

Section 6.20 – Residential Small Lot 1 (RS1) Zone

(Replaced by Bylaw Nos. 1662 and 1864)

The intent of the Residential Small Lot 1 (RS1) Zone is to permit one-family dwelling lots serviced by municipal sewers within the urban core as an infill use, or in new neighbourhoods where a sewer system is in place.

6.20.01 Permitted Uses

The following **uses** and no others are permitted in the RS1 Zone:

- (1) **Accessory buildings and structures;**
- (2) **Dwelling, one-family;**
- (3) **Dwelling, two-family;** *(Bylaw No. 2014)*
- (4) **Group Daycare**, on the property legally described as Strata Lot 2, Section 1, Range 3 West, Highland District, Strata Plan EPS3543, PID No. 029-824-711 (2323 Belair Road); *(Bylaw No. 2086);*
- (5) **Home occupation**, in accordance with Section 3.09;
- (6) **Secondary suite in a one-family dwelling** in accordance with Section 3.08, on any lot that is 400 m² (4,305 ft²) or greater in area;
- (7) **Secondary suite in a one-family dwelling on lots with lot areas** greater than or equal to 400 m² (4,305 ft²) and **lot width** greater than 12m in accordance with Section 3.08 on the properties legal described as: Lot 1, Section 116, Esquimalt District, Plan 22391 (2786 Wenger Terrace) and Lot 3, Section 84, Esquimalt District, Plan 21075 (939 Walfred Road);
- (8) **Secondary suite in a one-family dwelling**, in accordance with Section 3.08, on the properties legally described as Lots 1,2 and 3, Block 1, Section 86, Metchosin District, Plan 1524 and The Northerly 74.6 Feet of Lot 2, Block 1, Section 86, Metchosin District, Plan 1524 (3300, 3310 3326/3328 and 3306 Happy Valley Road; Lot 1, Section 86, Metchosin District, Plan 12293 (3344 Happy Valley Road); and Strata Lots 1 and 2, Section 86, Metchosin District, Strata Plan VIS2845 (3338 and 3340 Happy Valley Road);
- (9) The keeping of not more than four **boarders** in a **one-family dwelling**;
- (10) **Townhouses**, not to exceed 62 units, on the property legally described as Lot 1, Section 3, Range 3 West, Highland District, Plan 9548, Except that Part in Plan 14368, PID No. 005-349-893 (2120 Millstream Road); *(Bylaw Nos. 1761 and 2132)*
- (11) **Townhouses** on the properties legally described as PID No. 002-559-285 (3306 Happy Valley Road); PID No. 003-620-603 (3310 Happy Valley Road); PID No. 005-198-143 (3326 and 3328 Happy Valley Road); PID No. 018-357-776 (3338 Happy Valley Road); PID No. 018-357-784 (3340 Happy Valley Road); PID No. 004-491-823 (3344 Happy Valley Road); and PID No. 000-156-884 (3416 Hazelwood Road); PID No. 029-377-994 (3420 Luxton Road); PID No. 005-630-037 (1120 Finney Road); PID No. 025-806-530 (3219 Loledo Place; and PID No. 025-806-548 (3235 Loledo Place); PID No. 009-831-983 (1551 Sawyer Road), and PID No. 025-843-192 (1559 Sawyer Road). *(Bylaw Nos. 2014 and 2059)*

- (12) **Uses accessory** to a **principal use** permitted in this **Zone**; and
- (13) **Uses** permitted by Section 3.01 of this Bylaw.

