



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

Notice of Public Hearing

TAKE NOTICE THAT A PUBLIC HEARING will be held on Monday, December 7, 2015 at 7:00 p.m. in the Council Chambers, Esquimalt Municipal Hall, 1229 Esquimalt Road, Esquimalt, B.C., to allow the public to make representations to the Municipal Council respecting matters contained in Zoning Bylaw, 1992, No. 2050, Amendment Bylaw No. 2861. The Purpose, in general terms, is to amend the Township's Zoning Bylaw, 1992, No. 2050, including to add new regulations, to improve consistency of language, to clarify existing regulations, and for the following:

1. at **Part 1 – Interpretation, Section 2. Definitions:**

- **Deletion of the following definitions:** Area, Accessory Building, Boarder, Boarding Use, Comprehensive Development Plan, Corner Lot, Dwelling - Apartment, Dwelling - Single Family, Dwelling - Two Family, Exterior Side Lot Line, Floor Area, Floor Area Ratio, Front Lot Line, Front Building Line, Garage - Private, Height, Interior Side Lot Line, Landscaping, Rear Lot Line, Roomer, Secondary Suite, Setback, Side Lot Line, Structure, Urban Hens, Use - Apartment, Use - Single Family Residential, Use - Townhouse Residential, Use - Two Family Residential, Wrecked Motor Vehicle, Yard, Yard - Front, Yard - Rear, and Yard - Side;

- **Addition of the following new or replacement definitions:** Area of a Parcel, Access Route, Accessory Building, Apartment, Boarding, Corner Lot, Derelict Vehicle, Dwelling - Multiple Family, Dwelling - Single Family, Dwelling - Two Family, Fence, Floor Area, Floor Area Ratio, Front Building Line, Front Face, Garage, Guard, Habitable Areas, Height, Landscaping, Lane, Lot Coverage, Lot Line - Exterior Side, Lot Line - Front, Lot Line - Interior Side, Lot Line - Rear, Mixed Commercial/Residential, Park, Retaining Wall, Secondary Suite, Setback, Structure, Urban Hen, Yard, Yard - Front, Yard - Rear, and Yard - Side;

- **Addition of 3 figures**, intended to provide clarity in the interpretation of certain definitions, titled: Lot Types, Lot Lines and Yards;

2. at **Part 4 – General Regulations, Section 11. Permitted Uses:**

Subsection (2), revised provision with further limitations on vehicle repair on residential properties;

Subsection (4), new provision permits one secondary suite on parcels that are at least 530.0 square metres in area and are developed solely for single family residential use;

Subsection (5)(a), new provision permits a temporary 'laydown site' use during public highway construction or public infrastructure projects, in all zones, subject to certain conditions;

Subsection (5)(b), new provision permits park use in all zones;

3. at **Part 4 – General Regulations, Section 13. Home Occupations:**

Subsection (1), replacement of the restriction allowing only one (1) home occupation per dwelling unit, with new provisions allowing up to two (2) home occupations per dwelling unit;

Subsection (9), revised to expand the list of servicing type occupations that would not be permitted as home occupations;

4. at **Part 4 – General Regulations, Section 14. Calculation of Floor Area Ratio** renamed **Calculation of Floor Area and Floor Area Ratio:** has been rewritten with new provisions clarifying and adding exclusions to Floor Area within a building and for the calculation of the Floor Area Ratio for a parcel;

5. at **Part 4 – General Regulations, Section 15. Height Exceptions** renamed **Height Calculations:** has been rewritten with new provisions for the calculation of height of buildings and structures, and revised provisions for those structures that are exempt from height restrictions;

6. at **Part 4 – General Regulations, Section 16. Siting Exemptions:** has been rewritten with new provisions clarifying the features of a building that may project into a required setback, including adding below ground stairwells and window wells, and accessibility ramps. Accessibility ramps are also given exclusion from "lot coverage" and "siting requirements" regulations;

7. at **Part 4 – General Regulations, Section 17. Special Siting Requirements:** This section, which regulated the siting of heat pumps, is deleted;

8. at **Part 4 – General Regulations, Section 21. Accessory Buildings And Uses:** Subsection (3), which regulated structures to house Urban Hens, is deleted. Note replacement and related provisions in Section 30.4 Urban Hens;

