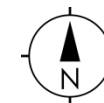


778 Dominion Road



## **9.7 Development Permit Area No. 5 – Enhanced Design Control Residential**

### **9.7.1 Scope**

All lands zoned for two-unit dwellings or zoned as Comprehensive Development Districts for residential developments only are designated as part of Development Permit Area No. 5 – Enhanced Design Control – Intensive Residential as shown on “Schedule C” of this Plan.

### **9.7.2 Category**

Section 919(1)(f) of the *Local Government Act* – form and character of intensive residential development.

### **9.7.3 Justification**

The following policies and guidelines were developed to allow for the better utilization and redevelopment of parcels within residential neighbourhoods and ensure that development occurs in a manner that retains the desirable physical characteristics of a neighbourhood.

### **9.7.4 Requirements of Owners of Land within the Development Permit Area**

- a) Owners of land within Development Permit Area No. 5 must not do any of the following without first obtaining a development Permit in accordance with the guidelines for this Development Permit Area:
- ♦ construct a two-unit dwelling;
  - ♦ subdivide a two-unit dwelling;
  - ♦ convert a single-unit dwelling to a two-unit dwelling;
  - ♦ renovate an existing two-unit dwelling if the value of construction, as specified in the Building Permit, would exceed 50 percent of the assessed value (as listed on the BCAA property roll at the time of construction) of the building being added to or renovated;
  - ♦ construct two or more separate dwelling units on one parcel, without first obtaining a Development Permit in accordance with the guidelines of this Development Permit Area; or
  - ♦ construct a dwelling on a parcel less than 530 m<sup>2</sup> in area if that parcel was created after May 31<sup>st</sup>, 2002.
- b) Exemptions:
- The following do not require a development permit:
- ♦ additions or renovations to, or the construction of, one single-unit dwelling situated on a fee simple parcel;
  - ♦ additions or renovations to any two-unit dwelling situated on a parcel zoned for two-unit use where the value of construction, as specified in the Building Permit, does not exceed 50 percent of the assessed value of the building (as listed on the BCAA property roll at the time of construction) being added to or renovated;
  - ♦ construction of buildings or structures less than 10 square meters in area;
  - ♦ minor additions to existing dwellings where the floor area of the addition does not exceed 10 percent of the ground floor area of the dwelling;

- ♦ emergency repairs to existing structures where a potential safety hazard exists; and
- ♦ fences.

### **9.7.5 Guidelines for Owners of Land within the Development Permit Area**

The intent of these guidelines is to ensure that new two-unit development (i.e. duplexes) is compatible with and enhances the surrounding community.

- a) New two-unit dwellings, additions to or renovations of existing two-unit dwellings, and the conversion of single-unit dwellings into two-unit dwellings should be designed to be consistent with and preserve the proportions and patterns of existing residential buildings in the immediate vicinity, including the wall-to-window area ratios and the amount and type of open space provided.
- b) Where it is not possible to achieve buildings of similar size and proportion to the surrounding residential buildings, the fronts of the buildings should be designed to create the appearance of smaller structures either by staggering the dwelling units or visually breaking up the façade with architectural detailing.
- c) Innovative and creative site-specific two-unit dwellings are encouraged where yard space is maintained either on the ground or as rooftop gardens. Setbacks to the street may be reduced to maximize property use.
- d) Front to back duplexes are generally discouraged unless they can be designed to eliminate negative impacts to the immediate neighbours such as shading of gardens, overlook of outdoor amenity areas and violation of privacy.
- e) Side by side, up and down, or staggered unit configurations are preferred as these result in a greater number of units facing the street, less disruption of privacy, and a more equitable division of outdoor amenity areas between the two dwelling units.
- f) The use of exterior building materials similar to those used in older residential neighbourhoods (i.e. combinations of wood, brick, stucco, and stone) is encouraged.
- g) Rooflines of new development should relate in height, shape and pitch to existing residential buildings in the immediate area. For corner sites, the building design should avoid having large unbroken sloped roof areas facing the street.
- h) To create interest in the façade of the buildings facing the street, the incorporation of architectural elements such as bay windows, covered porches, verandas and prominent front doors is encouraged.
- i) Buildings should be designed to minimize visual intrusion onto the privacy of surrounding homes. Some overlook of adjoining yards and neighbouring decks may be unavoidable; however, additional privacy should be achieved by inseting balconies, decks and patios into the building or by screening them with latticework or landscaping. Windows should be spaced



so that they do not align directly with those of other buildings.

