CORPORATION OF THE TOWNSHIP OF ESQUIMALT

DEVELOPMENT VARIANCE PERMIT

NO. DVP00049

- Owner:Aragon (Lampson) Properties Ltd., Inc. No. BC863902Lands:PID 023-009-331Lot B, Section 11, Esquimalt District, Plan VIP60066
- Address: 429 Lampson Street, Esquimalt, B.C.

Conditions:

- 1. This Development Variance Permit is issued subject to compliance with all of the bylaws of the Municipality applicable thereto, except as specifically varied or supplemented by this Permit.
- 2. This Development Variance Permit regulates the development of lands by varying the provisions of Zoning Bylaw, 1992, No. 2050 and Parking Bylaw, 1992, No. 2011 as follows:

Zoning Bylaw 1992, No. 2050, Section 67.71 B. Site A (7)(a) <u>Siting</u> <u>Requirements</u> - Principal Building – A variance to the permitted perimeter of the principal building as shown in the Land Surveyor's Certificate prepared by McElhanney Consulting Services, stamped 'Received September 9, 2013' by substituting the B.C. Land Surveyor's Certificate prepared by J.E. Anderson and Associates, stamped 'Received July 18, 2017';

Zoning Bylaw 1992, No. 2050, Section 67.71 - C. Site B (17)(a) <u>Lot</u> <u>**Coverage**</u> – An increase to the requirement that all Principal Buildings, Accessory Buildings and Structures combined shall not cover more than 50 % of the Area of Site B for the building foundations and underground parking structure, allowing those structures that are sunk into land to cover 65 % of Site B;

Zoning Bylaw 1992, No. 2050, Section 67.71 - C. Site B (18)(a)(ii) <u>Siting Requirements</u> - Principal Building - Eastern Lot Line setback – A 0.30 metre decrease to the 3.5 metre minimum setback requirement

Development Variance Permit No. DVP00049

for Building Elements up to 11 metres in height; allowing up to 0.30 metres for balcony edges within the setback [i.e from 3.5 to 3.2 metres]

Zoning Bylaw 1992, No. 2050 Section 67.71 - C. Site B (18)(a)(ii) <u>Siting</u> <u>Requirements</u> -Principal Building - Eastern Lot Line setback – A variance to the 3.5 metre minimum setback requirement for building elements up to 11 metres in height; allowing Building Elements (roof peaks) up to 15.0 metres in height with a minimum setback of 3.5 metres from the Eastern lot line, for 'Level 4' of the eastern most end of 'Building 3' [the Southern Building], [i.e. from 11 metres to 15.0 metres];

Zoning Bylaw 1992, No. 2050 Section 67.71 - C. Site B (18)(a)(iii) <u>Siting Requirements</u> - Principal Building - Northern Lot Line setback -A 0.30 metre decrease to the 4.5 metre minimum setback requirement for Building Elements up to 11 metres in height; allowing up to 0.30 metres for balcony edges within the setback [i.e from 4.5 to 4.2 metres];

Zoning Bylaw 1992, No. 2050 Section 67.71 - C. Site B (18)(a)(iii) <u>Siting Requirements</u> - Principal Building - Northern Lot Line setback - A variance to the 4.5 metre minimum setback requirement for Building Elements up to 11 metres in height; allowing building elements up to 16.0 metres in height with a minimum setback of 4.5 metres from the Northern lot line, to allow for the 'Level 4' exterior corridor, and a portion of 'Building 1' [the Northern Building], [i.e. from 11 metres to 16.0 metres];

Zoning Bylaw 1992, No. 2050 Section 67.71 - C. Site B (18)(a)(iv) <u>Siting Requirements</u> - Principal Building - Southern Lot Line setback – A 0.30 metre decrease to the 4.5 metre minimum setback requirement for Building Elements up to 11 metres in height; allowing up to 0.30 metres for balcony edges within the setback [i.e from 4.5 to 4.2 metres];

Zoning Bylaw 1992, No. 2050 Section 67.71 - C. Site B (18)(a)(iv) <u>Siting Requirements</u> – Principal Building - Southern Lot Line setback – A variance to the 4.5 metre minimum setback requirement for Building Elements up to 11 metres in height; allowing building elements up to 15.5 metres in height with a minimum setback of 4.5 metres from the Southern lot line, to allow for the 'Level 4' southern most portion of 'Building 3' [the Southern Building], [i.e. from 11 metres to 15.5 metres];

Zoning Bylaw 1992, No. 2050 Section 67.71 - C. Site B (18)(a)(iv) <u>Siting Requirements -</u> Principal Building - Southern Lot Line setback – A 1.5 metre decrease to the 4.5 metre minimum setback requirement for Building Elements up to 11 metres in height; allowing building elements up to 11 metres in height with a minimum setback of 3.0 metres from the Southern lot line, to allow for the south end of the southwestern 'Townhouse' building [i.e. from 4.5 metres to 3.0 metres]; Zoning Bylaw 1992, No. 2050 Section 67.71 - C. Site B (18)(b)(i) <u>Siting</u> <u>Requirements</u> - Accessory Buildings - A variance to the requirement that no accessory building shall be located in the Front Yard, to allow the 'Play Fort' in the southwestern corner of the property;

Zoning Bylaw 1992, No. 2050 Section 67.71 - C. Site B (20) <u>Fencing</u> – A variance to the requirement that fencing is prohibited within 36.7 metres of the Front Lot Line, to allow a fence around the 'Neighbourhood Playground Space' and along the southern lot line. For certainty, within this area and subject to Section 22, no fence shall exceed a Height of 1.2 metres in front of the front face of a Principal Building and no fence shall exceed a Height of 2 metres behind the front face of the Principal Building;