9. at **Part 4 – General Regulations, Section 22. Fences** renamed **Fences and Retaining Walls:** Subsection (1) is deleted and replaced with four subsections, with remaining subsections renumbered. New provisions clarifying and adding restrictions on the height of fences, and the placement and height of retaining walls;

10. at **Part 4 – General Regulations, Section 24. Screening and Landscaping:** In subsection (4), the word 'Screening' is replaced with 'Screening and Landscaping' requiring both to be maintained by the property owner;

11. at **Part 4 – General Regulations, Section 24. Visibility At Intersections:** has been rewritten with new provisions and diagrams regarding restrictions placed on properties adjacent to highway intersections;

12. at **Part 4 – General Regulations, Section 25. Wrecked Vehicles** renamed **Derelict Vehicles:** has been rewritten to clarify and add restrictions regarding the parking, storage and accumulation of vehicles on property;

13. at **Part 4 – General Regulations, Section 28. Major Road Setback**, which required setbacks from Esquimalt Road and Admirals Road, is deleted, and a new **Section 28. Marine Setback** adds a 30 metre setback for all Buildings, Structures and non-recreational uses of land, with reduction for certain single family residential uses, from the marine area of parcels abutting the sea;

14. at **Part 4 – General Regulations, Section 29. Bare Land Strata Lots:** In Subsection (1), "Condominium Act" reference is replaced with "Strata Property Act", and at Subsection (4) the term 'Access Route' is capitalized;

15. at **Part 4 – General Regulations, Section 30.3 Boarding Use** renamed **Boarding:** has been rewritten to clarify and add provisions regarding the use of dwellings for the boarding of others, and to permit the boarding use on parcels zoned for Single Family Residential or Two Family Residential use;

16. at **Part 4 – General Regulations, Section 30.4. Urban Hens** renamed **Urban Hen, Dog, Cat, Rabbit Rodent, Bird and Bee Housing:** has been rewritten to clarify, define and add provisions, including: setbacks for buildings and structures used to house animals; defining the keeping of urban hens, rabbits, birds, bees other livestock, fowl or similar animal as an urban agricultural use; and additional siting provisions and other regulations for urban hens and bees;

17. at **Part 4 – General Regulations, Section 30.6 Secondary Suites:** has been rewritten with revised and new regulations governing secondary suites, including: one secondary suite per single family dwelling where permitted; prohibition of location within Two-Family or Multiple Family Residential buildings; limitations on floor area; prohibition on subdivision; restrictions on rental; and prohibition of boarding use;

18. at **Part 5 – Zoning Districts:**

- The keeping of 'Roomers and Boarders' is deleted from the permitted uses of the RS-1, RS-3, RS-3 and RS-5 Single Family Residential zones;

- 'Boarding' and 'Urban Hens' are added as permitted uses in all zoning districts that allow 'Single Family Residential' and/or 'Two Family Residential' as permitted uses;

- 'Home Occupation' is added as a permitted use in twelve zoning districts where it was missing;

- Minimum 'Unit Size' requirements are deleted from all zones;

19. at **Part 5 – Zoning Districts, Section 40. Two Family/Single Family Residential [RD-3]:** 'Secondary Suite within a Single Family Residence' is deleted as a listed permitted use (as the use is allowed at **Part 4 – General Regulations Section 11. Permitted Uses** Subsection (4));

20. at **Part 5 – Zoning Districts, Section 49. Service Station Commercial [C-4]:** at Subsection 6(a)(i) the phrase "front Building Line" is replaced with "Front Lot Line";

21. at **Part 5 – Zoning Districts, Section 58. Public/Institutional [P-1] and Section 59. Parks And Open Space [P-2]:** 'Assembly Use' is added as a Permitted Use in both zones;

23. at **Part 5 – Zoning Districts**, deleting the following zoning districts as there are no associated parcels: **Section 51. Tourist Commercial [C-5B]** and **67.6 Comprehensive Development District No. 12 [CD No. 12];** and

24. At several locations in the Zoning Bylaw, 'Local Government Act' replaces 'Municipal Act'.

AND FURTHERMORE TAKE NOTICE that copies of the proposed bylaw and relevant background documents may be inspected on the Esquimalt website at Esquimalt.ca/news/, and at the offices of Development Services, Municipal Hall, 1229 Esquimalt Road, Esquimalt, B.C., anytime between the hours of 8:30 a.m. and 4:30 p.m. from November 27, 2015 until December 7, 2015, inclusive [excluding Saturdays, Sundays and Statutory Holidays].