9) **Landscaping and Open Space**

Landscaping and Open Space shall be as shown on the plans submitted with the application and controlled by Development Permit No. 12/2004.

(10) **Off-Street Parking**

The number of off street parking stalls shall be provided in a ratio of 1 per Dwelling Unit.

67.41 COMPREHENSIVE DEVELOPMENT DISTRICT NO. 52 [CD NO. 52]

In that zone designated as CD No. 52 (Comprehensive Development District No. 52), 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) Single Family Residential
- (b) Two Family Residential
- (c) Home Occupation

(2) **Parcel Size**

The Minimum Parcel size of fee simple parcels created by subdivision shall be 1346 square metres.

(3) **Floor Area Ratio**

The combined Floor Area Ratio shall not exceed .40.

(4) **Density**

The number of Dwelling Units permitted shall be limited to four [4] for a density of one unit per 336.5 square metres.

(5) **Building Height**

- (a) No Principal Building shall exceed a Height of 7.3 metres.
- (b) No Accessory Building shall exceed a Height of 3.6 metres.

(6) **Lot Coverage**

The aggregate lot coverage of all Principal Buildings, Accessory Buildings and Structures shall not exceed 30%.

(7) **Siting Requirements**

(a) **Residential Buildings:**

- (i) No Principal Building shall be located within 6.0 metres of the Front Lot Line.
- (ii) No Principal Building shall be located within 7.5 metres of the Rear Lot Line.
- (iii) No Principal Building shall be located within 1.5 metres of any Interior Lot Line.

(b) **Accessory Buildings:**

- (i) No Accessory Building shall be located in front of the front face of the Principal Building closest to Drake Street.
- (ii) No Accessory Building shall be located within 1.5 metres on any Rear or Side Lot Line.
- (iii) Building Separation: No Accessory Building shall be located within 2.5 metres of a Principal Building.

(8) **Fencing**

Subject to Section 22, no fence shall exceed a Height of 1.2 metres in front of the front face of either of the Principal Buildings fronting onto Drake Street and no fence shall exceed a Height of 1.6 metres behind the front face of either of the Principal Buildings fronting onto Drake Street.

(9) **Landscaping and Open Space**

Landscaping and Open Space shall be as shown on the plans submitted with the application and controlled by Development Permit No. 03/2005.

(10) **Off-Street Parking**

The number of off street parking stalls shall be provided in the ratio of 1.5 stalls per Dwelling Unit.

67.42 COMPREHENSIVE DEVELOPMENT DISTRICT NO. 54 [CD NO. 54]

In that Zone designated as CD No. 54 [Comprehensive Development District No. 54] 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) Single Family Residential
- (b) Home Occupation

(2) Parcel Size

The minimum Parcel Size of fee simple Parcels created by subdivision shall be 340 square metres.

(3) Density

The number of Dwelling Units permitted on Lot 3, Section 11, Esquimalt District, Plan 8212 shall be limited to two (2) for a density of one (1) unit per 341 square metres.

(4) Building Height

- (a) No Principal Building shall exceed a Height of 8.0 metres;
- (b) No Accessory Building shall exceed a Height of 3.6 metres.

(5) Lot Coverage

All Principal Buildings, Accessory Buildings and Structures combined shall not cover more than 30% of the Area of Lot 3, Section 11, Esquimalt District, Plan 8212.

(6) Floor Area Ratio

The combined Floor Area Ratio for Lot 3, Section 11, Esquimalt District, Plan 8212 shall not exceed .40.

(7) Siting Requirements

(a) Principal Buildings:

- (i) No Principal Building shall be located within 2.09 metres of any Front Lot Line.
- (ii) No Principal Building shall be located within 1.5 metres of any Interior

Lot Line.

- (iii) No Principal Building shall be located within 2.96 metres of any Rear Lot Line.
- (iv) The separation between Principal Buildings within Comprehensive Development District No. 54 [CD No. 54] shall not be less than 12.8 metres.

(b) **Accessory Buildings:**

- (i) No Accessory Building shall be located in front of the front face of any of the Principal Buildings within Comprehensive Development District No. 54 [CD No. 54].
- (ii) No Accessory Building shall be located within 0.5 metres of any Interior Lot Line.
- (iii) No Accessory Building shall be located within 0.6 metres of any Rear Lot Line.
- (iv) The separation between any Accessory Building and any Principal Building within Comprehensive Development District No. 54 [CD No. 54] shall not be less than 1.8 metres.

(8) **Fencing**

Subject to Section 22 no fence shall exceed a Height of 1.2 metres in front of the front face of any of the Principal Buildings and no fence shall exceed a Height of 1.6 metres behind the front face of any of the Principal Buildings within Comprehensive Development District No. 54 [CD No. 54].

(9) **Landscaping and Open Space**

Landscaping and Open Space shall be as shown on the plans submitted with the application and controlled by Development Permit.

(10) **Off-Street Parking**

The number of off-street parking stalls shall be provided in the ratio of one (1) stall for each Dwelling Unit.

67.43 COMPREHENSIVE DEVELOPMENT DISTRICT NO. 55 [CD NO. 55]

In that Zone designated as CD No. 55 [Comprehensive Development District No. 55] 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) Single Family Residential
- (b) Home Occupation

(2) **Parcel Size**

The minimum Parcel Size of Parcels created by subdivision shall be 530 square metres.

(3) **Density**

The number of dwelling units permitted on Lot 2, Section 10, Esquimalt District, Plan 7511 and Part of the Common Property of Strata Plan VIS5535 shall be limited to two [2] for a density of one unit per 530 square metres.

(4) **Building Height**

- (a) No Principal Building shall exceed a Height of 7.3 metres.
- (b) No Accessory Building shall exceed a Height of 3.6 metres.

(5) **Lot Coverage**

All Principal Buildings, Accessory Buildings and Structures combined shall not cover more than 24% of the Area of Lot 2, Section 10, Esquimalt District, Plan 7511 and Part of the Common Property of Strata Plan VIS5535.

(6) **Floor Area Ratio**

The combined Floor Area Ratio for Lot 2, Section 10, Esquimalt District, Plan 7511 and Part of the Common Property of Strata Plan VIS5535 shall not exceed .35.

(7) **Siting Requirements**

(a) **Residential Buildings:**

- (i) Front Setback: No Principal Building shall be located within 11.7 metres of the Front Lot Line.
- (ii) Side Setbacks: No Principal Building shall be located within 3.0 metres of any Interior Lot Line.

- (iii) Rear Setback: No Principal Building shall be located within 7.5 metres of any Rear Lot Line.
- (iv) Building Separation: No Principal Building within Lot 2, Section 10, Esquimalt District, Plan 7511 and Part of the Common Property of Strata Plan VIS5535 shall be located within 9.7 metres of any other Principal Building within that Parcel.

