

7.6.01 Permitted Uses

In addition to the uses permitted by Section 2.1.10 of this Bylaw, the following uses and no others shall be permitted in the Service Commercial (CS1) Zone:

1. Animal hospitals in enclosed buildings;
2. Auction rooms;
3. Automobile repair, body and painting shops;
4. Car wash establishments and drive-in businesses;
5. Commercial nurseries and greenhouses;
6. Gasoline service stations;
7. Offices, storage buildings and enclosed yards for building, electrical, heating, ventilating and air conditioning, painting, plumbing, refrigeration, roofing, septic tank and sign contractors;
8. Printing, publishing and bookbinding;
9. Parking facilities;
10. Personal service, limited to 200 m² in gross floor area;
11. Public transportation depots;
12. Restaurants;
13. Repair of household furnishings;
14. Retail lumber and building supply establishments;
15. Retail sale, rental and repair of tools and small equipment such as chain saws, hand and edge tools, lawn mowers, motorbikes, roto-tillers and outboard motors;
16. Retail sale and rental of automobiles, trucks, boats, camper vehicles, mobile homes and farm machinery and parts and accessories thereof;
17. Retail stores not exceeding 200 m² in gross floor area;
18. Unenclosed storage accessory to a retail lumber and building supply establishment; and
19. Accessory buildings and structures.

7.6.01A Comprehensive Development (Lot A, Section 1, Esquimalt District, Plan VIP85614).

1. The following additional uses to those specified in Section 7.6.01 are permitted:
 1. apartment dwelling units;
 2. bakeries with a gross floor area of not more than 300 m²;
 3. business colleges and trade schools;
 4. day care for three or more preschool children who are not related by blood or marriage to an operator of the facility;
 5. drive-in businesses;
 6. funeral parlours;
 7. hotels and motels;
 8. indoor sports and recreation facilities;
 9. offices;
 10. personal service;
 11. post office;
 12. restaurants and uses licensed pursuant to the *Liquor Control and Licensing Act*;
 13. retail stores;
 14. scientific or technological research facilities;
 15. shopping centre;

16. light manufacturing uses which are not noxious or offensive to the immediate neighbourhood or general public by reason of emitting odours, dust, smoke, gas, noise, effluent or hazard;
17. uses permitted in the Community Institutional (P2) zone;
18. wholesale and storage buildings and unenclosed storage;
19. one dwelling unit for a caretaker; and
20. Accessory dwelling unit.
21. Despite section 2.1.09(2)(g) a Cannabis Retail Store limited to a maximum floor area of 270m² is permitted at the property have a civic address of #202-310 Wale Road, and more particularly described as "Strata Lot 10 Section 1 Esquimalt District Strata Plan VIS6898".

2. The following conditions of use shall apply to the uses specified in Section 7.6.01(A)(1):
 - a. The maximum density of an Apartment dwelling unit use shall be one dwelling unit per 2 hectares of site area;
 - b. All uses including scientific or technological research facilities and light manufacturing uses and excluding unenclosed storage, apartment dwelling units and restaurants shall take place entirely within a wholly contained building;
 - c. Light manufacturing uses are not permitted in buildings in which there are apartment dwelling units;
 - d. No noise or odour related to a manufacturing use and which is discernible from any adjacent property or street shall be permitted; and
 - e. Apartment dwelling units shall be permitted only in conformity with the following provisions:
 - i. In a building used for both residential and commercial purposes, a completely separate public entrance to the apartment dwelling units shall be provided at the ground floor front or side elevation;
 - ii. No advertising use shall be located on or above a storey used for apartment dwelling units;
3. Despite Section 7.6.01(A)(2) if the Owner:
 - a. provides affordable housing by contributing to an affordable housing reserve fund of the City \$250 per dwelling unit. Despite the foregoing, should Council adopt a policy resolution implementing a lesser or no contribution amount the lesser contribution or no amount shall be paid as the case may be; and
 - b. provides community amenities by contributing to a community amenity reserve fund of the City \$1,500 per dwelling unit, and for this purpose "community amenity" means community land or buildings to house community services and service providers such as community health services, youth programs, community policing, fire protection, cultural facilities, meeting space, and other similar amenities. Despite the foregoing, should Council adopt a policy resolution implementing a lesser or no contribution amount the lesser contribution or no amount shall be paid as the case may be; and
 - c. payment shall be made at the time of approval of the building permit for which the dwelling units are permitted to be constructed,
 - d. the conditions of use specified in Sections 7.6.01(A)(2)(b) to 7.6.01(A)(2)(e) inclusive shall apply to the uses specified in Section 7.6.01(A)(1).
4. Section 7.6.06 (2) shall not apply to the Nob Hill Road frontage of Lot 1, Section 1, Esquimalt District, Plan 29719 where a road-widening dedication has been provided by the Owner.

7.6.02 Density of Development

- a. The floor area ratio shall in no case exceed 1.0;
- b. Notwithstanding Section 7.6.02 a), on land legally described as Lot 1, Section 1, Esquimalt District, Plan EPP13164, Except Part in Strata Plan VIS6898 and Strata Lots 1-10, Section 1, Esquimalt District Strata Plan VIS6898, Together With An Interest In The Common Property In Proportion To The Unit Entitlement Of The Strata Lot As Shown On Form V (310, 314, 318 and 328 Wale Road and 2675 Wilfert Road), the floor area ratio shall in no case exceed 1.5;"

7.6.03 Height of Buildings

The height of a building shall not exceed 12 m or three storeys.

7.6.04 Yard Requirements

1. A front yard shall be provided of not less than 7.5 m in depth.
2.
 - a. Where a lot is not serviced by a rear access highway, a side yard of 4.5 m in width shall be provided on at least one side of the lot.
 - b. Where a lot abuts a lot in an Agricultural Zone, Residential Zone, Multiple Family Residential Zone or Institutional Zone, a side yard shall be provided of not less than 6 m in width.
 - c. On a corner lot a side yard of not less than 7.5 m in width shall be provided adjoining a flanking street.
 - e. A rear yard shall be provided of not less than 3 m in depth, except where such lot abuts a lot in an Agricultural Zone, Residential Zone, Multiple Family Residential Zone or Institutional Zone, such yard shall be not less than 6 m in depth.

7.6.05 Lot Coverage

The maximum coverage shall be 50 percent of the lot.

7.6.06 Landscaping and Screening

1. Landscaping shall cover not less than 5 percent of the developed lot area.
2. A continuous landscaping strip not less than 3 m wide shall be provided along the developed portion of each side of the lot which abuts a highway. This landscaping strip need not have a net area exceeding 10 percent of the developed lot area, and may be interrupted at boulevard crossings, or to provide necessary pedestrian access for entering a building or for viewing shop windows.
3. Except in those portions where a building abuts a lot line, screen planting at least 1.5 m high in a strip at least 1.5 m wide, or a solid decorative fence at least 1.5 m high shall be provided along all lot lines separating the developed portion of the lot from any Residential Zone, Multiple Family Residential Zone or Institutional Zone, whether such property be separated by a highway or not.

7.6.07 Subdivision Requirements

1. The minimum lot area that may be created by subdivision shall be 695 m².

2. The minimum highway frontage and lot width that may be created by subdivision shall be 16 m.
3. Panhandle lots are not permitted.

7.6.08 General

The relevant provisions of Division 2 of this Bylaw shall apply.

CONSOLIDATED FOR CONVENIENCE ONLY