

## 9.4 Development Permit Area No. 2 – Commercial

### 9.4.1 Scope

All lands designated Commercial on Schedule “C” are part of DPA No. 2.

### 9.4.2 Category

Section 919(1)(f) of the *Local Government Act* – form and character, commercial.

### 9.4.3 Justification

Traditionally, Esquimalt’s commercial areas have not been developed on the basis of a particular theme or concept. The design and form of commercial development has been rather haphazard and, as a result, the Esquimalt Village and other local commercial areas do not have the cohesiveness nor the attractiveness they could have.

When asked in a recent questionnaire to identify what they disliked most about Esquimalt, an overwhelming number of respondents identified the lack of a downtown commercial area, with appropriate shops and services, and the appearance of Esquimalt Road in the village core.

Where new development is to occur within Esquimalt’s commercial core, that development should add to the pedestrian appeal and overall appearance of the street through features such as easily accessible entrances, street furniture and public art, landscaping and attractive exterior finishing materials, and by their orientation to the street rather than to a parking lot or internal square.

The goals for Development Permit Area No. 2 are:

- a) to enhance the aesthetic image of Esquimalt’s commercial district, particularly those areas that are considered community focal points, such as the Village, the Head Street/Esquimalt Road intersection and major entrance points to the municipality;
- b) to revitalize existing commercial areas by encouraging a variety of businesses;
- c) to encourage growth in the tax base through diversified commercial development and redevelopment of existing commercial areas; and
- d) to encourage integrated residential/institutional/commercial uses in commercial areas.

### 9.4.4 Requirements of Owners of Land within the Development Permit Area

- a) Owners of land within Development Permit Area No. 2 must not do any of the following without first obtaining a development Permit in accordance with the guidelines for this Development Permit Area:
  - i) subdivide lands; or
  - ii) construct or alter a building or structure;without first obtaining a Development Permit in accordance with the guidelines of this Development Permit Area.
- b) Exemptions:

The following do not require a development permit:

  - i) construction of buildings or structures less than 10 square metres in area;

- ii) minor additions to existing structures where the floor area of the addition does not exceed 10 percent of the ground floor area of the structure;
- iii) emergency repairs to existing structures and public walkways where a potential safety hazard exists;
- iv) fences;
- v) the cutting of trees as permitted by the municipal tree protection bylaw; and
- vi) replacement or changing of existing signs, provided the sign area is not to be increased.

#### 9.4.5 Guidelines for Owners of Land within the Development Permit Area

- a) Commercial building facades should be appropriate to a pedestrian shopping area with windows facing the street and doors opening onto the street rather than onto a courtyard or laneway. (See image)
- b) Ornamental lighting that not only highlights the building but also increases the amount of light falling onto pedestrian areas should be used wherever possible. However, commercial lighting should not create unnecessary glare or shine directly into neighbouring residential properties.
- c) Buildings should be designed and sited to minimize the creation of shadows on public spaces.
- d) Where possible, weather protection (i.e. awnings and canopies) should be provided above all pedestrian walkways including walkways to on-site parking areas.
- e) Off-street parking areas should be located either at the rear of commercial buildings or underground. Surface parking should be screened with landscaping. Large parking areas should contain additional islands of landscaping.
- f) The design of new commercial buildings, including areas use for parking, should incorporate Crime Prevention through Environmental Design (CPTED) principles.
- g) Buildings may be located at the front property line in order to create a pedestrian-oriented environment, except where vehicle visibility is affected and on those streets that have been identified as requiring future road widening.
- h) Landscape screening and fencing should be located around outdoor storage areas and garbage and recycling receptacles.
- i) Retention and protection of trees and the natural habitat is encouraged wherever possible.



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FERNHILL RD

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ESQUIMALT RD

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JOFFRE ST

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Subject Property Map



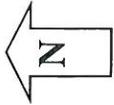
1149 Esquimalt Road

526

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1149 Esquimalt Road



# 1149 Esquimalt Road - Site Photos





## GREEN BUILDING CHECKLIST



The purpose of this Checklist is to make property owners and developers aware of specific green features that can be included in new developments to reduce their carbon footprints to help create a more sustainable community.