(b) **Accessory Buildings:**

- (i) Front Setback: No Accessory Building shall be located in front of the front face of the Principal Building fronting on Selkirk Avenue.
- (ii) Side Setbacks: No Accessory Building shall be located within 1.5 metres of any Interior Side Lot Line.
- (iii) Rear Setback: No Accessory Building shall be located within 1.5 metres of any Rear Lot Line.
- (iv) Building Separation: No Accessory Building shall be located within 2.5 metres of any Principal Building.

(8) **Fencing**

Subject to Section 22, no fence shall exceed a Height of 1.2 metres in front of the front face of the Principal Building fronting on Selkirk Avenue and no fence shall exceed a Height of 2 metres behind the front face of that Principal Building.

(9) **Landscaping and Open Space**

Landscaping and Open Space shall be as shown on the plans submitted with the application and controlled by Development Permit No. 23/2005.

(10) **Off-Street Parking**

The number of off street parking stalls shall be provided in the ratio of 1.5 stall for each Dwelling Unit for a total of three [3] spaces.

67.44 COMPREHENSIVE DEVELOPMENT DISTRICT NO. 56 [CD NO. 56]

In that Zone designated as CD No. 56 [Comprehensive Development District No. 56] 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) Single Family Residential
- (b) Home Occupation

(2) **Parcel Size**

The minimum Parcel Size of Parcels created by subdivision shall be 483 square metres.

(3) **Density**

The number of dwelling units permitted on Lot 1, Section 2, Esquimalt District, Plan 29066 shall be limited to two [2] for a density of one per 483 square metres.

(4) **Building Height**

- (a) No Principle Building shall exceed a Height of 7.3 metres;
- (b) No Accessory Building shall exceed a Height of 3.6 metres.

(5) **Lot Coverage**

All Principal Buildings, Accessory Buildings and Structures combined shall not cover more than 26% of the Area of Lot 2, Section 2, Esquimalt District, Plan 29066.

(6) **Floor Area Ratio**

The combined Floor Area Ratio for Lot 2, Section 2, Esquimalt District, Plan 29066 shall not exceed .34.

(7) **Siting Requirements**

(a) **Residential Buildings:**

- (i) Front Setback: No Principal Building shall be located within 7.5 metres of the Front Lot Line.
- (ii) Side Setbacks: No Principal Building shall be located within 3.6 metres of any Interior Lot Line.
- (iii) Rear Setback: No Principal Building shall be located within 3.6 metres of any Rear Lot Line.
- (iv) Building Separation: No Principal Building within Lot 2, Section 2, Esquimalt District, Plan 29066 shall be located within 7.5 metres of any other Principal Building within that Parcel.

(b) **Accessory Buildings:**

- (i) Front Setback: No Accessory Building shall be located in front of the front face of the Principal Building fronting on Luscombe Place or Admirals Road.
- (ii) Side Setbacks: No Accessory Building shall be located within 1.5 metres of any Interior Side Lot Line.
- (iii) Rear Setback: No Accessory Building shall be located within 1.5 metres of any Rear Lot Line.
- (iv) Building Separation: No Accessory Building shall be located within 2.5 metres of any Principal Building.

(8) **Fencing**

Subject to Section 22, no fence shall exceed a Height of 1.2 metres in front of the front face of any Principal Building and no fence shall exceed a Height of 2 metres behind the front face of any Principal Building.

(9) **Landscaping and Open Space**

Landscaping and Open Space shall be as shown on the plans submitted with the application and controlled by Development Permit No. 29/2005.

(10) **Off-Street Parking**

The number of off street parking stalls shall be provided in the ratio of 1.5 stall for each Dwelling Unit for a total of three [3] spaces.

67.45 COMPREHENSIVE DEVELOPMENT DISTRICT NO. 57 [CD No. 57]

In that Zone designated as CD No. 57 [Comprehensive Development District No. 57], no Building of 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) Single Family Residential
- (b) Multiple Family Residential
- (c) Convenience Store
- (d) Home Occupation

(2) Parcel Size

The Minimum Parcel size of fee simple parcels created by subdivision shall be 2700 square metres.

(3) Building Height

- (a) No Principal Building shall exceed a Height of 15.3 metres.
- (b) No Accessory Building shall exceed a Height of 3.6 metres.

(4) Lot Coverage

All Principal Buildings, Accessory Buildings and Structures combined shall not cover more than 38% of the combined Area of Lots A, B and C, Section 10, Esquimalt District, Plan VIP78136 and Lot 1, Section 10, Esquimalt District, Plan 6987.

(5) Floor Area Ratio

- (a) The combined Floor Area Ratio of all Apartment Dwelling Units and Single Family Dwelling Units shall not exceed 1.2.

(6) Number of Dwelling Units

The maximum number of Dwelling Units shall not exceed:

108	Apartment Dwellings
14	Single Family Dwellings
<u>1</u>	Combined Convenience Store/Dwelling Unit
123	Total Dwelling Units

(7) Siting Requirements

- (i) Front Setback: No Principal Building shall be located within 1.8 metres of any Front Lot Line.
- (ii) Side Setbacks: No Principal Building shall be located within 1.5 metres of any Interior Lot Line.
- (iii) Rear Setback: No Principal Building shall be located within 1.8 metres of any Rear Lot Line.
- (iv) Building Separation: No Principal Building shall be located within 3.0 metres of any other Principal Building within Comprehensive Development District No. 57.

(8) **Fencing**

Subject to Section 22, no fence shall exceed a Height of 1.2 metres in front of the front face of any Principal Building fronting onto Colville Road.

(9) **Landscaping and Open Space**

Landscaping and Open Space shall be as shown on the plans prepared by Lombard North Group and included as Schedule B of Development Permit No. 09/2004 and Schedule B of Development Permit 22/2005.

(10) **Off-Street Parking**

The number of off-street parking stalls shall be provided in the following ratios:

- (a) 1.5 stalls for each Single Family Dwelling Unit;
- (b) 1.3 stalls for each Multiple Family Dwelling Unit.

67.46 COMPREHENSIVE DEVELOPMENT DISTRICT NO. 58 [CD NO. 58]

In that Zone designated as CD No. 58 [Comprehensive Development District No. 58] 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) Single Family Residential
- (b) Home Occupation

(2) **Parcel Size**

- (a) The minimum Parcel Size of fee simple Parcels created by subdivision shall be 2107 square metres.
- (b) Notwithstanding the above, where bare land strata lots are created by subdivision, the minimum average lot size shall not be less than 340 square metres.

(3) **Density**

The total number of Dwelling Units permitted on combined Lots 6, 7, and 8, Block 3, Suburban Lots 41 and 50, Plan 1153 shall be limited to five (5) for a density of one (1) unit per 421.4 square metres.

(4) **Building Height**

- (a) No Principal Building shall exceed a Height of 6.6 metres;
- (b) No Accessory Building shall exceed a Height of 3.6 metres.

