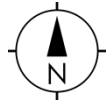


404 Constance Avenue





CORPORATION OF THE TOWNSHIP OF ESQUIMALT

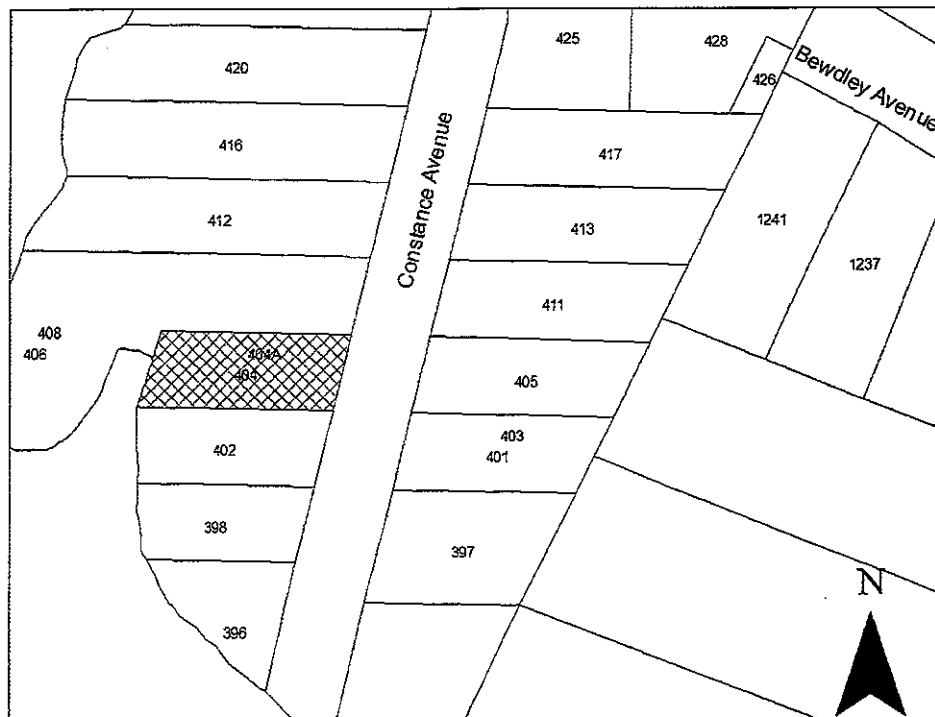
Municipal Hall, 1229 Esquimalt Road, Esquimalt, B.C. V9A 3P1
Website: www.esquimalt.ca Email: info@esquimalt.ca

Voice: (250) 414-7100
Fax: (250) 414-7111

February 11, 2019

DEVELOPMENT VARIANCE PERMIT NOTICE

An application for a Development Variance Permit has been received from the registered owner of 404 Constance Avenue.



Site Location: 404 Constance Avenue

[PID: 000-006-734, Lot B, Suburban Lot 51, Esquimalt District, Plan 36976]

Purpose of the Application:

The applicant is seeking to legitimize their existing non-conforming fence which is currently over the maximum 1.2 metres. The Development Variance Permit would only be applicable to those sections of the fence that is on the applicant's property.

The following variance to Zoning Bylaw, 1992, No. 2050 is required:

Zoning Bylaw, 1992, No. 2050, Section 36(10) – Fencing – A 0.65 increase to the requirement that the Height of a Fence within 7.5 metres of a Highway adjoining the front yard shall not exceed 1.2 metres. [i.e. from 1.2 metres to 1.85 metres].

The Municipal Council will consider this application at the **Regular Meeting of Council commencing at 7:00 p.m., Monday, February 25, 2019 in the Council Chambers, Esquimalt Municipal Hall, 1229 Esquimalt Road, Esquimalt B.C.** Affected persons may make representations to Council at that time or submit a written submission, prior to that date, to the Municipal Hall at the address noted above or via email to corporate.services@esquimalt.ca.

Information related to this application may be reviewed at the Development Services counter, Municipal Hall, 1229 Esquimalt Road, Esquimalt, B.C., anytime between the hours of 8:30 a.m. and 4:30 p.m. from February 11, 2019 until February 25, 2019 inclusive [excluding Saturdays, Sundays and Statutory Holidays].

ANJA NURVO,
DIRECTOR OF CORPORATE SERVICES

Personal information contained in communications to Council and its Committees is collected under the authority of the Community Charter and Local Government 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 Director of Corporate Services at 250-414-7135.

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).