Zoning Bylaw 1992, No. 2050 Section 16. (1)(b)&(e) - SITING EXCEPTIONS - A 0.3 metre increase to the exception; thereby allowing setbacks to be reduced by not more than 0.6 metres only, for certain features if projecting beyond the face of a building and into a setback; allowing portions of the gutters, sills, eaves, and ornamental features [heavy timber trellis elements] to project 0.9 metres into the required Setbacks [i.e. from 0.6 metres to 0.9 metres];

Parking Bylaw, 1992, No. 2011, Section 14. (4) <u>DIMENSIONS OF OFF-</u> <u>STREET PARKING SPACES</u> – An exemption to the requirement that where any Parking Space abuts any portion of a fence or Structure, the minimum stall width shall be increased by 0.3 metres for that Parking Space, for those Parking Spaces abutting a structural column within the parking garage;

Parking Bylaw, 1992, No. 2011, Section 14. - <u>DIMENSIONS OF OFF-</u> <u>STREET PARKING SPACES - TABLE 2</u> – A 0.65 metre reduction to the required width of the maneuvering isle adjacent to 90° angle parking, from 6.75 metres to 6.1 metres, for the maneuvering isle adjacent to the 'Townhouse' garages.

- 3. Approval of this Development Variance Permit has been issued in general accordance with the B.C. Land Surveyor's Building Location Certificate prepared by J.E. Anderson and Associates, stamped 'Received July 18, 2017', attached hereto as Schedule "A", the architectural drawings prepared by Merrick Architecture stamped 'Received July 18, 2017' attached hereto as Schedule "B", and the landscape plans prepared by Small and Rossell, Landscape Architects, stamped received July 21, 2017 attached hereto as Schedule "C".
- 4. The terms, conditions and covenants contained herein shall enure to the benefit of and be binding upon the Owners, their executors, heirs or administrators, successors and assigns as the case may be or their successors to title in the lands.

Development Variance Permit No. DVP00049

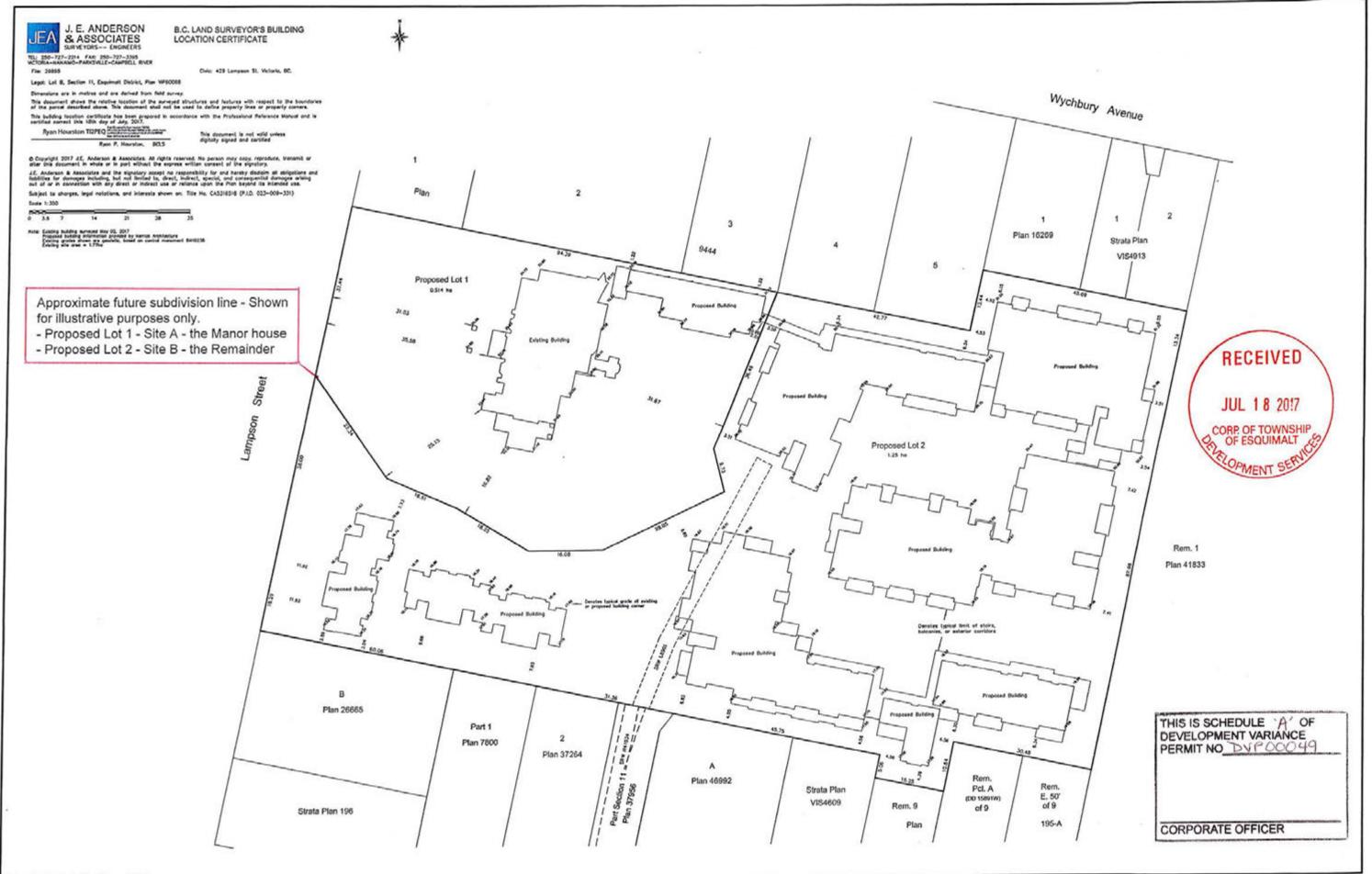
- 5. This Permit lapses two (2) years after the date it is issued if the holder of the Permit does not substantially start any construction with respect to which the Permit was issued.
- 6. For the purposes of this Development Variance Permit, the holder of the Permit shall be the owner(s) of the lands.