(5) **Lot Coverage**

All Principal Buildings, Accessory Buildings and Structures combined shall not cover more than 24% of the combined Area of Lots 6, 7, and 8, Block 3, Suburban Lots 41 and 50, Esquimalt District, Plan 1153.

(6) **Floor Area Ratio**

The Floor Area Ratio for combined Lots 6, 7, and 8, Block 3, Suburban Lots 41 and 50, Esquimalt District, Plan 1153 shall not exceed .36.

(7) **Siting Requirements**

(a) **Principal Buildings:**

- (i) No Principal Building shall be located within 1.2 metres of the Front Lot Line .
- (ii) No Principal Building shall be located within 0.5 metres of any exterior Lot Line.
- (iii) No Principal Building shall be located within 1.58 metres of the Rear Lot Line.
- (v) The separation between Principal Buildings shall not be less than 2.5 metres

(b) **Principal Buildings where lots are bare land strata.**

- (i) No Principal Building shall be located within 1.12 metres of the Front Lot Line;
- (ii) No Principal Building shall be located within 0.5 metres of any Exterior Lot Line;
- (iii) No Principal Building shall be located within 1.5 metres of any Rear Lot Line;
- (iv) The separation between Principal Buildings shall not be less than 2.5 metres.

(c) **Accessory Buildings:**

- (i) No Accessory Building shall be located in front of the front face of any of the Principal Buildings within Comprehensive Development District. No. 58 [CD No. 58].
- (ii) No Accessory Building shall be located within 1.5 metres of any Interior Lot Line.
- (iii) No Accessory Building shall be located within 1.5 metres of any Rear Lot Line.
- (iv) The separation between any Accessory Building and any Principal Building within Comprehensive Development District No. 58 [CD No. 58] shall not be less than 2.5 metres.

(8) **Fencing**

Subject to Section 22 no fence shall exceed a Height of 1.2 metres in front of the front face of any of the Principal Buildings and no fence shall exceed a Height of 1.6 metres behind the front face of any of the Principal Buildings within Comprehensive Development District No. 58 [CD No. 58].

(9) **Landscaping and Open Space**

Landscaping and Open Space shall be as shown on the plans submitted with the application and controlled by Development Permit.

(10) **Off-Street Parking**

The number of off-street parking stalls shall be provided in the ratio of 1.4 stalls for each Dwelling Unit.

67.47 COMPREHENSIVE DEVELOPMENT DISTRICT NO. 59 [CD NO. 59]

In that Zone designated as CD No. 59 (Comprehensive Development District No. 59) 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) Single Family Residential
- (b) Home Occupation

(2) **Parcel Size**

The minimum Parcel Size of Parcels created by subdivision shall be 375 square metres.

(3) **Density**

The number of dwelling units permitted on Lot 3, Block 3, Section 11, Esquimalt District, Plan 6016 shall be limited to two (2) for a density of one unit per 401 square metres.

(4) **Building Height**

- (a) No Principal Building shall exceed a Height of 6.5 metres.
- (b) No Accessory Building shall exceed a Height of 3.6 metres.

(5) **Lot Coverage**

All Principal Buildings, Accessory Buildings and Structures combined shall not cover more than 31% of the Area of Lot 3, Block 3, Section 11, Esquimalt District, Plan 6016.

(6) **Floor Area Ratio**

The combined Floor Area Ratio for Lot 3, Block 3, Section 11, Esquimalt District, Plan 6016 shall not exceed .41.

(7) **Siting Requirements**

(a) **Residential Buildings:**

- (i) Front Setback: No Principal Building shall be located within 5.49 metres of the Front Lot Line.
- (ii) Side Setbacks: No Principal Building shall be located

within 1.5 metres of any Interior Lot Line.

- (iii) Rear Setback: No Principal Building shall be located within 3.93 metres of any Rear Lot Line.
- (iv) Building Separation: No Principal Building within Lot 3, Block 3, Section 11, Esquimalt District, Plan 6016 shall be located within 5.5 metres of any other Principal Building within that Parcel.

(b) **Accessory Buildings:**

- (i) Front Setback: No Accessory Building shall be located in front of the front face of the Principal Building fronting on Wychbury Avenue or of the Principal Building fronting on Kinver Street.
- (ii) Side Setbacks: No Accessory Building shall be located within 1.5 metres of any Interior Side Lot Line.
- (iii) Rear Setback: No Accessory Building shall be located within 1.5 metres of any Rear Lot Line.
- (iv) Building Separation: No Accessory Building shall be located within 2.5 metres of any Principal Building.

(10) **Fencing**

Subject to Section 22, no fence shall exceed a Height of 1.2 metres in front of the front face of the Principal Building fronting on Wychbury Avenue or the Principal Building fronting on Kinver Street and no fence shall exceed a Height of 2 metres behind the front face of either Principal Building.

(11) **Landscaping and Open Space**

Landscaping and Open Space shall be as shown on the plans submitted with the application and controlled by Development Permit No. 14/2006.

(12) **Off-Street Parking**

The number of off street parking stalls shall be provided in the ratio of 1.5 stalls for each Dwelling Unit for a total of three [3] spaces.

67.48 COMPREHENSIVE DEVELOPMENT DISTRICT NO. 60 [CD NO. 60]

In that zone designated as CD No. 60 [Comprehensive Development District No. 60], no Building of 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) Single Family Residential
- (b) Home Occupation

(2) Parcel Size

The Minimum Parcel size of fee simple parcels created by subdivision shall be 280 square metres.

(3) Density

The number of Dwelling Units permitted on Lot 2, Section 11, Esquimalt District, Plan 8212 shall be limited to two [2] for a density of one unit per 282.5 square metres.

(4) Building Height

- (a) No Principal Building shall exceed a Height of 7.3 metres.
- (b) No Accessory Building shall exceed a Height of 3.6 metres.

(5) Lot Coverage

All Principal Buildings, Accessory Buildings and Structures combined shall not cover more than 30% of the combined Area of Lot 2, Section 11, Esquimalt District, Plan 8212.

(6) Floor Area Ratio

- (a) The combined Floor Area Ratio of Dwelling Units within Lot 2, Section 11, Esquimalt District, Plan 8212 shall not exceed .42.

(7) Siting Requirements

- (i) Front Setback: No Principal Building shall be located within 2.1 metres of the Front Lot Line parallel to Lyall Street or within 4.6 metres if the Front Lot Line parallel to Paradise Street.
- (ii) Side Setbacks: No Principal Building shall be located within 1.3 metres of any Interior Lot Line.

- (iii) Rear Setback: No Principal Building shall be located within 5.5 metres of any Rear Lot Line.
- (iv) Building Separation: No Principal Building shall be located within 13.1 metres of any other Principal Building within Comprehensive Development District No. 60.

(8) **Fencing**

Subject to Section 22, no fence shall exceed a Height of 1.2 metres in front of the front face of either Principal Building.