- j) The height and massing of new two-unit dwellings should be designed to minimize the casting of shadows onto the private outdoor space of adjacent residential dwellings.
- k) A landscaping plan showing ground cover areas, planting beds, shrubbery and trees (both existing and proposed) is required for every new two-unit dwelling or the conversion of a single-unit dwelling to a two-unit dwelling. Landscaping should add to the aesthetic appeal of the streetscape as well as provide privacy between dwelling units.
- l) The provision of private open space should be part of an overall site development and landscape plan and should take into consideration general site circulation patterns (including parking), existing landscape features, sun access, privacy and usability.
- m) Retention and protection of trees and the natural habitat is encouraged where possible.
- n) Parking areas, garages and driveways should appear as a minor component of the site when viewed from the street. The building of curving access roads and driveways helps to avoid views from the street of large expanses of paving. The use of shared driveways is encouraged.
- o) The use of permeable and decorative surfacing materials, such as brick, concrete pavers, textured concrete, coloured paving or grasscrete is encouraged in place of solid expanses of asphalt or concrete.
- p) Where possible, hydro meters will not be placed on the front façade of a building and, if placed on the side of a building which is visible from the street, will be appropriately screened.
- q) Where an existing single unit dwelling is being converted to a two-unit dwelling both the original structure and the addition shall be in the same architectural style and constructed of the same exterior finishes including roofing material, window treatments, exterior finishes, door styles and trims.
- r) Roof styles and pitches of the original and new portions of the building must be complimentary.
- s) For new or converted two unit dwellings, garages and parking areas are encouraged to be located in the rear yard. Shared driveways are preferred to access the rear yard.
- t) Where two single lane driveways serve a two unit lot, landscaping features are encouraged between the driveways.

**38. TWO FAMILY RESIDENTIAL [RD-1]**

The intent of this Zone is to accommodate Two Family Dwelling Units on individual Parcels of land.

**(1) Permitted Uses**

The following Uses and no others are permitted:

- (a) Two Family Residential
- (b) Home Occupation
- (c) Boarding: subject to the requirements of Section 30.3
- (d) 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 668 square metres.

**(3) Minimum Lot Width**

The minimum width of Parcels created by subdivision shall be 18.3 metres, measured at the Front Building Line.

**(4) Floor Area Ratio**

- (a) For parcels 800 square metres in area and larger, the Floor Area Ratio for Two Family Dwellings shall not exceed 0.35.
- (b) For parcels under 800 square metres in area the Floor Area Ratio for Two Family Dwellings shall not exceed 0.4.

**(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.
- (c) When developing a front to back Two Family Dwelling, the back Dwelling Unit shall be no higher than the highest point of the existing Dwelling Unit. A Two Family Dwelling is considered back to front if more than 75% of the floor area of the back Dwelling Unit is behind the rear wall of the front Dwelling Unit.

**(7) Building Width**

The minimum width of any Two 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.

(8.1) **Building Massing**

The second storey of any Two Family Dwelling shall be a maximum of 75% of the total floor area of the ground floor, including an attached garage.

(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.

(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) Building Separation: No Accessory Building shall be located within 2.5 metres of a Principal Building.

(c) **Garage Setback**

Detached and attached garages shall be set back a minimum of 1.5 metres from the front face of the Dwelling Unit.

(10) **Common Wall Requirements**

The common wall overlap between the habitable areas of the two Dwelling Units shall be not less than 50%.

(11) **Fencing**

Subject to Section 22, no fence shall exceed a Height of 1.2 metres in front of the front face of the Principal Building and 2 metres behind the front face of the Principal Building.

(12) **Off Street Parking**

Off street parking shall be provided in accordance with the requirements of Parking Bylaw, 1992, No. 2011 (as amended).

(13) **Driveway Width**

The maximum width of a driveway surface on a Two Family Residential lot shall be a total of 5.5 metres. This applies to a double-wide driveway, or the combined width of two (2) single lane driveways serving a Two Family Dwelling.



## 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

October 6, 2017

### DEVELOPMENT VARIANCE PERMIT NOTICE

An application for a Development Permit and Development Variance Permit has been received from the registered owner of 778 Dominion Road.

#### **Purpose of the Application:**

The owner is proposing to construct a non-strata titled two-unit dwelling on the subject property by renovating and adding to the existing building. Due to the non-conforming nature of the current building and the owner's desire to keep a portion of the existing house, the following variances to Zoning Bylaw 1992, No. 2050 and Parking Bylaw 1992, No. 2011 are requested:

**Zoning Bylaw, 1992, No. 2050, Section 38 (5) Floor Area:** A 20.0 square metre reduction to the requirement that the minimum first storey of a principal building shall be 88 square metres [ie. from 88.0 square metres to 68.0 square metres];

