

REQUEST FOR DECISION

DATE: November 9, 2015

Report No. DEV-15-061

TO: Laurie Hurst, Chief Administrative Officer

FROM: Karen Hay, Planner

SUBJECT:

DEVELOPMENT VARIANCE PERMIT - 513 Sturdee Street
PID 006-375-201, Lot 53, Suburban Lot 53, Esquimalt District, Plan 2854

RECOMMENDATION:

That Council resolves that this application for Development Variance Permit No. DVP00041 [Appendix A] shall not be referred to the Advisory Planning Commission; and

That Council, having considered Section 5.2.1 (a) of the Official Community Plan, resolves that Development Variance Permit No. DVP00041 [Appendix A], authorizing the following relaxations to Subdivision and Development Control Bylaw, 1997, No. 2175 be **approved, and staff be directed to issue the permit and register the notice on the title** of PID 006-375-201, Lot 53, Suburban Lot 53, Esquimalt District, Plan 2854 [513 Sturdee Street]:

Section 14.01 Underground wiring - The owner of 513 Sturdee Street will not be required to install underground wiring for the new two-unit dwelling.

Schedule E - 5.01(c) - The connections for electrical power, telephone and television communications not be required to be installed underground.

RELEVANT POLICY:

Official Community Plan Bylaw, 2006, No. 2646
Subdivision and Development Control Bylaw, 1997, No. 2175
Development Application Procedures and Fees Bylaw, 2012, No. 2791

STRATEGIC RELEVANCE:

This Request for Decision does not directly relate to a specific strategic objective.

BACKGROUND:

Appendices:

Appendix A: Development Permit No. DVP00041;
Appendix B: Letter from Owner – Angus Denny;
Appendix C: Subject Property Map and Photos;
Appendix D: Official Community Plan – Section 5.2 Utilities;
Appendix E: Mail Notice sent November 2, 2015.

Purpose of the Application:

The property owner is currently constructing a new two-unit dwelling on the subject property and is requesting relief from the requirements of the Subdivision and Development Control Bylaw, 1997, No. 2175 due to the estimated costs of the BC Hydro connection [see letter from owner – Appendix B]. The owner has stated that the new building has been built with underground conduits to the lot line and is 'underground ready' should the Township move all services on Sturdee Street underground in the future.

There is an existing Hydro pole located at the north-west corner of the property that provides service for the multiple family residential building to the north, and also provided overhead service for the former house. The owner asserts that Hydro staff are requiring the underground service for his new building must originate from a pole located across the street [photos available in Appendix C].

Comment from Engineering:

Engineering has reviewed the request for a Development Variance Permit at 513 Sturdee Street to construct overhead Hydro servicing. The Hydro servicing of the Development could be achieved by either underground, as per the Subdivision and Development Control Bylaw No. 2175 and Official Community Plan, or overhead with the approval of this variance by Council. There would be no hardship to the Engineering aspects of this development should the Hydro servicing be overhead.

ISSUES:

1. Rationale for Selected Option

Staffs' recommendations are based on balancing the desires of the land owners to reduce the costs of servicing with the needs of the Township to ensure the integrity of its infrastructure.

This development variance permit can be issued subject to Council determining that this variance would comply with the intent of Section 5.2.1 (a) of the Official Community Plan [Appendix D].

2. Organizational Implications

This Request for Decision has no organizational implications.

3. Financial Implications

This Request for Decision has no financial implications.

4. Sustainability & Environmental Implications

This Request for Decision has no extraordinary sustainability and environmental implications.

5. Communication & Engagement

As this application includes a Development Variance Permit, notices were mailed to owners and occupiers of parcels within 50 metres [164 ft.] of the subject property. Notices were mailed on November 2, 2015, indicating that Council would be considering the requested Development Variance Permit on November 16, 2015 [Appendix E]. To date, no responses have been received from the public as a result of these notifications.

ALTERNATIVES:

1. That Council resolves that this application for Development Variance Permit No. DVP00041 [Appendix A] shall not be referred to the Advisory Planning Commission; and

That Council, having considered Section 5.2.1 (a) of the Official Community Plan, resolves that Development Variance Permit No. DVP00041 [Appendix A], authorizing the following relaxations to Subdivision and Development Control Bylaw, 1997, No. 2175 be **approved, and staff be directed to issue the permit and register the notice on the title** of PID 006-375-201, Lot 53, Suburban Lot 53, Esquimalt District, Plan 2854 [513 Sturdee Street]:

Section 14.01 Underground wiring - The owner of 513 Sturdee Street will not be required to install underground wiring for the new two unit dwelling.

Schedule E - 5.01(c) - The connections for electrical power, telephone and television communications not be required to be installed underground.

2. That Council resolves that this application for Development Variance Permit No. DVP00041 [Appendix A] shall be referred to the Advisory Planning Commission prior to Council consideration and a new notification shall be mailed after APC consideration.
3. Council **deny** Development Variance Permit No. DVP00041.