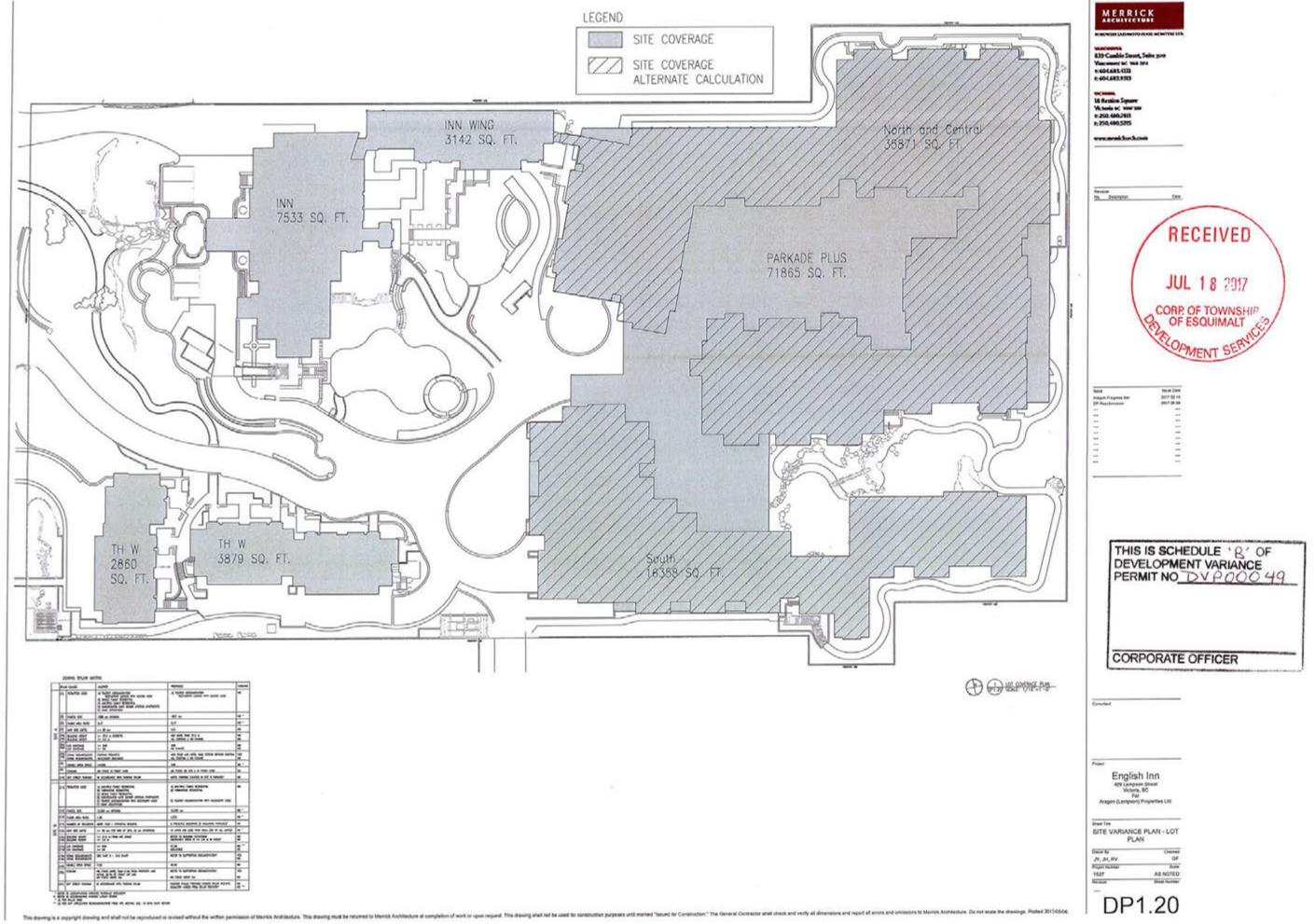
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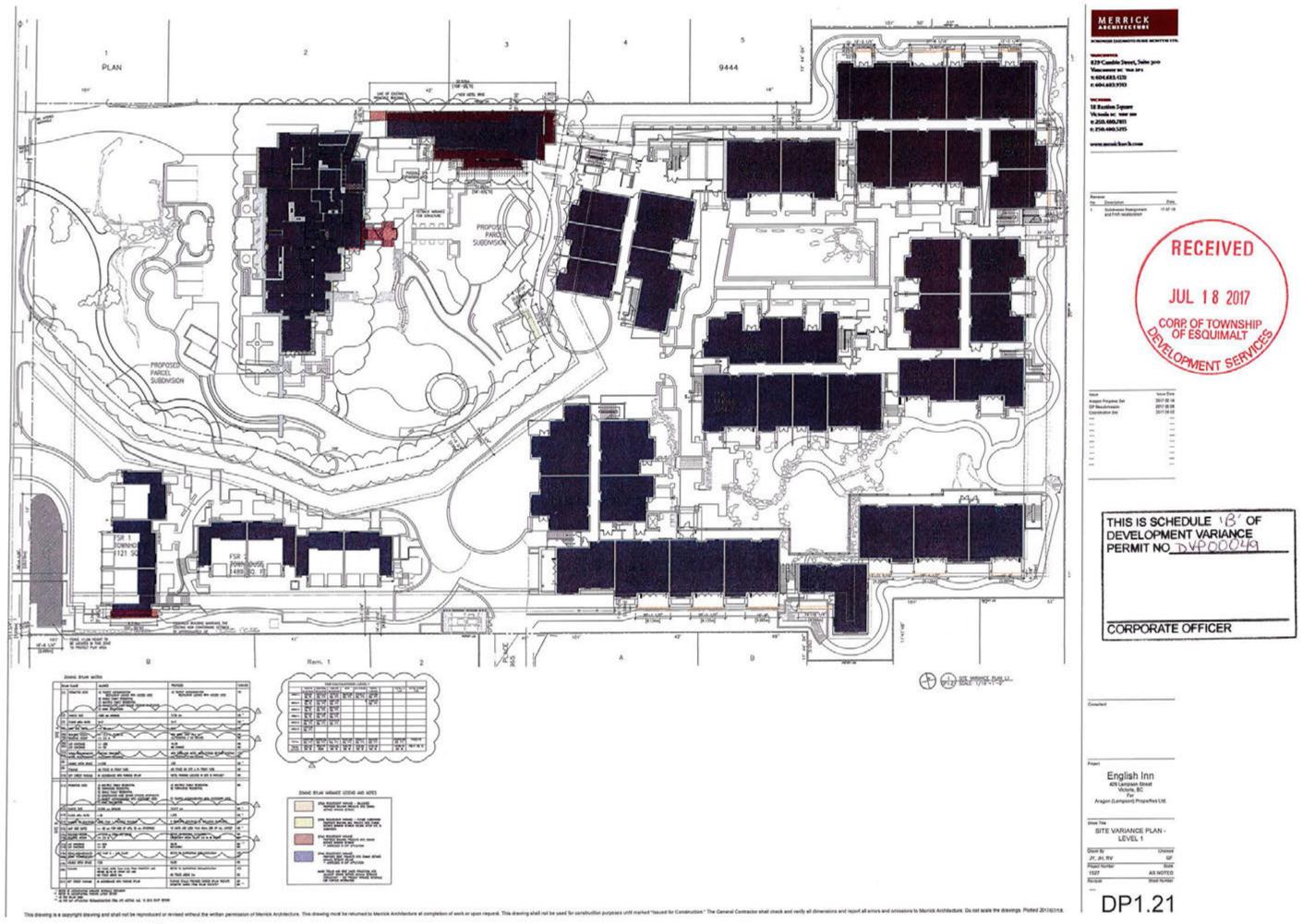