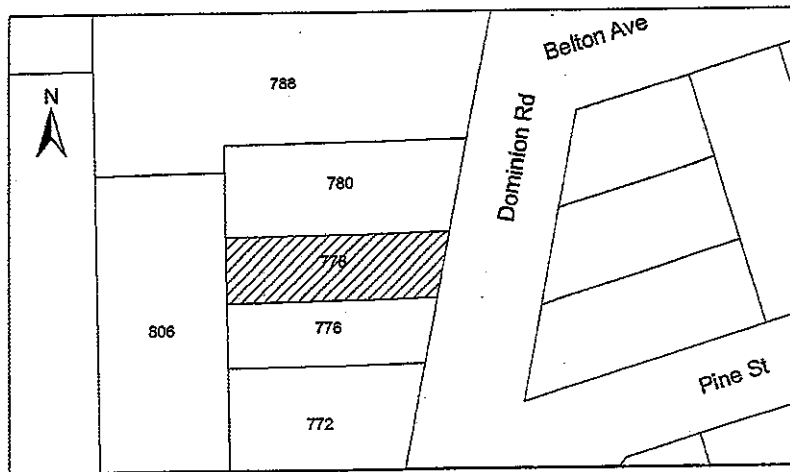
**Zoning Bylaw, 1992, No. 2050, Section 38 (8.1) Building Massing:** A variance to the requirement that the second storey of any two family dwelling shall be a maximum of 75% of the total floor area of the ground floor to allow the second storey to be 97% of the first storey.

**Zoning Bylaw, 1992, No. 2050, Section 38 (9)(a)(i) - Siting Requirements – Principal Building – Front Setback:** A 1.02 metre decrease to the requirement that no principal building shall be located within 7.5 metres of a Front Lot Line. [ie. from 7.5 metres to 6.48 metres];

**Zoning Bylaw, 1992, No. 2050, Section 38 (9)(a)(ii) – Siting Requirements – Principal Building – Side Setback:** A 0.28 metre decrease to the requirement that no principal building shall be located within 3.0 metres of an Interior Side Lot Line, in the case where a Parcel is not served by a rear lane. [ie. from 3.0 metres to 2.72 metres];

**Parking Bylaw, 1992, No. 2011, Section 13(1)(a)(iii) – Parking Requirements – Number of Off-Street Parking Spaces – Residential – Two-Family:** A reduction to the number of required off-street Parking Spaces, from 2 spaces to 1 space.





**Site Location:** 778 Dominion Road  
 [PID 006-289-151, Lot J, Section 10, Esquimalt District, Plan 2923]

The Municipal Council will consider this application at the **Regular Meeting of Council commencing at 7:00 p.m., Monday, October 23, 2017 in the Council Chambers, Esquimalt Municipal Hall, 1229 Esquimalt Road, Esquimalt B.C.** Affected persons may make representations to Council during the 'Public Input' portion, near the beginning of the meeting, prior to the consideration of 'Staff Reports'; 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, Esquimalt, B.C., anytime between the hours of 8:30 a.m. and 4:30 p.m. from October 6, 2017 until October 23, 2017 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.*

# B.C. LAND SURVEYOR'S TOPOGRAPHIC SURVEY OF:

LOT J SECTION 10 ESQUIMALT DISTRICT PLAN 2923

SCALE: 0 1200 10  
All distances are in metres.  
The intended plot size of this plan is shown in width by  
by 250mm in height (to show) when plotted at a scale of 1:200

Parcel Identification Number (PID)  
006-289-161

SITE AREA  
442.2m<sup>2</sup>

CIVIC ADDRESS  
778 DOMINION ROAD  
VICTORIA, BC

MUNICIPALITY  
Esquimalt

ZONING  
RM-3

LOT 1  
Plan VIP13346

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in whole or in part without the written  
consent of the signatory

This document was prepared for the exclusive  
use of our client,  
Lance Montgomery

"This document is intended for use as a topographic plan.  
It is based on Land Title Office records, and does not  
represent a boundary survey. Official lot dimensions  
and areas must be confirmed by a proper cadastral survey;