Creating walkable neighbourhoods, fostering green building technologies, making better use of our limited land base and ensuring that new development is located close to services, shops and transit are some of the means of achieving sustainability.

The Checklist which follows focuses on the use of **Green Technologies** in new buildings and major renovations. The Checklist is not a report card, it is a tool to help identify how your project can become 'greener' and to demonstrate to Council how your project will help the Township of Esquimalt meet its sustainability goals. It is not expected that each development will include all of the ideas set out in this list but Council is looking for a strong commitment to green development.

There are numerous green design standards, for example, Built Green BC; LEED ND; Living Building Challenge; Green Shores; Sustainable Sites Initiative. Esquimalt is not directing you to follow any particular standard, however, you are strongly encouraged to incorporate as many green features as possible into the design of your project.

As you review this checklist, if you have any questions please contact **Development Services at 250.414.7108** for clarification.

**New development is essential to Esquimalt.  
We look forward to working with you  
to ensure that development is  
as green and sustainable as possible.**

The following documents containing references to building and site design and sustainability, which you are advised to review, include:

- Esquimalt's Official Community Plan
- Development Protocol Policy
- Esquimalt's Pedestrian Charter
- Tree Protection Bylaw No. 2664
- A Sustainable Development Strategic Plan for the Township of Esquimalt

*Adopted on January 10th, 2011*

Address: 1149 ESQUIMALT RD  
Folio: 3724.000  
Project: DP000040  
Date: Aug 14, 2014  
Folder: DP000040  
Type / Subject: DEVELOPMENT PERMIT - COMMERCIAL  
Development Permit 1149 Esquimalt Road



“One-third of Canada’s energy use goes to running our homes, offices and other buildings. The federal government’s Office of Energy Efficiency (Natural Resources Canada) reports that a corresponding one-third of our current greenhouse gas (GHG) emissions come from the built environment.”  
 [Green Building and Development as a Public Good, Michael Buzzelli, CPRN Research Report June 2009]

Please answer the following questions and describe the green and innovative features of your proposed development. Depending on the size and scope of your project, some of the following points may not be applicable.

### Green Building Standards

Both energy use and emissions can be reduced by changing or modifying the way we build and equip our buildings.

1	Are you building to a recognized green building standard? If yes, to what program and level?	Yes	<input checked="" type="radio"/> No
2	If not, have you consulted a Green Building or LEED consultant to discuss the inclusion of green features?	Yes	<input checked="" type="radio"/> No
3	Will you be using high-performance building envelope materials, rainscreen siding, durable interior finish materials or safe to re-use materials in this project? If so, please describe them. <b>Hardi Panel siding with rain screen system</b>	<input checked="" type="radio"/> Yes	No
4	What percentage of the existing building[s], if any, will be incorporated into the new building?	<b>80</b> %	
5	Are you using any locally manufactured wood or stone products to reduce energy used in the transportation of construction materials? Please list any that are being used in this project. <b>millwork will be done by local island company</b>		
6	Have you considered advanced framing techniques to help reduce construction costs and increase energy savings?	Yes	<input checked="" type="radio"/> No
7	Will any wood used in this project be eco-certified or produced from sustainably managed forests? If so, by which organization? <b>No</b>  For which parts of the building (e.g. framing, roof, sheathing etc.)? _____		
8	Can alternatives to Chlorofluorocarbon’s and Hydro-chlorofluorocarbons which are often used in air conditioning, packaging, insulation, or solvents] be used in this project? If so, please describe these. _____	Yes	<input checked="" type="radio"/> No
9	List any products you are proposing that are produced using lower energy levels in manufacturing. <b>No</b>		
10	Are you using materials which have a recycled content [e.g. roofing materials, interior doors, ceramic tiles or carpets]?	Yes	<input checked="" type="radio"/> No
11	Will any interior products [e.g. cabinets, insulation or floor sheathing] contain formaldehyde? <b>plastic laminates</b>	<input checked="" type="radio"/> Yes	No

## Water Management

*The intent of the following features is to promote water conservation, re-use water on site, and reduce storm water run-off.*