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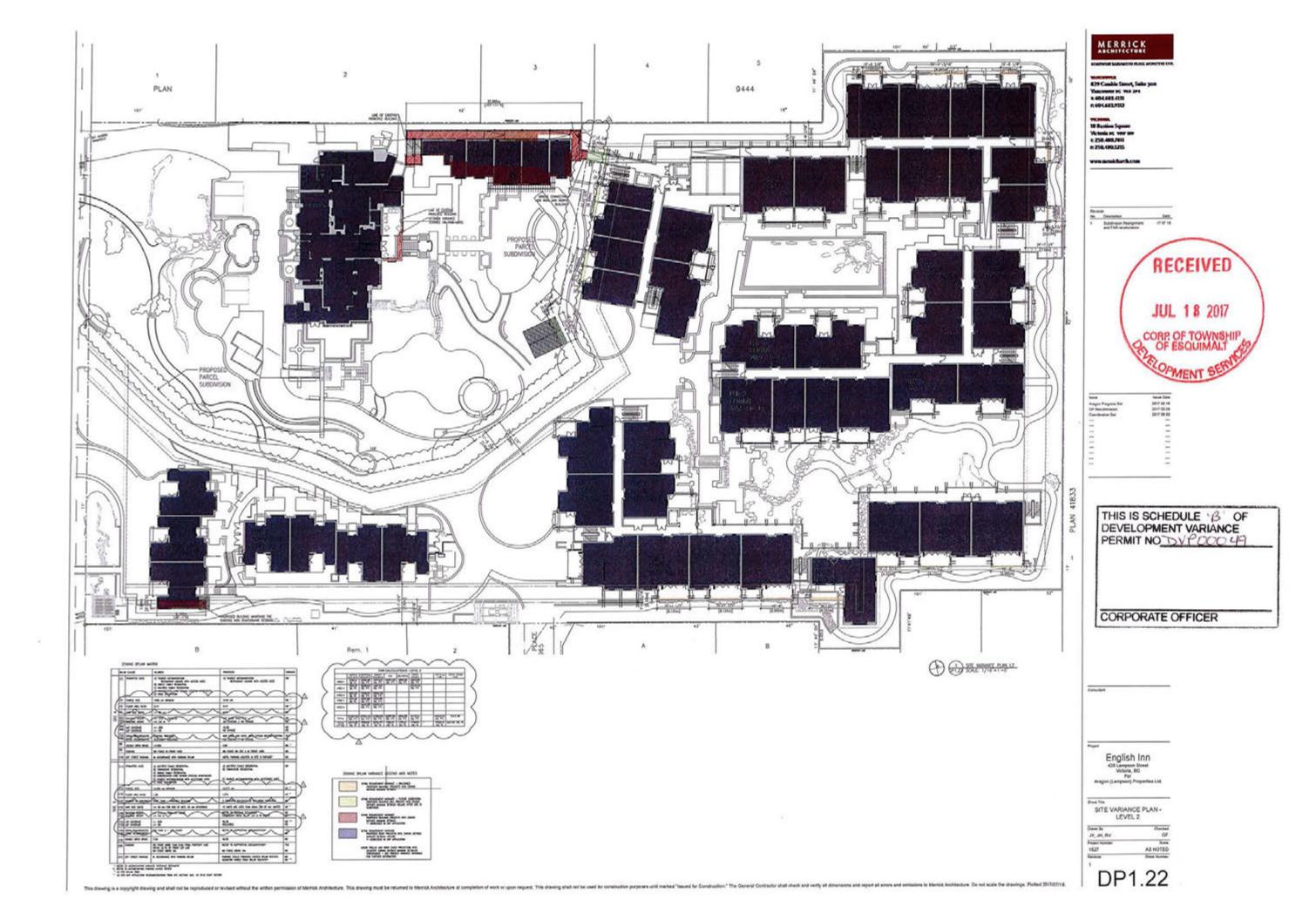
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