(9) **Landscaping and Open Space**

Landscaping and Open Space shall be as shown on the plans submitted with the application and controlled by Development Permit No. 03/2006.

(10) **Off-Street Parking**

The number of off-street parking stalls shall be provided in the ratio of one [1] stall per Dwelling Unit.

67.49 COMPREHENSIVE DEVELOPMENT DISTRICT NO. 3 [CD NO. 61]

In that zone designated as CD No. 61 [Comprehensive Development District No. 61], no Building of 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) Single Family Residential
- (b) Two Family Residential
- (c) Home Occupation

(2) **Parcel Size**

The Minimum Parcel size of fee simple parcels created by subdivision shall be 721 square metre

(3) **Density**

The number of Dwelling Units permitted on Lot 2, Section 11, Esquimalt District, Plan 8212 shall be limited to two [2] for a density of one unit per 360 square metres.

(4) **Building Height**

- (a) No Principal Building shall exceed a Height of 7.3 metres.
- (b) No Accessory Building shall exceed a Height of 3.6 metres.

(5) **Lot Coverage**

All Principal Buildings, Accessory Buildings and Structures combined shall not cover more than 20% of the combined Area of Lot 160, Esquimalt District, Plan 2854, Portion Exc West 5 feet.

(6) **Floor Area Ratio**

- (a) The combined Floor Area Ratio of Dwelling Units within Lot 160, Esquimalt District, Plan 2854, Portion Exc West 5 feet shall not exceed .25.

(7) **Siting Requirements**

- (j) Front Setback: No Principal Building shall be located within 18 metres of the Front Lot Line.
- (ii) Side Setbacks: No Principal Building shall be located within 1.4 metres of the northern Interior Lot Line or within 3.4 metres of the southern Interior Lot Line.
- (iii) Rear Setback: No Principal Building shall be located within 13 metres of the Rear Lot Line.

(8) **Fencing**

Subject to Section 22, no fence shall exceed a Height of 1.2 metres in front of the front face of the Principal Building.

(9) **Landscaping and Open Space**

Landscaping and Open Space shall be as shown on the plans submitted with the application and controlled by Development Permit No. 17/2006.

(10) **Off-Street Parking**

The number of off-street parking stalls shall be provided in the ratio of one [1] stall per Dwelling Unit.

67.50 COMPREHENSIVE DEVELOPMENT DISTRICT NO. 62 [CD NO. 62]

In that zone designated as CD No. 62 [Comprehensive Development District No. 62], no Building of 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) Single Family Residential
- (b) Home Occupation

(2) Parcel Size

The Minimum Parcel size of fee simple parcels created by subdivision shall be 284 square metres.

(3) Density

The number of Dwelling Units permitted on Lot 1 and the east 8.9 feet of Lot 2, Block C, Suburban Lot 49, Esquimalt District, Plan 772 shall be limited to two [2] for a density of one unit per 376 square metres.

(4) Building Height

- (a) The Principal Building fronting onto Lyall Street shall not exceed a Height of 6.8 metres.
- (b) The Principal Building fronting onto Admirals Road shall not exceed a Height of 4.5 metres.
- (c) No Accessory Building shall exceed a Height of 3.6 metres.

(5) Lot Coverage

All Principal Buildings, Accessory Buildings and Structures combined shall not cover more than 30% of the combined Area of Lot 1 and the east 8.9 feet of Lot 2, Block C, Suburban Lot 49, Esquimalt District, Plan 772.

(6) Floor Area Ratio

- (a) The combined Floor Area Ratio of Dwelling Units within Lot 1 and the east 8.9 feet of Lot 2, Block C, Suburban Lot 49, Esquimalt District, Plan 772 shall not exceed .38.

(7) Siting Requirements

- (a) **Principal Buildings:**

- (i) Front Setback: The Principal Building fronting onto Admirals Road shall not be located within 4.5 metres of the Front Lot Line.
- (ii) Front Setback: The Principal Building fronting onto Lyall Street shall not be located within 8.6 metres of the Front Lot Line.
- (iii) Side Setback: The Principal Building fronting onto Admirals Road shall not be located within 3.0 metres of the northern Interior Lot Line or within 1.5 metres of the southern Interior Lot Line.
- (iv) Side Setback: The Principal Building fronting onto Lyall Street shall not be located within 9.0 metres of the eastern Exterior Lot Line or within 1.5 metres of the western Interior Lot Line.
- (v) Rear Setback: The Principal Building fronting onto Admirals Road shall not be located within 4.5 metres of the Rear Lot Line.
- (vi) Rear Setback: The Principal Building fronting onto Lyall Street shall not be located within 1.5 metres of the Rear Lot Line.
- (vii) Building Separation: No Principal Building shall be located within 4.5 metres of any other Principal Building.

(b) **Accessory Buildings:**

- (i) No Accessory Building shall be located in front of the front face of any Principal Buildings within Comprehensive Development District No. 62 (CD No. 62).
- (ii) No Accessory Building shall be located within 1.5 metres of any Interior Lot Line.
- (iii) No Accessory Building shall be located within 1.5 metres of any Rear Lot Line.
- (iv) The separation between any Accessory Building and any Principal Building within Comprehensive Development District No. 62 [CD No. 62] shall not be less than 2.5 metres.

(8) **Fencing**

Subject to Section 22, no fence shall exceed a Height of 1.2 metres in front of the front face of any Principal Building.

(9) **Landscaping and Open Space**

Landscaping and Open Space shall be as shown on the plans submitted with the application and controlled by Development Permit No. 03/2007.

(10) **Off-Street Parking**

The number of off-street parking stalls shall be provided in the ratio of one [1] stall per Dwelling Unit.

67.51 COMPREHENSIVE DEVELOPMENT DISTRICT NO. 64 [CD NO. 64]

In that Zone designated as CD No. 64 [Comprehensive Development District No. 64] 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) Home Occupation

(2) Parcel Size

The minimum Parcel Size of Parcels created by subdivision shall be 980 square metres.

(3) Density

The number of dwelling units permitted on Lots and 2, Section 11, Esquimalt District, Plan 1466 shall be limited to six (6) for a density of one unit per 163 square metres.

(4) Building Height

- (a) No Principal Building shall exceed a Height of 9.7 metres.
- (b) No Accessory Building shall exceed a Height of 3.6 metres.

(5) Lot Coverage

All Principal Buildings, Accessory Buildings and Structures combined shall not cover more than 44% of the Area of Lots 1 and 2, Section 11, Esquimalt District , Plan 1466.

(6) Floor Area Ratio

The combined Floor Area Ratio for Lots 1 and 2, Section 11, Esquimalt District, Plan 1466 shall not exceed .73.

(7) Siting Requirements

(a) Residential Buildings:

- (i) Front Setback: No Principal Building shall be located within 4.5 metres of any Front Lot Line.
- (ii) Side Setbacks: No Principal Building shall be located within 1.5 metres of any Interior Lot Line.