### Indoor Water Fixtures

12	Does your project exceed the BC Building Code requirements for public lavatory faucets and have automatic shut offs?	Yes	<input type="radio"/>	No	<input checked="" type="radio"/>
13	For commercial buildings, do flushes for urinals exceed BC Building Code requirements?	Yes	<input type="radio"/>	No	<input checked="" type="radio"/>
14	Does your project use dual flush toilets and do these exceed the BC Building Code requirements?	Yes	<input type="radio"/>	No	<input checked="" type="radio"/>
15	Does your project exceed the BC Building Code requirements for maximum flow rates for private showers?	Yes	<input type="radio"/>	No	<input checked="" type="radio"/>
16	Does your project exceed the BC Building Code requirements for flow rates for kitchen and bathroom faucets?	Yes	<input type="radio"/>	No	<input checked="" type="radio"/>

### Storm Water

17	If your property has water frontage, are you planning to protect trees and vegetation within 60 metres of the high water mark? [Note: For properties located on the Gorge Waterway, please consult Sections 7.1.2.1 and 9.6 of the Esquimalt Official Community Plan.]	Yes	<input type="radio"/>	No	<input checked="" type="radio"/>	N/A
18	Will this project eliminate or reduce inflow and infiltration between storm water and sewer pipes from this property?	Yes	<input type="radio"/>	No	<input checked="" type="radio"/>	N/A
19	Will storm water run-off be collected and managed on site (rain gardens, wetlands, or ponds) or used for irrigation or re-circulating outdoor water features? If so, please describe. _____	Yes	<input type="radio"/>	No	<input checked="" type="radio"/>	N/A
20	Have you considered storing rain water on site (rain barrels or cisterns) for future irrigation uses?	Yes	<input type="radio"/>	No	<input checked="" type="radio"/>	N/A
21	Will surface pollution into storm drains will be mitigated (oil interceptors, bio-swales)? If so, please describe. _____	Yes	<input type="radio"/>	No	<input checked="" type="radio"/>	N/A
22	Will this project have an engineered green roof system or has the structure been designed for a future green roof installation?	Yes	<input type="radio"/>	No	<input checked="" type="radio"/>	N/A
23	What percentage of the site will be maintained as naturally permeable surfaces?					<b>NA</b> %

### Waste water

24	For larger projects, has Integrated Resource Management (IRM) been considered (e.g. heat recovery from waste water or onsite waste water treatment)? If so, please describe these. _____	Yes	<input type="radio"/>	No	<input checked="" type="radio"/>	N/A
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## Natural Features/Landscaping

*The way we manage the landscape can reduce water use, protect our urban forest, restore natural vegetation and help to protect the watershed and receiving bodies of water.*

25	Are any healthy trees being removed? If so, how many and what species? _____ Could your site design be altered to save these trees? Have you consulted with our Parks Department regarding their removal?	Yes	<input type="radio"/>	No	<input checked="" type="radio"/>	N/A
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26	Will this project add new trees to the site and increase our urban forest? If so, how many and what species? _____	Yes	No	N/A
27	Are trees [existing or new] being used to provide shade in summer or to buffer winds?	Yes	No	N/A
28	Will any existing native vegetation on this site be protected? If so, please describe where and how. _____	Yes	No	N/A
29	Will new landscaped areas incorporate any plant species native to southern Vancouver Island?	Yes	No	N/A
30	Will xeriscaping (i.e. the use of drought tolerant plants) be utilized in dry areas?	Yes	No	N/A
31	Will high efficiency irrigation systems be installed (e.g. drip irrigation; 'smart' controls)?	Yes	No	N/A
32	Have you planned to control invasive species such as Scotch broom, English ivy, Himalayan and evergreen blackberry growing on the property?	Yes	No	N/A
33	Will topsoil will be protected and reused on the site?	Yes	No	N/A

### Energy Efficiency

*Improvements in building technology will reduce energy consumption and in turn lower greenhouse gas [GHG] emissions. These improvements will also reduce future operating costs for building occupants.*