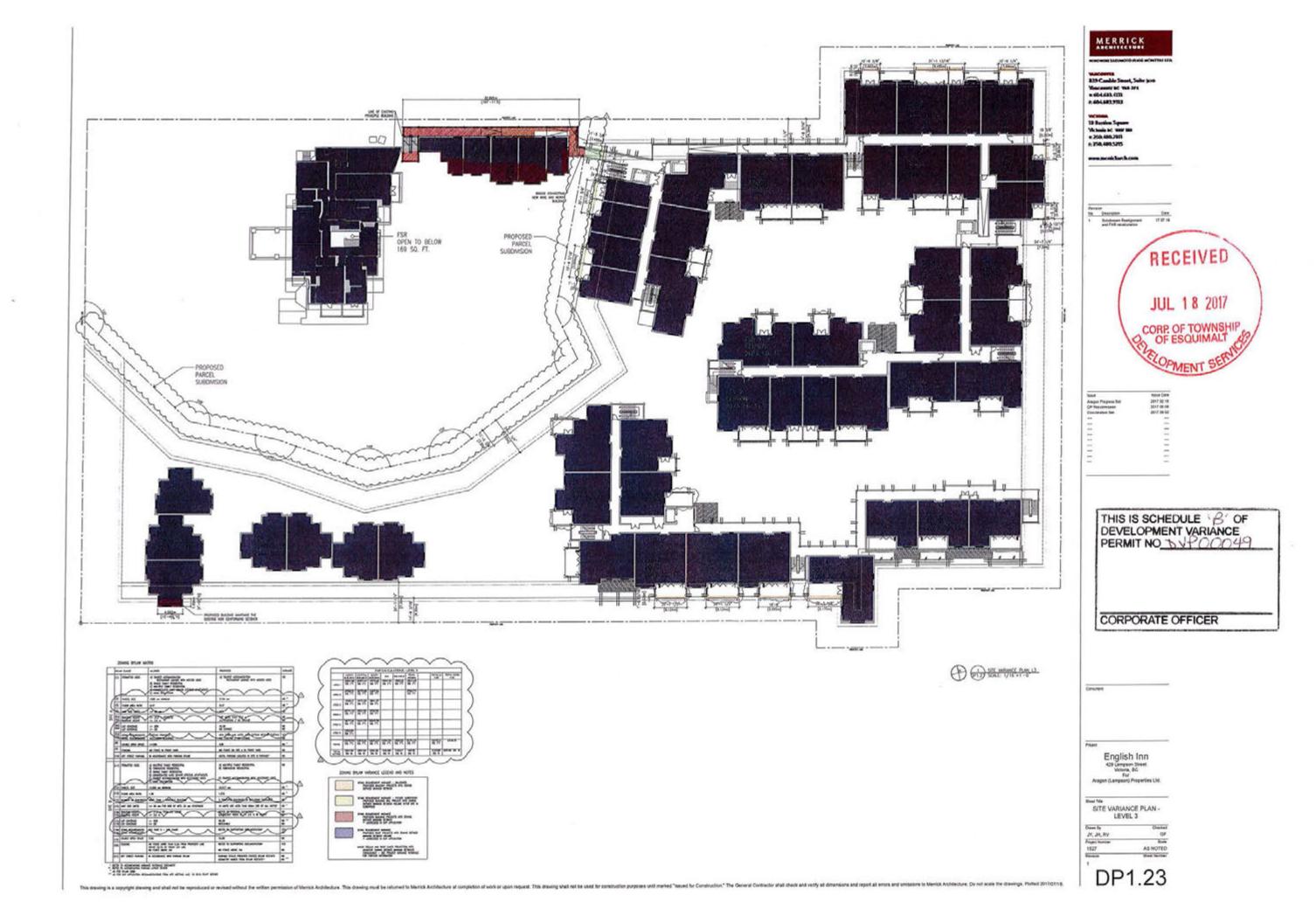
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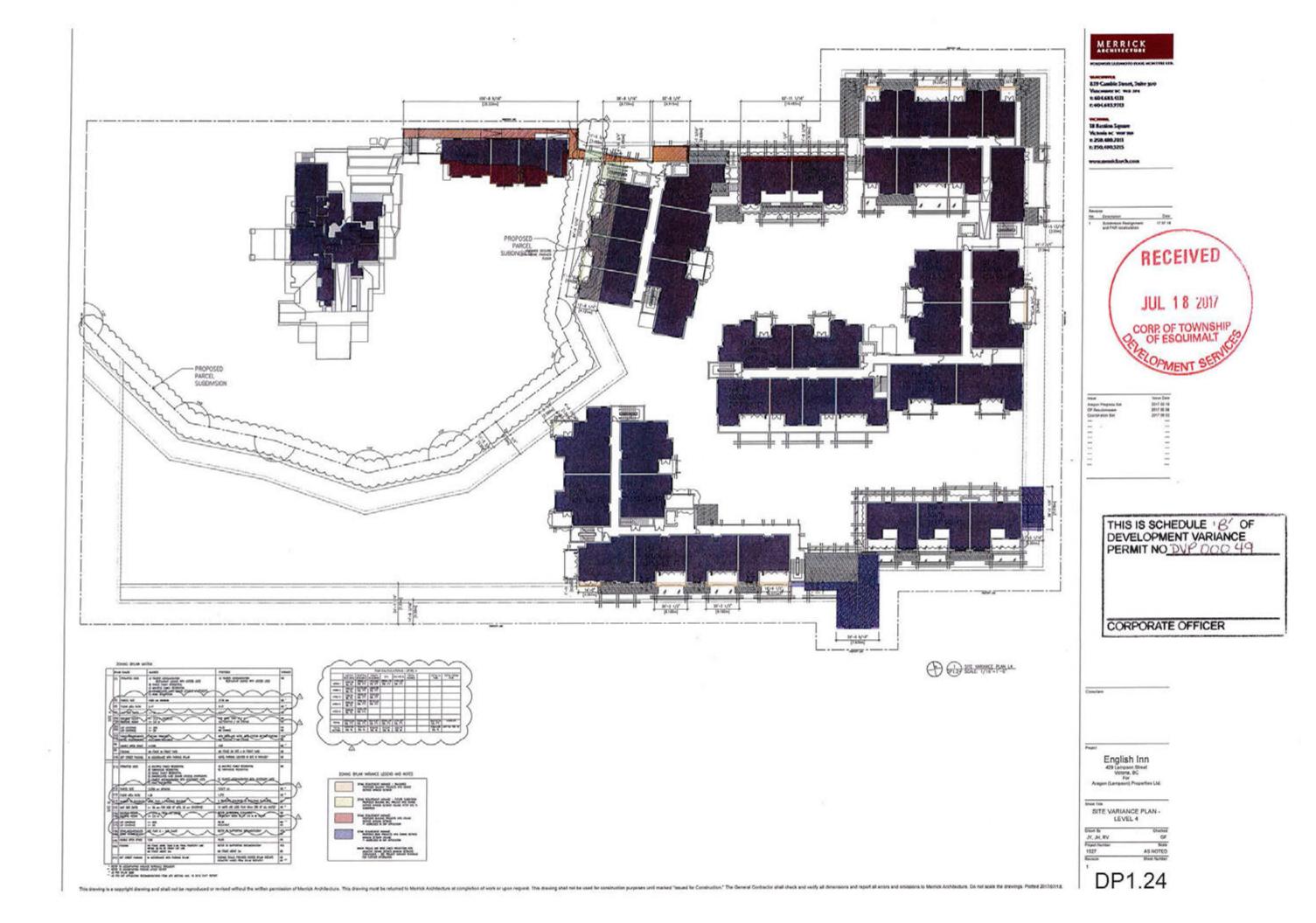


