

CORPORATION OF THE TOWNSHIP OF ESQUIMALT

BYLAW NO. 3018

A Bylaw to amend Bylaw No. 2050, cited as the
"Zoning Bylaw, 1992, No. 2050"

THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF
ESQUIMALT, in open meeting assembled, enacts as follows:

1. This bylaw may be cited as the *"ZONING BYLAW, 1992, NO. 2050, AMENDMENT BYLAW NO. 3018"*.
2. That Bylaw No. 2050, cited as the "Zoning Bylaw, 1992, No. 2050" be amended as follows:

- (1) at **PART 1 – INTERPRETATION Section 2. DEFINITIONS** by amending the following definition:

Secondary Suite, so that it reads:

"**Secondary Suite**" means a secondary Dwelling Unit which is occupied or intended to be occupied as the Permanent Residence by one Family, contained within and subordinate to a principal Dwelling Unit, in accordance with section 30.6.

- (2) at **PART 4 – GENERAL REGULATIONS Section 30.6 SECONDARY SUITES:**

Amend Section 30.6 to replace subsection (2) with the following:

- (2) A Secondary Suite may be located within a Two-Family or Multiple Family Residential building where the zoning permits.

- (3) at **PART 5 – ZONING DISTRICTS**

by adding the following words and figures in Section 31, Zone Designations, in the appropriate alpha-numeric sequence:

"Comprehensive Development No.135 (475 Kinver Street) CD No. 135"

- (3) by adding the following text as Section 67.117 (or as other appropriately numbered subsection within Section 67):

67.117 COMPREHENSIVE DEVELOPMENT DISTRICT NO. 135 [CD NO. 135]

In that Zone designated as CD No. 135 [Comprehensive Development District No.135] no Building or Structure or part thereof shall be erected, constructed, placed, maintained, or used and no land shall be used except in accordance with and subject to the regulations contained in or incorporated

by reference into this Section.

(1) **Permitted Uses**

The following Uses and no others shall be permitted:

- a) Two Family Residential
- b) Home Occupation
- c) Secondary Suites: subject to the requirements of Section 30.6
- d) Urban Hens: subject to the requirements of Section 30.4

(2) **Parcel Size**

The minimum Parcel Size of fee simple Parcels created by subdivision shall be 790 square metres.

(3) **Number of Principal Buildings**

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

(4) **Number of Dwelling Units**

Not more than four [4] Dwelling Units shall be located on a Parcel.

(5) **Floor Area Ratio**

The Floor Area Ratio shall not exceed 0.39.

(6) **Lot Coverage**

- (a) Buildings and Structures combined shall not cover more than 35% of the Area of the Parcel.
- (b) The Lot Coverage of the principal building shall not exceed 34%.
- (c) All Accessory Buildings and Structures combined shall not cover more than 1% of the Area of the Parcel.

(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) **Siting Requirements**

(a) **Principal Buildings:**

- (i) Front Setback: The principal building shall not be located within 5.5 metres of the Front Lot Line.
- (ii) Interior Side Setback: The principal building shall not be located within 4.5 metres of the Interior Lot Line.

- (iii) Exterior Side Setback: The principal building shall not be located within 3.0 metres of the Exterior Side Lot Line.
- (iv) Rear Setback: The principal building shall not be located within 10.0 metres of the 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 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.

(8) Siting Exceptions

The minimum distance to the Interior Side Lot Line may be reduced by not more than 1.7 metres to accommodate the stairs on the south side of the Principal Building.

(9) Fencing

Subject to PART 4, 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.

(10) Off-Street Parking

Off street parking shall be provided in accordance with the requirements of Parking Bylaw, 1992, No. 2011 (as amended).

- (4) by changing the zoning designation of [PID 000-064-980; Parcel B (DD187669I) of Lots 1 and 2, Block 3, Section 11, Esquimalt District, Plan 6016] [475 Kinver Street] shown cross-hatched on Schedule "A" attached hereto from RD-3 [Two Family/ Single Family Residential] to CD. No. 135 [Comprehensive Development District No. 135].
- (5) by changing Schedule 'A' Zoning Map, attached to, and forming part of "Zoning Bylaw, 1992, No. 2050" to show the changes in zoning classification effected by this bylaw.

READ a first time by the Municipal Council on the ____ day of _____, 2021.

READ a second time by the Municipal Council on the ____ day of _____, 2021.

A Public Hearing was held pursuant to Sections 464, 465, 466 and 468 of the *Local Government Act* on the ____ day of _____, 2021.

READ a third time by the Municipal Council on the ____ day of _____, 2021.

ADOPTED by the Municipal Council on the ____ day of _____, 2021.

BARBARA DESJARDINS
MAYOR

ANJA NURVO
CORPORATE OFFICER



Heald Ave

S Joffre St

Kinver St

1100₄₈₀

479

477

474₄₇₂

475

471₄₇₃

471

469

1132

467

Schedule 'A'
Bylaw No. 3018