6.20.02 Subdivision Lot Requirements

- (1) No **lot** having a **lot area** less than 850 m² (9,150 ft²) may be created by subdivision in the Residential Small Lot 1 (RS1) Zone;
- (2) Despite Subsection 6.20.02(1), on land whose legal description is set out in Table 1 of Schedule AD, the minimum **lot area** for subdivision of **lots** for a **one-family dwelling** use may be 200 m² (2,153 ft²) if the owner of the land proposed to be subdivided:
 - (a) Pays to the City the amount specified in Column 4 of Table 1 of Schedule AD, prior to the time of subdivision;
- (3) No **lot** having a **lot width** of less than 9 m (29.5 ft) may be created by subdivision;
- (4) No **lot** having a **building envelope** with a width or depth less than 5.5 m (18 ft) nor an area less than 67 m² (720 ft²) may be created by subdivision;
- (5) No panhandle **lot** having a **lot area** less than a 400 m² (4,305 ft²) may be created by subdivision in the Residential Small Lot 1 (RS1) Zone;
- (6) Despite Article 6.20.02(1) and 6.20.02(2), the minimum **lot area** and minimum **lot width** for subdivision of lots for a one-family dwelling use may be further reduced for the properties listed in Table 1 below as indicated:

Table 1

Legal Description	Minimum Lot Width
PID No. 000-156-884 (3416 Hazelwood Road)	8.4 m (27.5 ft), except one lot included in the plan of subdivision may be 7.6 m (24.9 ft)

6.20.03 Density of Development

- (1) There may not be more than one **residential building** on a **lot**.
- (2) Despite article (1), one or more **residential buildings** are permitted where **townhouse** units are located within a strata plan subdivided pursuant to the *Strata Property Act*.
- (3) The total floor area of a one-family dwelling on lots less than 400 m² (4,306 ft²) on the property legally described as Lot 3, Section 84, Esquimalt District, Plan 21075; PID No. 003-488-209 (939 Walfred Road) may not exceed the total area of the lot upon which it is controlled.

6.20.04 Regulations of Use (Bylaw No. 2014)

- (1) A **two-family dwelling** use is subject to the regulations of the R2 Zone and not the regulations of this zone.
- (2) A **townhouse** use is subject to the regulations of the RT1 Zone and not the regulations of this zone.

6.20.05 Lot Coverage

- (1) **Lot coverage** of all **buildings** and **structures** may not exceed 50%.
- (2) Despite subsection 6.20.04(1), the **lot coverage** for a **Townhouse** use may exceed 50% but may not exceed 60%.

6.20.06 Height and Size of Principal Use Buildings

- (1) No **building** or **structure** may exceed a **height** of 9 m (29.5 ft).
- (2) Despite subsection 6.20.05(1) any **townhouse** structure or a principal **building** on property legally described as PID No. 000-156-884 (3416 Hazelwood Road) may exceed a height of 9 m (29.5 ft), but may not exceed a height of three storeys.
- (3) Despite subsection 6.20.06(1) any townhouse structure or a principal building on the property legally described as PID No. 009-831-983 (1551 Sawyer Road) and PID No. 025-843-192 (1559 Sawyer Road) may exceed a height of 9.0 m (29.5 ft), but may not exceed a height of three storeys. *(Bylaw No. 2059)*

6.20.07 Setbacks

- (1) No principal **building** may be located:
 - (a) Within 3 m (9.8 ft) of any **front lot line** when the lot fronts on and has access from a highway or access route in a bare land strata plan, except that no garage or carport that faces any front lot line and whose vehicle access crosses a front line may be located within 6 m (19.6 ft) of the nearest edge of the sidewalk or the nearest edge of the curb (if no sidewalk has been constructed) of the abutting highway or access route;
 - (b) Within 5.5 m (18 ft) of any **rear lot line**;
 - (c) Within 3.5 m (11.5 ft) of any **exterior side lot line**, except that no **garage or carport** that faces an **exterior side lot line** may be located within 6 m (19.6 ft) of the nearest edge of the sidewalk or the nearest edge of the curb (if no sidewalk has been constructed) of the abutting **highway** or access route;
 - (d) Within 1.5 m (4.9 ft) of any **interior side lot line**.

6.20.08 Landscape Screening

The relevant regulations of Section 3.21 of this Bylaw shall apply.

6.20.09 General

The relevant regulations of Part 3 of this Bylaw shall apply.