



July 9, 2018

Municipality of Esquimalt
1229 Esquimalt Road
Esquimalt, B.C.
V9A 3P1



Re: 468 Foster Street – Development Variance Permit, RD - 3 zone

Dear Development Services, Mayor and Council,

For our client, the new owner of 468 Foster Street, Paulo Almeida, we have added a rear roof deck. It is not visible from the street and does not require any variances.

However, we have been asked to submit this revision because of proposed exterior changes at the rear of the duplex, visible on the upper floor.

There are interior floor plan changes which do not impact the development permit except for a reduction of two windows on the upper floor north side, and an additional window on the main floor north side.

The change is highlighted on the north and west elevations on sheet SK-2 of this submission. However, since the change results in a roof deck invisible on any elevation, we believe the amendment to be viable. The only visible evidence of this change is the exterior stair and landing providing access to the roof deck.

The house of the neighbour to the north is situated 7.61 m away from the proposed residence; more than the length of a required front yard. The neighbour has an existing third floor balcony on the side of the house overlooking the front portion of our house. This third floor appears to be legal non-conforming. Nonetheless, the privacy of our client is already compromised.

To maximize privacy for the neighbour to the north, the proposed deck is not only surrounded by the proposed roof, it is also inset into the proposed roof. This inset measures 42" high, ie the surrounding roof is 42" higher than the deck.

The proposed deck does not face the neighbour's third floor balcony but is offset by about 1.8m. In addition to the 1.29m setback of the deck from the sidewall below, the wall below is 3 m from the north property line. The neighbour's house is then another 4.61m still further north, for a total of 8.9m of separation.

We believe that the neighbour to the north, while infringing on the privacy of the proposal, with both a 2nd storey rear deck as well as a third storey side deck, does not suffer the same infringement in any similar degree, by virtue of the setbacks noted above.

Thank you for your time in consideration of our application for an amendment to the Development Permit. Please refer to the drawings and supporting materials for technical details and if more information is required, please let us know.

Sincerely,



Rus Collins
Lead Designer
Zebra Design & Interiors Group Inc.