- (iii) Side Setbacks: No Principal Building shall be located within 3.2 metres of any Exterior Lot Line.
- (iv) Rear Setback: No Principal Building shall be located within 3.6 metres of any Rear Lot Line.
- (v) Building Separation: No Principal Building within Lots 1 and 2, Section 11, Esquimalt District, Plan 1466 shall be located within 6.3 metres of any other Principal Building within those Parcels.

(b) **Accessory Buildings:**

- (i) Front Setback: No Accessory Building shall be located in front of the front face of any the of the Principal Buildings.
- (ii) Side Setbacks: No Accessory Building shall be located within the Exterior side yard.
- (iii) Side Setbacks: No Accessory Building shall be located within 1.5 metres of the Interior Side Lot Line.
- (iv) Rear Setback: No Accessory Building shall be located within 1.5 metres of the Rear Lot Line.
- (v) Building Separation: No Accessory Building shall be located within 2.5 metres of any Principal Building.

(8) **Fencing**

Subject to Section 22, no fence shall exceed a Height of 1.2 metres in front of the front face of either Principal Building and no fence shall exceed a Height of 2 metres behind the front face of either Principal Building.

(9) **Landscaping and Open Space**

Landscaping and Open Space shall be as shown on the plans submitted with the application and controlled by Development Permit No. 17/2007.

(10) **Off-Street Parking**

The number of off street parking stalls shall be provided in the ratio of 2 stalls for each Dwelling Unit plus two [2] visitor spaces for a total of fourteen [14] spaces.

67.52 COMPREHENSIVE DEVELOPMENT DISTRICT NO. 65 [CD NO. 65]

In that Zone designated as CD No. 65 [Comprehensive Development District No. 65] 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) Single Family Residential
- (b) Home Occupation

(2) Parcel Size

The minimum Parcel Size of Parcels created by bare land strata subdivision shall be 475 square metres.

(3) Density

The number of dwelling units permitted on Lot 1, Section 11, Esquimalt District, Plan 8096 [971 Wollaston Street] shall be limited to two (2) for a density of one unit per 574 square metres.

(4) Building Height

- (a) No Principal Building shall exceed a Height of 7.3 metres
- (b) No Accessory Building shall exceed a Height of 3.6 metres.

(5) Lot Coverage

All Principal Buildings, Accessory Buildings and Structures combined shall not cover more than 22% of the Area of Lot 1, Section 11, Esquimalt District, Plan 8096

(6) Floor Area Ratio

The combined Floor Area Ratio for Lot 1, Section 11, Esquimalt District, Plan 8096 shall not exceed .25.

(7) Siting Requirements

(a) Residential Buildings:

- (i) Front Setback: No Principal Building shall be located within 9 metres of any Front Lot Line.
- (ii) Side Setbacks: No Principal Building shall be located within 1.5 metres of any Interior Lot Line.

- (iii) Rear Setback: No Principal Building shall be located within 7.9 metres of any Rear Lot Line.
- (iv) Building Separation: No Principal Building within Lot 1, Section 11, Esquimalt District, Plan 8096 shall be located within 7 metres of any other Principal Building within Comprehensive Development District No. 65.

(b) **Accessory Buildings:**

- (i) Front Setback: No Accessory Building shall be located in front of the front face of either of the Principal Buildings.
- (ii) Side Setbacks: No Accessory Building shall be located within 1.5 metres of any Interior Side Lot Line.
- (iii) Rear Setback: No Accessory Building shall be located within 1.5 metres of any Rear Lot Line.
- (iv) Building Separation: No Accessory Building shall be located within 2.5 metres of any Principal Building.

(8) **Fencing**

Subject to Section 22, no fence shall exceed a Height of 1.2 metres in front of the front face of either Principal Building and no fence shall exceed a Height of 2 metres behind the front face of either Principal Building.

(9) **Landscaping and Open Space**

Landscaping and Open Space shall be as shown on the plans submitted with the application and controlled by Development Permit No. 19/2007.

(10) **Off-Street Parking**

The number of off street parking stalls shall be provided in the ratio of 1 stall for each Dwelling Unit for a total of three [2] spaces.

67.53 COMPREHENSIVE DEVELOPMENT DISTRICT NO. 66 [CD NO. 66]

In that Zone designated as CD No. 66 [Comprehensive Development District No. 66] 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) Single Family Residential
- (b) Home Occupation

(2) **Parcel Size**

The minimum Parcel Size of fee simple Parcels created by subdivision shall be 244 square metres.

(3) **Density**

The number of Dwelling Units permitted on Lot AM3, Section 10, Esquimalt District, Plan 276 shall be limited to two [2] for a density of one unit per 265 square metres.

(4) **Building Height**

- (a) No Principal Building shall exceed a Height of 6.8 metres
- (b) No Accessory Building shall exceed a Height of 3.6 metres.

(5) **Lot Coverage**

All Principal Buildings, Accessory Buildings and Structures combined shall not cover more than 33% of the Area of Lot AM3, Section 10, Esquimalt District, Plan 276.

(6) **Floor Area Ratio**

The combined Floor Area Ratio for Lot AM3, Section 10, Esquimalt District, Plan 276 shall not exceed .35.

(7) **Siting Requirements**

(a) **Principal Buildings:**

- (i) No Principal Building shall be located within 3.0 metres of any Front Lot Line.
- (ii) No Principal Building shall be located within 1.5 metres of any Interior Lot Line.
- (iii) No Principal Building shall be located within 1.5 metres of the Rear Line.
- (iv) The separation between Principal Buildings within Comprehensive

Development District No. 66 [CD No. 66] shall not be less than 3.0 metres.

(b) **Accessory Buildings:**

- (i) No Accessory Building shall be located in front of the front face of either of the Principal Buildings within Comprehensive Development District No. 66 [CD No. 66].
- (ii) No Accessory Building shall be located within 1.5 metres of an Interior or Rear Lot Line.
- (iii) The separation between any Accessory Building and any Principal Building within Comprehensive Development District No. 66 [CD No. 66] shall not be less than 2.5 metres.

(8) **Fencing**

Subject to Section 22 no fence shall exceed a Height of 1.2 metres in front of the front face of either of the Principal Buildings or along the Phoenix Road frontage and no fence shall exceed a Height of 2.0 metres behind the front face of either of the Principal Buildings on Lot AM3, Section 10, Esquimalt District, Plan 276.

(9) **Landscaping and Open Space**

Landscaping and Open Space shall be as shown on the plans submitted with the application and controlled by Development Permit No. 03/2008.

(10) **Off-Street Parking**

Notwithstanding Section 13 of Parking Bylaw No. 2011, the number of off-street parking stalls shall be provided in the ratio of two [2] stalls or each Dwelling Unit.