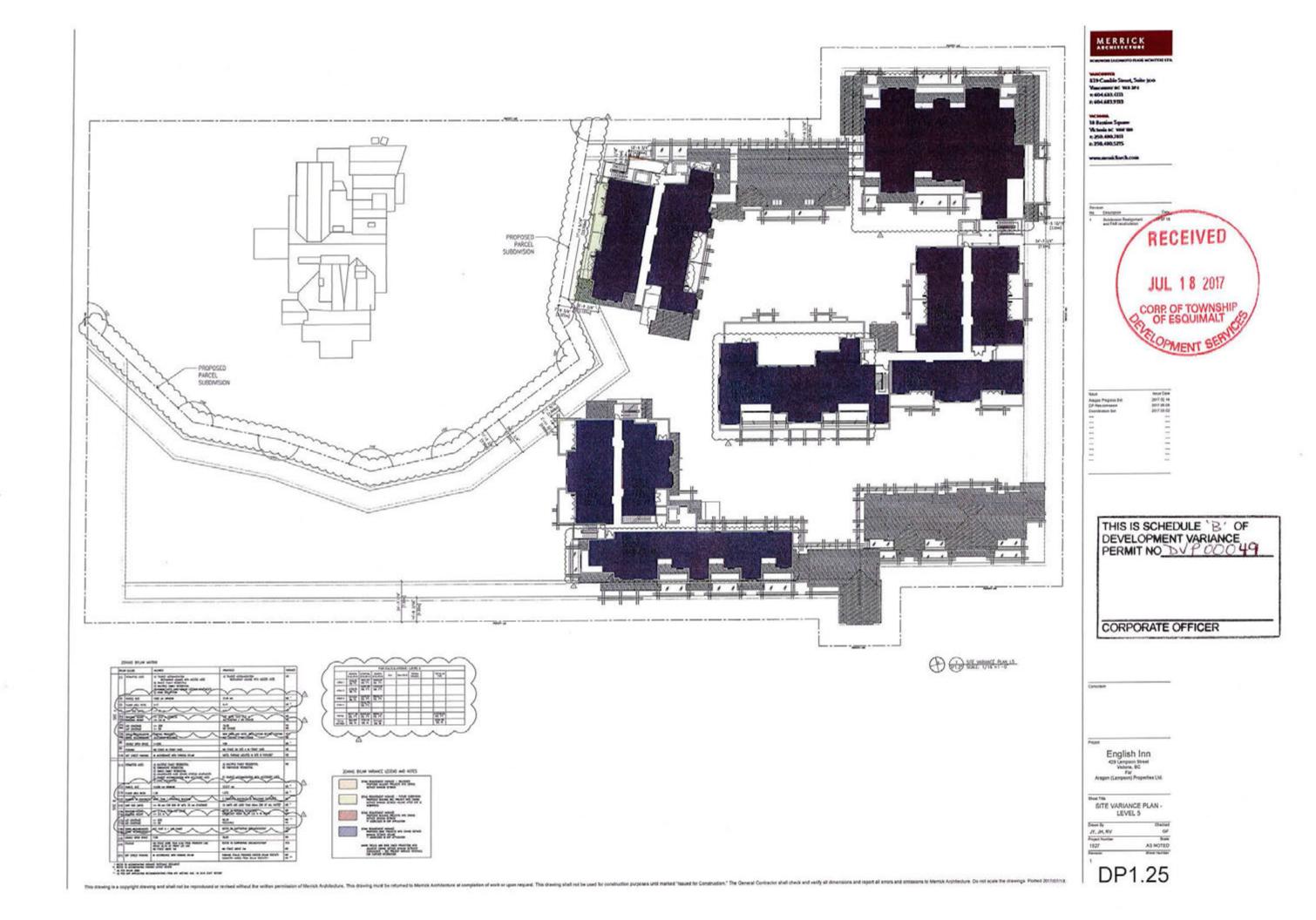


