



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) Secondary Suite: subject to the requirements of Section 30.6
- (d) Boarding: subject to the requirements of Section 30.3
- (e) Urban Hens: subject to the requirements of Section 30.4 of this bylaw.

(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, 1992, No. 2011 (as amended).

19 DPA NO. 2



Protection of Development From Hazardous Conditions

19.1 Area

All lands located within the inundation area as calculated by the most recent Tsunami modeling program are designated as part of Development Permit Area No. 2 – Protection of Development from Hazardous Conditions.

19.2 Designation

Development Permit Area No. 2 is designated for the purpose of establishing objectives for:

- Section 488 (1) (b) protection of development from hazardous conditions.

19.3 Justification

The Township is located in one of the most seismically active areas in Canada. As such it is imperative that land use and development decisions take into consideration the potential dangers associated with tsunamis.

A tsunami is a series of long surge-like waves and is usually caused by an underwater earthquake, landslide, or volcanic eruption. The most dangerous tsunami threat in the Capital Region will follow a major earthquake in the Cascadia subduction zone (CSZ), located about 100 km off Vancouver Island. Such an earthquake will cause ground shaking lasting between one and four minutes and will result in significant damage throughout the region (<https://www.crd.bc.ca/about/news/article/2013/04/19/modelling-tsunami>).

These guidelines are justified based on the thousands of people across the globe who have been killed due to tsunamis.

19.4 Exemptions

There are no exemptions.

19.5 Guidelines

1. No building intended for the occupation of people shall be built within an area directly impacted by a tsunami.
2. Tsunami walls, retaining walls, sea walls, and other similar structures located in an area directly impacted by a Tsunami shall be designed to absorb wave energy and deflect residual wave energy away from locations likely to be occupied by people.
3. Use of board form design, landscaping, breaking up large expanses of flat surfaces, and other techniques to add interest in Tsunami walls, sea walls, and other similar structures is encouraged.
4. The use of construction materials that may leach toxic chemicals over time into the land or water should be avoided.
5. Incorporating wildlife habitat such as marine pools, nesting ledges, rough surfaces, sheltered coves, and similar design elements into tsunami walls, retaining walls, and sea walls is encouraged.



17 Notices
Mailed Nov 24, 2020

November 24, 2020

DEVELOPMENT VARIANCE PERMIT NOTICE

Dear Resident,

The owners of 445 Foster Street have applied for a Development Variance Permit to vary the allowable building height for an accessory building.

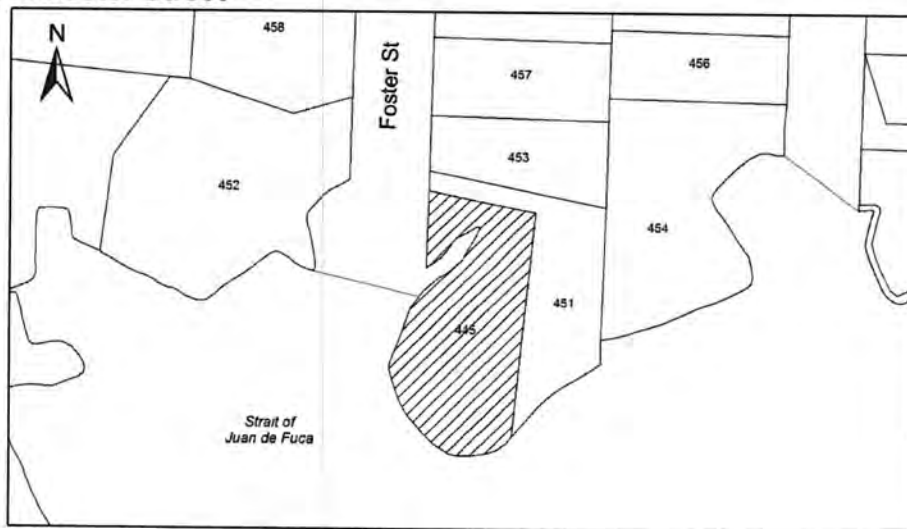
What does this mean?

As part of the application, the public has an opportunity to provide input to Council regarding the proposed variances. All variances to the Township's Zoning Bylaw, 1992, No. 2050 must be considered by Council. The Zoning Bylaw can be found on the Township's website at:

<https://www.esquimalt.ca/government-bylaws/bylaws-enforcement/bylaws/zoning-bylaw-consolidated>

Details:

Site Location: 445 Foster Street



Description of land:

- Parcel Identifier (PID): 002-705-141
- Legal description: Lot 3 Suburban Lot 47 Esquimalt District Plan 25909

1229 Esquimalt Road
Esquimalt BC V9A 3P1
t. 250-414-7103
f. 250-414-7160
www.esquimalt.ca

Purpose of the application:

The applicant is proposing to build a second-storey addition to an existing accessory building. As the allowed height for an accessory building in a RS-1 zone is 3.6 metres, the applicant is requesting a variance to increase the maximum allowed height.

The applicant is requesting the following variances to Zoning Bylaw, 1992, No. 2050:

Vary Section 36 (6)(b), Building Height, to increase the maximum allowed Height for an Accessory Building from 3.6 metres to 7.46 metres.

Input opportunities:

The Municipal Council will consider this application at the **Regular Meeting of Council commencing at 7 p.m., Monday, December 7, 2020 in the Council Chambers, Esquimalt Municipal Hall, 1229 Esquimalt Road, Esquimalt, BC V9A 3P1**. Pursuant to Ministerial Order 192, the public will not have physical access to the Municipal Hall; however, the Public Hearing will be streamed on the following link:
<https://esquimalt.ca.legistar.com/Calendar.aspx> .

Affected persons may address Council by telephone during the electronic input portion of the agenda, written submission by noon on that date to the address noted above, or via email to corporate.services@esquimalt.ca. To arrange for telephone input, please call 250-414-7135 before 4:30pm on the day of the meeting to speak with the Corporate Officer.

Information related to this application may be reviewed on the Esquimalt.ca website from November 24 until December 7, 2020 by viewing the Development Tracker at: <https://www.esquimalt.ca/business-development/development-tracker/development-variance-permit-applications> .

Please note:

Personal information contained in communications to Council and its Committees is collected under the authority of the Community Charter, the Local Government Act, and the Freedom of Information and Protection of Privacy Act and will be used to assist Council members in decision making. Please note that your comments relating to this matter will form part of the Township's public record and may be included in a public agenda and posted on our website. Questions regarding the collection of personal information may be referred to the Corporate Officer at 250-414-7135 or corporate.services@esquimalt.ca.

More information about the project: Bill Brown, Director of Development Services; 250-414-7146

More information about development at the Township of Esquimalt: [Esquimalt.ca/development](https://www.esquimalt.ca/development)

Thank you,
Rachel Dumas, Corporate Officer; 250-414-7135