Notwithstanding Section 9(4) of Parking Bylaw No. 2011, the two required off-street parking stalls on Lot B may be located as shown on the plans attached to Development Permit No. 03/2008.

67.54 COMPREHENSIVE DEVELOPMENT DISTRICT NO. 67 [CD NO. 67]

In that Zone designated as CD No. 66 [Comprehensive Development District No. 67] 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) Single Family Residential
- (b) Home Occupation

(2) **Parcel Size**

The minimum Parcel Size of fee simple Parcels created by subdivision shall be 360 square metres.

(3) **Density**

The number of Dwelling Units permitted on Lot A, Section 11, Esquimalt District, Plan 276 shall be limited to three [3] for a density of one unit per 394 square metres.

(4) **Building Height**

- (a) No Principal Building shall exceed a Height of 7.0 metres
- (b) No Accessory Building shall exceed a Height of 3.6 metres.

(5) **Lot Coverage**

All Principal Buildings, Accessory Buildings and Structures combined shall not cover more than 32% of the Area of Lot A, Section 11, Esquimalt District, Plan 44390.

(6) **Floor Area Ratio**

The combined Floor Area Ratio for Lot A, Section 11, Esquimalt District, Plan 44390 shall not exceed .47.

(7) **Siting Requirements**

(a) **Principal Buildings:**

- (i) No Principal Building shall be located within 5.0 metres of any Front Lot Line.
- (ii) No Principal Building shall be located within 1.5 metres of any Interior Lot Line 3.6 metres of an Exterior Lot Line.
- (iii) No Principal Building shall be located within 6.0 metres of the Rear Lot Line.

- (iv) The separation between Principal Buildings within Comprehensive Development District No. 67 [CD No. 67] shall not be less than 3.5 metres.

(b) **Accessory Buildings:**

- (i) No Accessory Building shall be located in front of the front face of either of the Principal Buildings within Comprehensive Development District No. 66 [CD No. 66].
- (ii) No Accessory Building shall be located within 1.5 metres of an Interior or Rear Lot Line.
- (iii) The separation between any Accessory Building and any Principal Building within Comprehensive Development District No. 66 [CD No. 66] shall not be less than 2.5 metres.

(8) **Fencing**

Subject to Section 22 no fence shall exceed a Height of 1.2 metres in front of the front face of either of the Principal Buildings or along the Phoenix Road frontage and no fence shall exceed a Height of 2.0 metres behind the front face of either of the Principal Buildings on Lot AM3, Section 10, Esquimalt District, Plan 276.

(9) **Landscaping and Open Space**

Landscaping and Open Space shall be as shown on the plans submitted with the application and controlled by Development Permit No. 03/2008.

(10) **Off-Street Parking**

Notwithstanding Section 13 of Parking Bylaw No. 2011, the number of off-street parking stalls shall be provided in the ratio of two [2] stalls or each Dwelling Unit.

Notwithstanding Section 9(4) of Parking Bylaw No. 2011, the two required off-street parking stalls on Lot B may be located as shown on the plans attached to Development Permit No. 03/2008.

PART 6 - REPEAL OF PREVIOUS BYLAW

68. The Corporation of the Township of Esquimalt Zoning Bylaw No. 759, 1957 and amendments thereto are repealed.

READ a first time by the Municipal Council on November 30, 1992.

READ a second time by the Municipal Council on December 7, 1992

A Public Hearing was held pursuant to Sections 956 and 957 of the Municipal Act on December 14, 1992.

READ a third time by the Municipal Council on December 14, 1992.

Third Reading rescinded on January 11, 1993

AMENDED by the Municipal Council at Second Reading on March 8, 1993.

A Second Public Hearing was held pursuant to Sections 956 and 957 of the *Municipal Act* on April 5, 1993.

READ a third time by the Municipal Council on April 5, 1993.

RECONSIDERED and **FINALLY ADOPTED** by the Municipal Council on April 5, 1993.

C. J. E. CLEMENT
MAYOR

R. SERIGHT
MUNICIPAL CLERK

CORPORATION OF THE TOWNSHIP OF ESQUIMALT

PARKING BYLAW 1992

BYLAW NO. 2011

MAY, 2003

Consolidated for convenience. In case of discrepancy the original Bylaw or Amending Bylaws must be consulted.

“PARKING BYLAW NO. 1992, NO. 2011”
originally adopted by Council on April 5, 1993

The following list of amendments are included in this “Consolidated Bylaw”:

Parking Bylaw, 1992, No. 2011

Bylaw No.

Parking Bylaw Amendment Bylaw (No. 1), 1996	2251
Parking Bylaw Amendment Bylaw (No. 2), 1997	2305
Parking Bylaw Amendment Bylaw (No. 3), 1999	2356
Parking Bylaw Amendment Bylaw (No. 4), 1999	2392
Parking Bylaw Amendment Bylaw (No. 5), 2001	2460

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CORPORATION OF THE TOWNSHIP OF ESQUIMALT

BYLAW NO. 2011

A Bylaw to require the provision of off-street parking and loading within the Corporation of the Township of Esquimalt.

WHEREAS Council may pursuant to Section 964 of the "Municipal Act" require owners or occupiers of any land, building or structure to provide off-street parking and loading for the use, building or structure, including spaces for use by disabled persons;

NOW, THEREFORE, THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF ESQUIMALT, in open meeting assembled, enacts as follows:

1. **Citation**

This Bylaw may be cited for all purposes as the "PARKING BYLAW, 1992, NO. 2011".

PART 1 - INTERPRETATION

2. DEFINITIONS

- (1) Words and phrases defined in the Zoning Bylaw shall have the same meaning in this Bylaw.
- (2) Words and phrases used in this Bylaw that are not included in this section or in the Zoning Bylaw shall have the meanings which are commonly assigned to them in the context in which they are used in the Bylaw.
- (3) Unless otherwise specified, the following definitions apply:

"Loading Area" means an area of a Parcel or Structure used for Loading Spaces and related access purposes.

"Loading Space" means space used only for the delivery of goods to and from motor vehicles.

"Parcel" means any lot, block or other area in which land is held or into which it is subdivided, but does not include a highway.

"Parking Area" means an area of a Parcel or Structure used for parking motor vehicles and related access purposes.

"Parking Space" means a space marked out in a Parking Area and used only for the parking of motor vehicles.

"Principal Building" means a Structure accommodating the Principal Use of a Parcel.

"Structure" means anything that is erected or constructed that is attached to, supported by or sunk into land or water, excluding landscaping, surfacing improvements, fences and retaining walls under 1.0 m in height.

"Use" means the purpose for which any land, building or Structure is designed, arranged or intended, occupied or maintained.

"Zoning Bylaw" means Zoning Bylaw, 1992, No. 2050" and includes any bylaw which amends or replaces that bylaw.