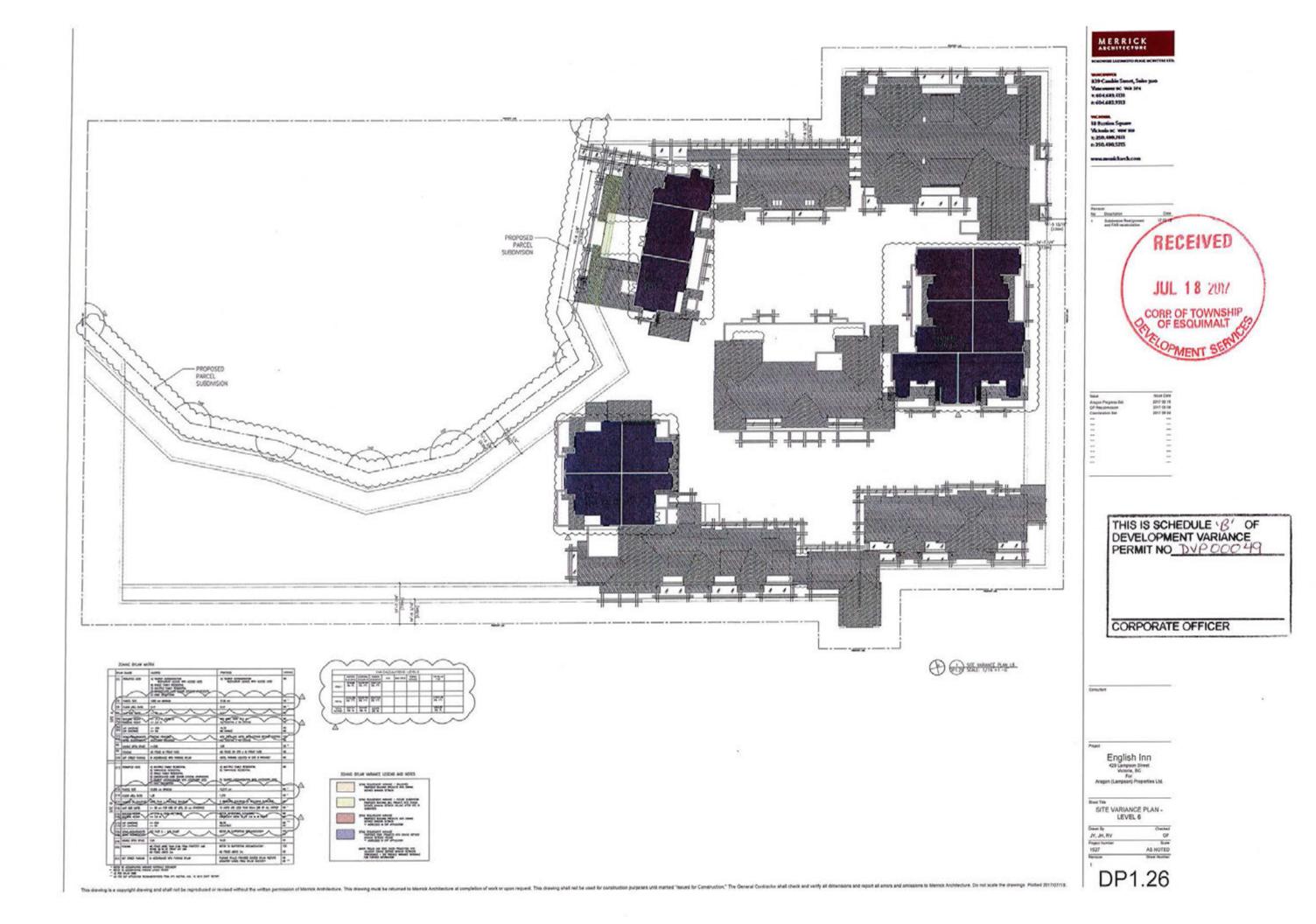


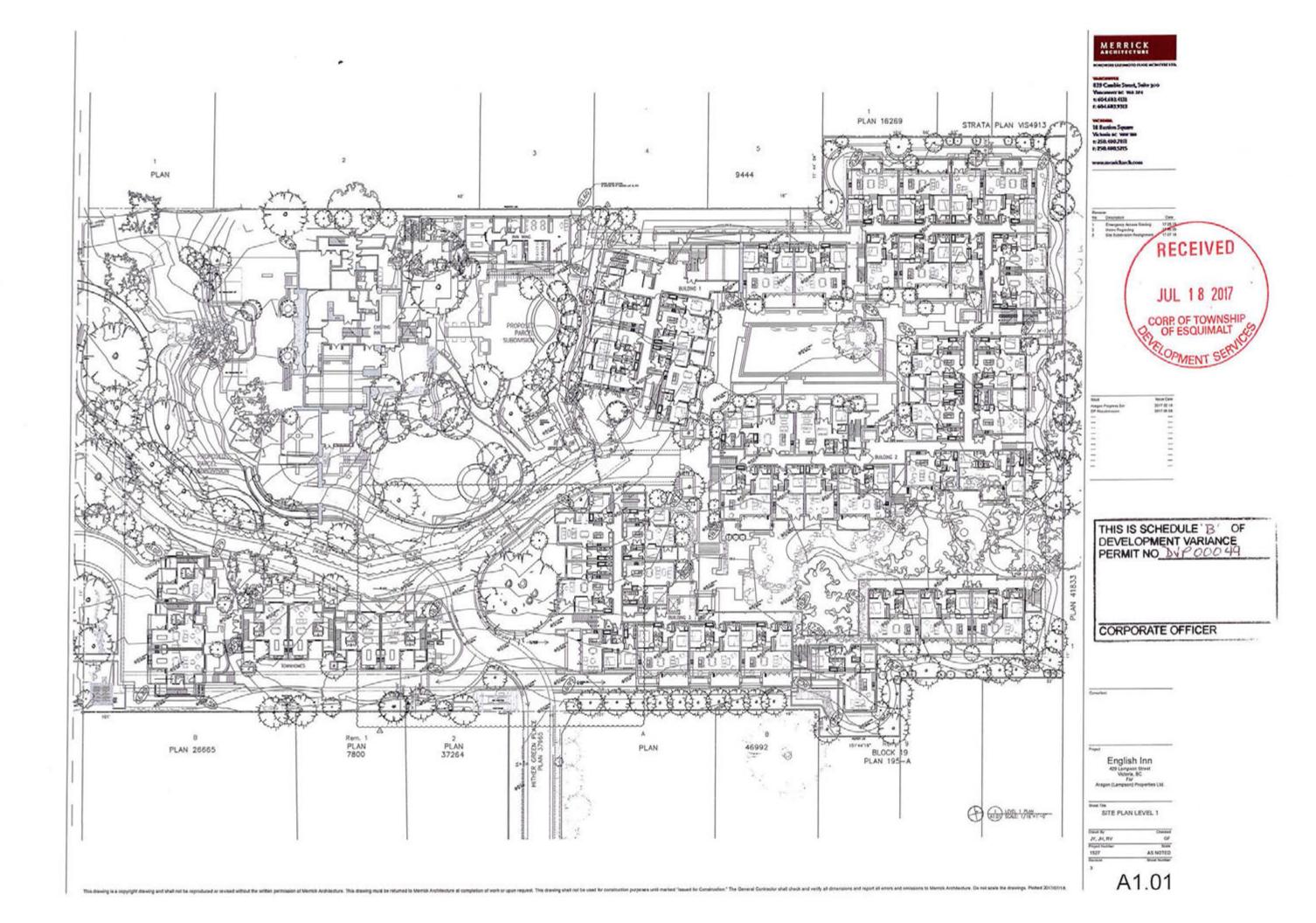