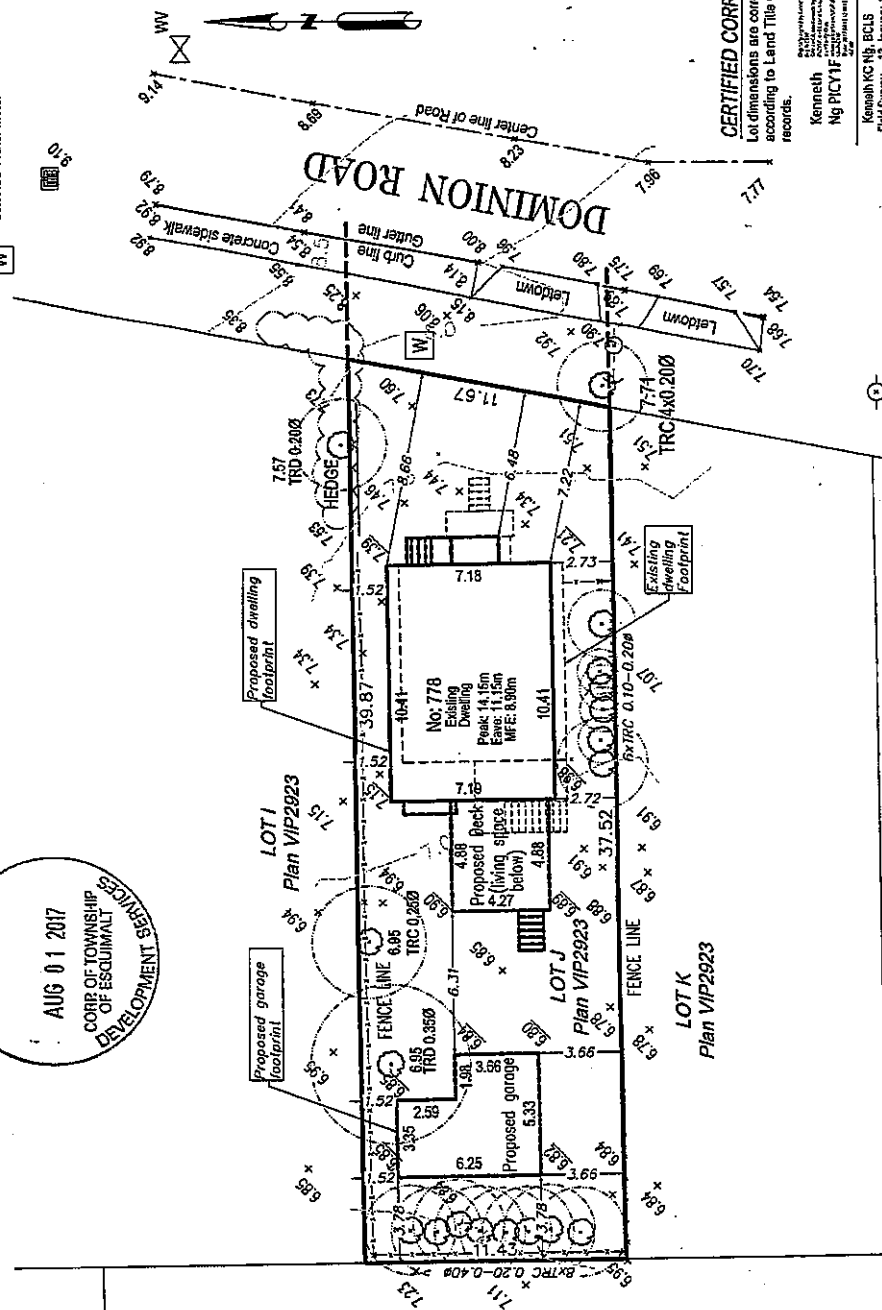
Explorers Land Surveying Inc., accepts no responsibility  
or liability for any damages that may be suffered  
by a third party as a result of any decisions  
made or actions taken based on this document.

FILE: 11365  
CONFIDENTIAL: 13852722 Dominion27224-1-18

**Explorers**  
Land Surveying Inc.  
801-2018 Douglas Street  
Victoria, B.C. V8T 4A1  
www.explorerslandsurveying.com

RECEIVED  
AUG 01 2017  
CORR OF TOWNSHIP  
OF ESQUIMALT  
DEVELOPMENT

- LEGEND**  
Elevations are geodetic based on integrated survey  
monument 23-31 in the MUNICIPALITY OF ESQUIMALT  
at elevation 7.318m.
- denotes Deciduous Tree type
  - denotes Coniferous Tree type
  - denotes Power pole
  - denotes Anchor
  - denotes Main Floor Elevation (doorsill)
  - denotes Catchbasin
  - denotes Water valve
  - denotes Water meter
- MFE - denotes Main Floor Elevation (doorsill)  
WV - denotes Water valve  
WM - denotes Water meter
- Note: Only trees with Trunk greater than 0.20m are identified.  
Consult Arborist to verify tree species  
Contours are descriptive, and only accurate to  $\pm 0.5m$  interval  
Grade shots are taken at the point marked X



**CERTIFIED CORRECT**  
Lot dimensions are correct  
according to Land Title Office  
records.

Explorers Land Surveying Inc.  
Lance Montgomery  
Kenneth  
Ng PCVIF

0  
Korah KC Ng, BCLS  
Field Survey - 13 January 2017  
Date of Survey: 13 January 2017

This document is not valid unless originally signed  
and sealed or digitally signed with digital signature.  
Info: <https://www.bccsa.ca>