34	Will the building design be certified by an independent energy auditor/analyst? If so, what will the rating be? _____	Yes	No	N/A
35	Have you considered passive solar design principles for space heating and cooling or planned for natural day lighting?	Yes	No	N/A
36	Does the design and siting of buildings maximize exposure to natural light? What percentage of interior spaces will be illuminated by sunlight? _____ %	Yes	No	N/A
37	Will heating and cooling systems be of enhanced energy efficiency (ie. geothermal, air source heat pump, solar hot water, solar air exchange, etc.). If so, please describe. _____ If you are considering a heat pump, what measures will you take to mitigate any noise associated with the pump? _____	Yes	No	N/A
38	Has the building been designed to be solar ready?	Yes	No	N/A
39	Have you considered using roof mounted photovoltaic panels to convert solar energy to electricity?	Yes	No	N/A
40	Do windows exceed the BC Building Code heat transfer coefficient standards?	Yes	No	N/A
41	Are energy efficient appliances being installed in this project? If so, please describe.		<b>no</b>	
42	Will high efficiency light fixtures be used in this project? If so, please describe.	Yes	No	N/A
43	Will building occupants have control over thermal, ventilation and light levels?	Yes	No	N/A
44	Will outdoor areas have automatic lighting [i.e. motion sensors or time set]?	Yes	No	N/A
45	Will underground parking areas have automatic lighting?	Yes	No	N/A

### Air Quality

The following items are intended to ensure optimal air quality for building occupants by reducing the use of products which give off gases and odours and allowing occupants control over ventilation.

46	Will ventilation systems be protected from contamination during construction and certified clean post construction?	Yes	No	N/A
47	Are you using any natural, non-toxic, water soluble or low-VOC [volatile organic compound] paints, finishes or other products? If so, please describe. <u>all paints are water soluble base</u>	Yes	No	N/A
48	Will the building have windows that occupants can open?	Yes	No	N/A
49	Will hard floor surface materials cover more than 75% of the liveable floor area?	Yes	No	N/A
50	Will fresh air intakes be located away from air pollution sources?	Yes	No	N/A

### Solid Waste

Reuse and recycling of material reduces the impact on our landfills, lowers transportation costs, extends the life-cycle of products, and reduces the amount of natural resources used to manufacture new products.

51	Will materials be recycled during demolition of existing buildings and structures? If so, please describe. _____	Yes	No	N/A
52	Will materials be recycled during the construction phase? If so, please describe. _____	Yes	No	N/A
53	Does your project provide enhanced waste diversion facilities i.e. on-site recycling for cardboard, bottles, cans and or recyclables or on-site composting?	Yes	No	N/A
54	For new commercial development, are you providing waste and recycling receptacles for customers?	Yes	No	N/A

### Green Mobility

The intent is to encourage the use of sustainable transportation modes and walking to reduce our reliance on personal vehicles that burn fossil fuels which contributes to poor air quality.

55	Is pedestrian lighting provided in the pathways through parking and landscaped areas and at the entrances to your building[s]?	Yes	No	N/A
56	For commercial developments, are pedestrians provided with a safe path[s] through the parking areas and across vehicles accesses?	Yes	No	N/A
57	Is access provided for those with assisted mobility devices?	Yes	No	N/A
58	Are accessible bike racks provided for visitors?	Yes	No	N/A
59	Are secure covered bicycle parking and dedicated lockers provided for residents or employees?	Yes	No	N/A
60	Does your development provide residents or employees with any of the following features to reduce personal automobile use [check all that apply]: <input type="checkbox"/> transit passes <input type="checkbox"/> car share memberships <input type="checkbox"/> shared bicycles for short term use <input type="checkbox"/> weather protected bus shelters <input type="checkbox"/> plug-ins for electric vehicles			

Is there something unique or innovative about your project that has not been addressed by this Checklist? If so, please add extra pages to describe it.