2. **PART 2 - APPLICATION, COMPLIANCE, AND SEVERABILITY**

3. **APPLICATION**

This Bylaw applies to all land, buildings and structures within the Township, subject to Section 964 of the *Municipal Act* and to the provisions of provincial and federal statutes.

4. **COMPLIANCE**

- (1) The owners and occupiers of land, buildings and Structures shall provide Parking Spaces and Loading Spaces for each use, building or Structure in accordance with this Bylaw.
- (2) No building or Structure shall be constructed, reconstructed, moved or extended until Parking Spaces and Loading Spaces are provided in accordance with this Bylaw.
- (3) The use of any land, building or Structure may not be altered to any other use requiring a greater number of Parking Spaces or Loading Spaces than were required for the use in existence when this Bylaw came into force, until the spaces required by this Bylaw are provided.

5. **SEVERABILITY**

Any section or lesser portion of this Bylaw which is held to be invalid by a Court may be severed from the balance of this Bylaw without affecting validity of the remaining portions of this Bylaw.

PART 3 - ADMINISTRATION AND ENFORCEMENT

6. ADMINISTRATION

- (1) The Director of Planning and Engineering Services and other persons appointed by Council from time to time are authorized to administer this Bylaw.
- (2) Persons appointed under Section 6(1) may enter any property subject to this Bylaw at all reasonable times for the purpose of ascertaining whether this Bylaw is being observed.

7. OBSTRUCTION

No person shall prevent or obstruct any official appointed under Section 6(1) from carrying out their powers or duties under this Bylaw.

8. OFFENCE AND PENALTY

- (1) Every person who violates any of the requirements of this Bylaw commits an offence punishable upon summary conviction and is liable to a penalty of not less than \$50.00, nor more than \$2,000.00.
- (2) Each day that a violation of this Bylaw is caused to continue constitutes a separate offence.

PART 4 - GENERAL REGULATIONS

9. PROVISION AND MAINTENANCE OF OFF-STREET PARKING AND LOADING AREAS

- (1) Required Parking Spaces, Loading Spaces and manoeuvring aisles shall be provided and maintained on the same Parcel as the use, building or Structure for which they are required.
- (2) All required Parking Spaces and Loading Spaces shall be completed prior to commencement of a use and prior to the issuance of an occupancy permit.
- (3) Parking, loading and storage of vehicles is not permitted within any required landscaped area.
- (4) Parking Spaces in Residential zones shall be located no closer to the Front Lot Line than the front face of the Principal Building.
- (5) Any area of a Parcel used for parking or loading shall be constructed so as to permit unobstructed access to and egress from each space at all times and shall be developed to ensure that adequate provision is made for access by vehicles to parking spaces located in Parking Areas by means of unobstructed manoeuvring aisles as described in Tables 2 and 3.
- (6) Notwithstanding Section 9(1), up to 40% of the off-street parking as required by this bylaw, may be located on adjacent parcels provided that:
 - a) the spaces are built and are accessible at specified times in accordance with the standards of this bylaw;
 - b) the spaces are within 200 metres of the parcel for which they are required; and
 - c) the continued use of parking spaces is ensured through the registration of a covenant, easement or land use contract in favour of the benefiting party and which cannot be extinguished without the approval of the Municipality.
- (7) Section 9 (4) shall not apply to Single or Two Family Dwellings built prior to September 16, 1957.

10. DESIGN OF PARKING AREAS

- (1) Each Parking Area shall be designed and constructed in accordance with accepted engineering practices, with ramp grades not exceeding 15% gradient, and Parking Areas not exceeding 8% gradient.
- (2) Each Parking Space and manoeuvring aisle in all Parking Areas shall be surfaced with asphalt, concrete, paving blocks, or other durable dust-free material.
- (3) Parking Areas shall be graded to prevent surface drainage being directed to adjacent lands, and shall be drained to a municipal storm drainage system.

- (4) The boundaries between each Parking Space shall be clearly delineated by means of painted lines on the parking surface or by means of vehicle stops.

11. **VISITOR PARKING**

- (1) On land located in Multiple Residential Zones, 1 of every 4 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.
- (2) In a mixed residential/commercial development, required Parking Spaces may be assigned to commercial use but shall not comprise more than 15% of the space required for the commercial use component.

12. **DISABLED PERSONS' PARKING SPACES**

- (1) In any Development requiring 25 or more Parking Spaces, Disabled Persons' Parking Spaces shall be provided in a ratio of 1 for every 50 required Parking Spaces, plus 1 space for any remainder in excess of the required number of spaces divided by 50.
- (2) Seniors' housing complexes shall provide Disabled Persons' Parking Spaces in a ratio of 1 for every 6 required Parking Spaces.
- (3) Each Disabled Persons' Parking Space shall be a minimum of 3.7 m in width and shall occupy the portion of the Parking Area nearest to the building entrance that accommodates wheelchair access.
- (4) Drop curbs to accommodate wheelchair access shall be provided on any curb between a Disabled Persons' Parking Space and the building entrance.
- (5) Each Disabled Persons' Parking Space shall have a firm, slip-resistant and level surface.
- (6) Each Disabled Persons' Parking Space shall be marked by signage or pavement markings to indicate usage only by vehicles displaying an approved disabled permit obtained from the Resource Centre for Independent Living (RCIL)

PART 5 - PARKING REQUIREMENTS

13. **NUMBER OF OFF-STREET PARKING SPACES**

- (1) The minimum number of Parking Spaces required for each use, building or Structure shall be calculated in accordance with Table 1.

TABLE 1

<u>Use, Building or Structure</u>	<u>Required Parking Spaces</u>
(a) <u>RESIDENTIAL</u>	
(i) Single Family	1 space per dwelling unit
(ii) Single Family Bed and Breakfast	3 spaces per dwelling unit
(iii) Two Family	1 space per dwelling unit
(iv) Low, medium and High density Townhouse and low density Apartment (RM-1, RM-2, RM-3)	2 spaces per dwelling unit
(v) Medium and High density apartment (RM-4 and RM-5) and apartments within commercial zones	1.30 spaces per dwelling unit 0.50 spaces per dwelling unit
(vi) Senior Citizens apartments	
(b) <u>COMMERCIAL</u>	
(i) Convenience Store	1 space per 35 sq. m. of gross floor area with a minimum of 4 spaces
(ii) Restaurant	1 space per 5 seats with a minimum of 1 space per 14 sq. m. of gross floor area
(iii) Entertainment (theatres, halls, arcades)	1 space per 5 seats with a minimum of 1 space per 14 sq. m. of gross floor area
(iv) Retail Sales of goods and services	1 space per 25 sq. m. of gross floor area
(v) Mixed Commercial/Residential	Commercial requirement per use plus residential requirement
(vi) Business and Professional Offices	1 space per 30 sq. m. of gross floor area
(vii) Financial Institutions	1 space per 25 sq. m. of gross floor area
(viii) Hotels	1 space per guest room
(ix) Motels	1 space per rental unit
(x) Service Station, including	3 spaces per service bay