## CORPORATION OF THE TOWNSHIP OF ESQUIMALT

Municipal Hall, 1229 Esquimalt Road, Esquimalt, B.C. V9A 3P1  
Website: [www.esquimalt.ca](http://www.esquimalt.ca) Email: [info@esquimalt.ca](mailto:info@esquimalt.ca)

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

February 18, 2015

### DEVELOPMENT VARIANCE PERMIT NOTICE

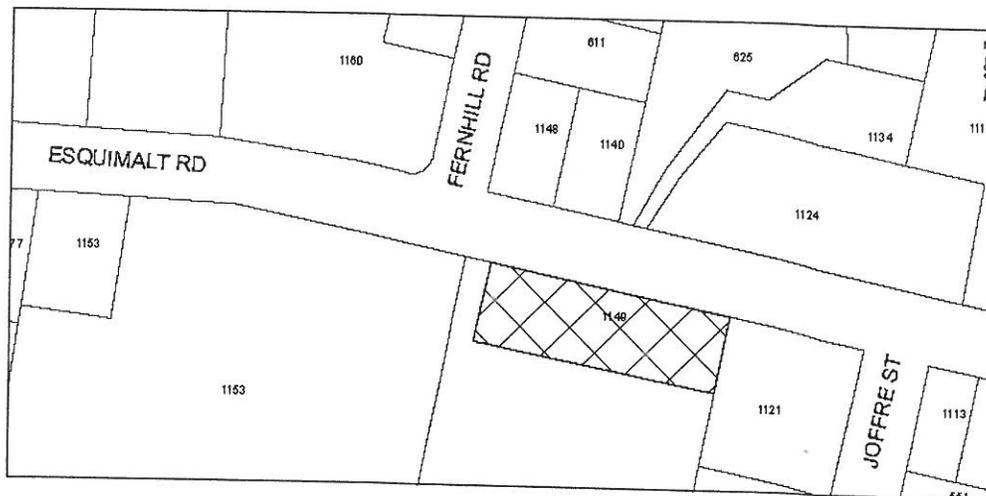
An application for a Development Variance Permit has been received from McDonald's Restaurants of Canada Limited, the registered owners of 1149 Esquimalt Road [PID 001-122-134, Lot A, Section 11, Esquimalt District, Plan 42081].

#### Purpose of the Application:

The applicant is proposing to update the building including changes to the exterior, with a small addition at the front, a new roof line, façade and signage. The addition would be located 2.8 metres from the property boundary with Esquimalt Road. Before a building permit can be issued, the development variance permit would need to be approved by Council.

Authorization of the following variance is required:

**Zoning Bylaw, 1992, No. 2050, Section (27) - Major Road Setback** – a 0.2 metre reduction to the requirement that all Buildings and Structures shall be sited a minimum of 3 metres from the boundaries of Esquimalt Road. [i.e. from 3.0 metres to 2.80 metres].



**Site Location:** 1149 Esquimalt Road [PID 001-122-134, Lot A, Section 11, Esquimalt District, Plan 42081]

The Municipal Council will consider this application at the **Regular Meeting of Council commencing at 7:00 p.m., Monday, March 2, 2015 in the Council Chambers, 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](mailto:corporate.services@esquimalt.ca).

Information related to this application may be reviewed at the Development Services counter, Municipal Hall, 1229 Esquimalt Road, from 8:30 a.m. until 4:30 p.m., Monday to Friday until March 2, 2015.

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.*

**BC LAND SURVEYORS SITE PLAN OF:**

**Civic: 1149 Esquimalt Road (McDonald's Restaurant)**

**Legal - Lot A, Section 11, Esquimalt**

**District, Plan 42081**

Parcel Identifier: 001-122-134  
in the Municipality of Esquimalt

Scale - 1:250

All distances are shown in metres.  
(intended plot size is 11" by 17")