automobile repair, servicing and body shops and car wash	
Table 1 continued...	
(xi) Museum	1 space per 10 sq. m. gross floor area
(xii) Licensed liquor establishments	1 space per 5 seats with a minimum of 1 space per 14 sq. m. of gross floor area
(xiii) Other Commercial	1 space per 25 sq. m. gross floor area
(c) <u>INDUSTRIAL</u>	
(i) Warehouse - storage	1 space per 250 sq. m. gross floor area
(ii) Warehouse - wholesale outlet	1 space per 25 sq. m. gross floor area
(iii) Manufacturing - light	1 space per 100 sq. m. gross floor area
(iv) Manufacturing - heavy	1 space per 50 sq. m. site area
(v) Repair Shops (other than automobile repair, servicing and body shops)	1 space per 100 sq. m. gross floor area
(vi) Electrical Substations and Gas Pressure Reduction Facilities	1 space
(vii) Other Industrial	1 space per 25 sq. m. gross floor area
(d) <u>PUBLIC INSTITUTIONAL</u>	
(i) Schools - Elementary and Junior Secondary	1.5 spaces per classroom
(ii) Schools - Senior Secondary	3.5 spaces per classroom
(iii) Churches	1 space per 10 seats
(iv) Golf Course - 18 hole	150 spaces plus 1 space per tee for driving range
(e) <u>MARINE COMMERCIAL</u>	
(i) Boat Rental	1 space per rental unit
(ii) Passenger Charter Service	3 spaces per charter boat
(iii) Pleasure and Commercial Boat Moorage	1 space per 4 berths
(iv) Liveaboards and Floating Homes	1 space per dwelling unit

- (2) If a use, building or Structure is not listed in Table 1, the number of spaces required shall be calculated on the basis of the most similar use that is listed.
- (3) Unless otherwise provided in Table 1, if a development contains more than one use or involves collective parking for more than one building or use, the total number of spaces required shall be the sum of the various classes of uses calculated separately and any space required for one use shall not be included in the calculations for any other use.
- (4) Where the calculation of the total required spaces results in a fractional number, rounding off to the larger whole number shall apply.
- (5) Where all of the following criteria are met in a commercial or industrial building, the off-street parking requirement of Section 13(1) may be reduced by a maximum of two [2] spaces:
 - 2 or more secure bicycle parking spaces are provided on-site
 - shower and change rooms are provided within the building
 - 6 visitor bicycle parking spaces are provided on-site
 - the building is located within 200 metres of a regional bus route.

14. **DIMENSIONS OF OFF-STREET PARKING SPACES**

- (1) Parking Spaces provided in conjunction with any single family or two family land use shall be a minimum of 2.6 m wide by 5.5 m deep provided that up to 50% of the total required Parking Spaces may be designed for small cars by reducing the depth of stall to 4.5 m.
- (2) Parking Areas provided in conjunction with any multiple family residential land use shall conform to Table 2 provided that:
 - (a) up to 50% of the total required Parking Spaces may be designed for small cars by reducing the depth of stall for 90 degree parking from 5.5 m to 4.5 m;
 - (b) small car spaces are clearly designated for that use.
- (3) An off-street parking area provided for any non-residential land use shall conform to Table 3 provided that:
 - (a) up to 50% of the total required off-street Parking Spaces may be designed for small cars, by reducing the depth of stall for 90 degree parking from 5.5 m to 4.5 m, and the width of stall to 2.4 m.
 - (b) small car spaces are clearly designated for that use.
- (4) Notwithstanding the provisions of Tables 2 or 3 or Section 12, where any Parking Space abuts any portion of a fence or Structure, the minimum stall width shall be increased by 0.3 m for that Parking Space.

TABLE 2

Parking Angle In Degrees	Minimum Width of Stall	Minimum Depth Perpendicular to Manoeuvring Aisle	Minimum Width of Stall Parallel to Manoeuvring Aisle	Minimum Width of Manoeuvring Aisle
0	2.4m	2.4m	6.7m	3.7m one way
30	2.4m	4.8m	4.9m	3.7m one way
45	2.4m	5.6m	3.4m	3.7m one way
60	2.4m	6.0m	2.8m	6.4m two way
90	2.4m	5.5m	2.4m	7.9m two way*
90	2.6m	5.5m	2.6m	7.6m two way*
90	2.75m	5.5m	2.75m	7.3m two way*

* The minimum width for a manoeuvring aisle accessing only one bank of parking shall be 6.75m.

TABLE 3

Parking Angle In Degrees	Minimum Width of Stall	Minimum Depth Perpendicular to Manoeuvring Aisle	Minimum Width of Stall Parallel to Manoeuvring Aisle	Minimum Width of Manoeuvring Aisle
0	2.6m	2.6m	7.0m	3.7m one way
30	2.6m	5.0m	5.2m	3.7m one way
45	2.6m	5.7m	3.7m	3.7m one way
60	2.6m	6.0m	3.0m	6.1m two way
90	2.6m	5.5m	2.6m	7.6m two way*

* The minimum width for a manoeuvring aisle accessing only one bank of parking shall be 6.75m.

PART 6 - LOADING REQUIREMENTS

14. **NUMBER OF OFF-STREET LOADING SPACES**

The minimum number of Loading Spaces required for each use, building or Structure shall be calculated in accordance with Table 4.

15. **LOCATION, SITING, AND DESIGN OF LOADING AREAS**

All required off-street Loading Areas shall:

- (1) provide Loading Spaces having dimensions of not less than 3m in width, 7.5m in length, and a minimum 4.25m of clearance between the surface of the Loading Space and any Structure above;
- (2) have unobstructed vehicular access and egress from a street;
- (3) be graded and drained in accordance with accepted engineering standards to ensure that no drainage is directed to adjacent lands; and
- (4) be clearly designated as Loading Areas.

TABLE 4

On land located in Commercial Zones under the Zoning Bylaw, Loading Spaces shall be provided as follows:	
<u>TOTAL FLOOR AREA</u>	<u>SPACES REQUIRED</u>
0-700 sq.m.	0
700 - 1400 sq.m.	1
For each additional 1400 sq.m or portion thereof	1
On land located in Industrial Zones under the Zoning Bylaw, Loading Spaces shall be provided as follows:	
<u>TOTAL FLOOR AREA</u>	<u>SPACES REQUIRED</u>
0-700 sq.m.	1
700 - 1400 sq.m.	2
2800 - 4200 sq.m.	3
For each additional 2300 sq.m. or portion thereof	1

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Third reading reconsidered and amended by the Municipal Council on 29th March, 1993.

RECONSIDERED and FINALLY ADOPTED by the Municipal Council on 5th April, 1993.

C.J.E. CLEMENT
MAYOR

R. SERIGHT
MUNICIPAL CLERK