Address: 1149 ESQUIMALT RD

Folio: 3724.000

Project: DP000040

Date: Aug 14, 2014

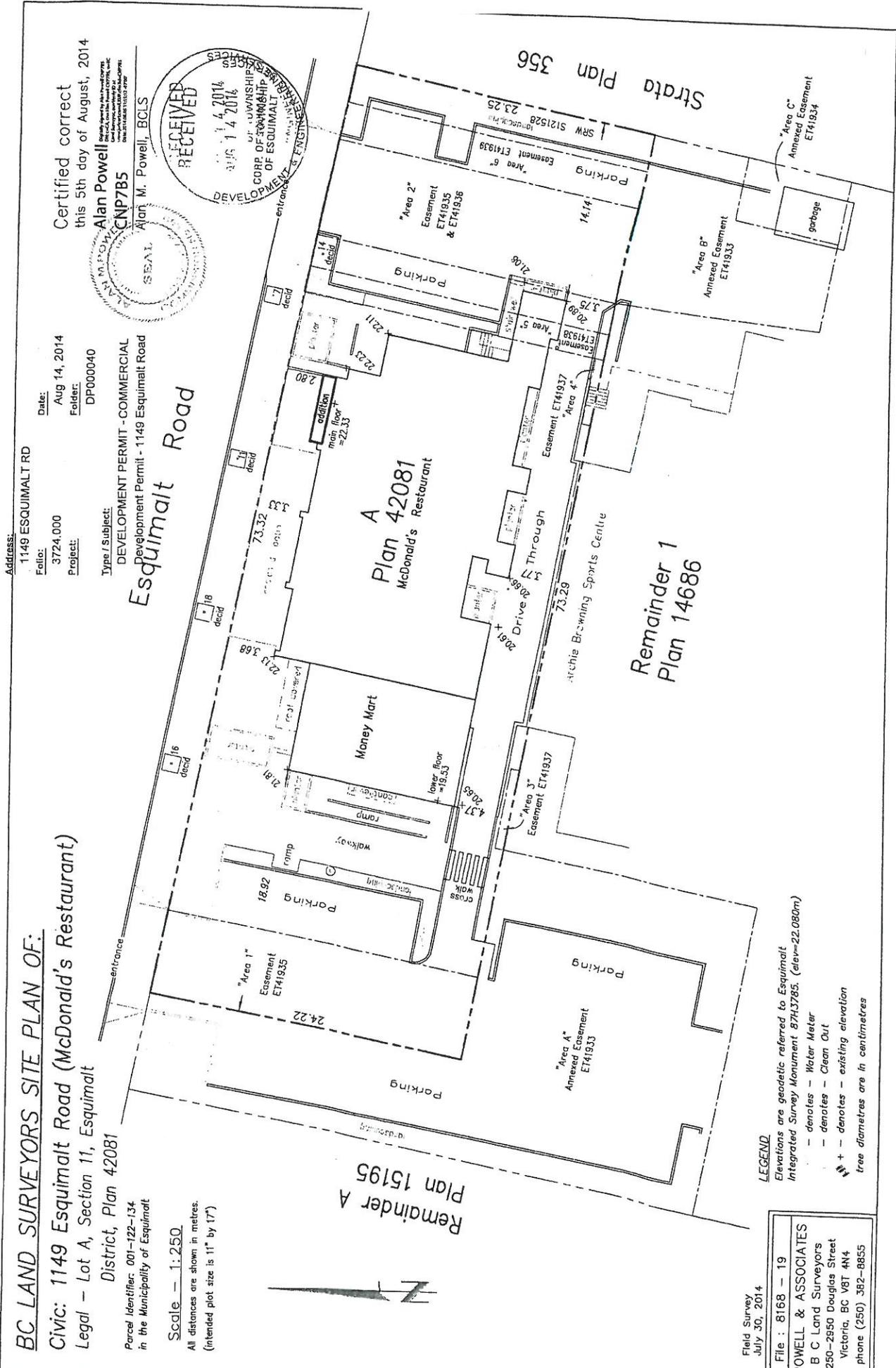
Folder: DP000040

Type / Subject:  
DEVELOPMENT PERMIT - COMMERCIAL  
Development Permit - 1149 Esquimalt Road

Certified correct  
this 5th day of August, 2014

Alan Powell  
CNP7B5

Alan M. Powell, BCLS



**LEGEND**  
Elevations are geodetic referred to Esquimalt  
Integrated Survey Monument 87HJ785. (elev=22.080m)  
--- denotes - Water Meter  
--- denotes - Clean Out  
--- denotes - existing elevation  
tree diameters are in centimetres

Field Survey  
July 30, 2014  
File : 8168 - 19  
**POWELL & ASSOCIATES**  
B C Land Surveyors  
250-2950 Douglas Street  
Victoria, BC V8T 4N4  
phone (250) 382-8855

# ESQUIMALT ROAD