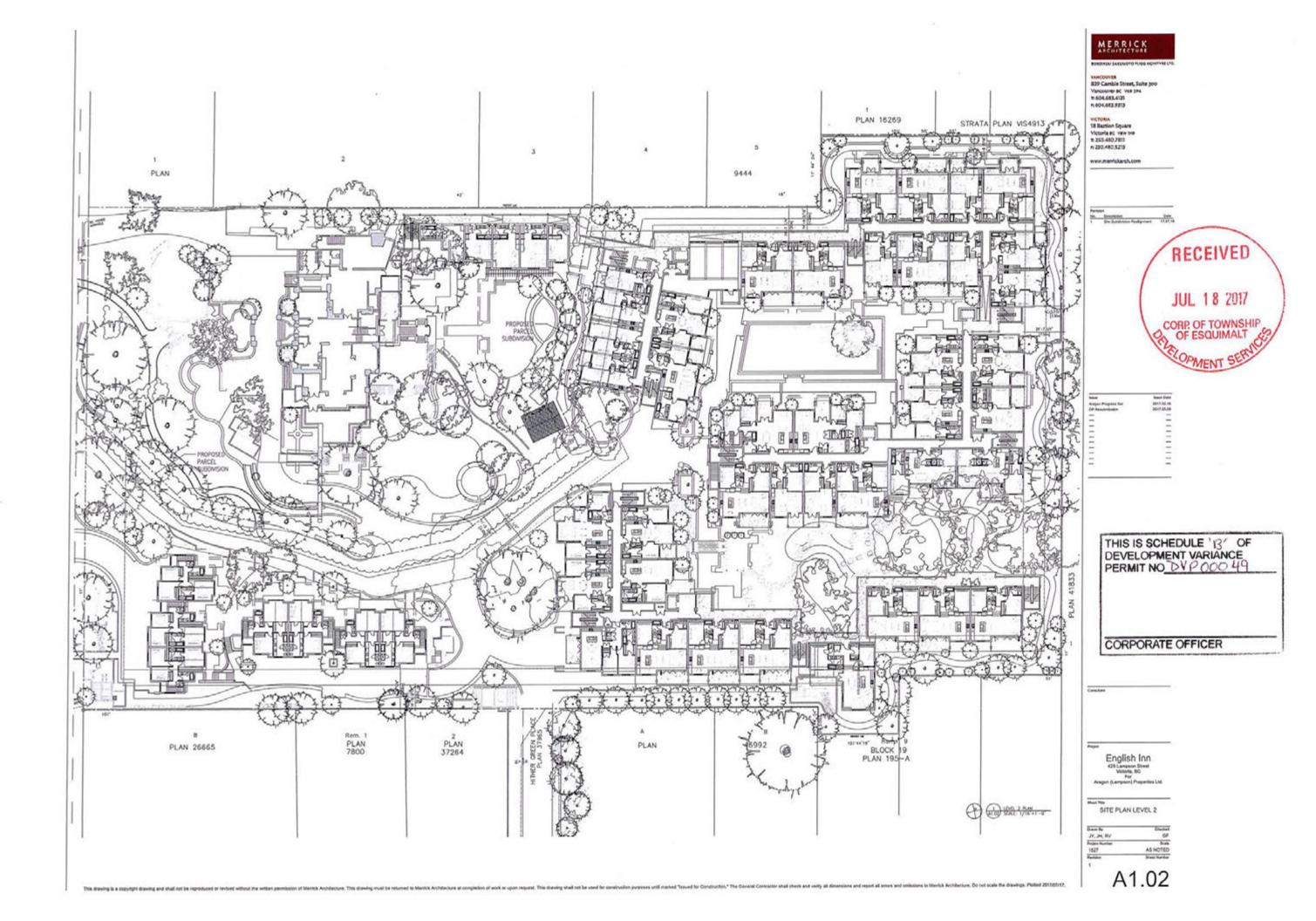




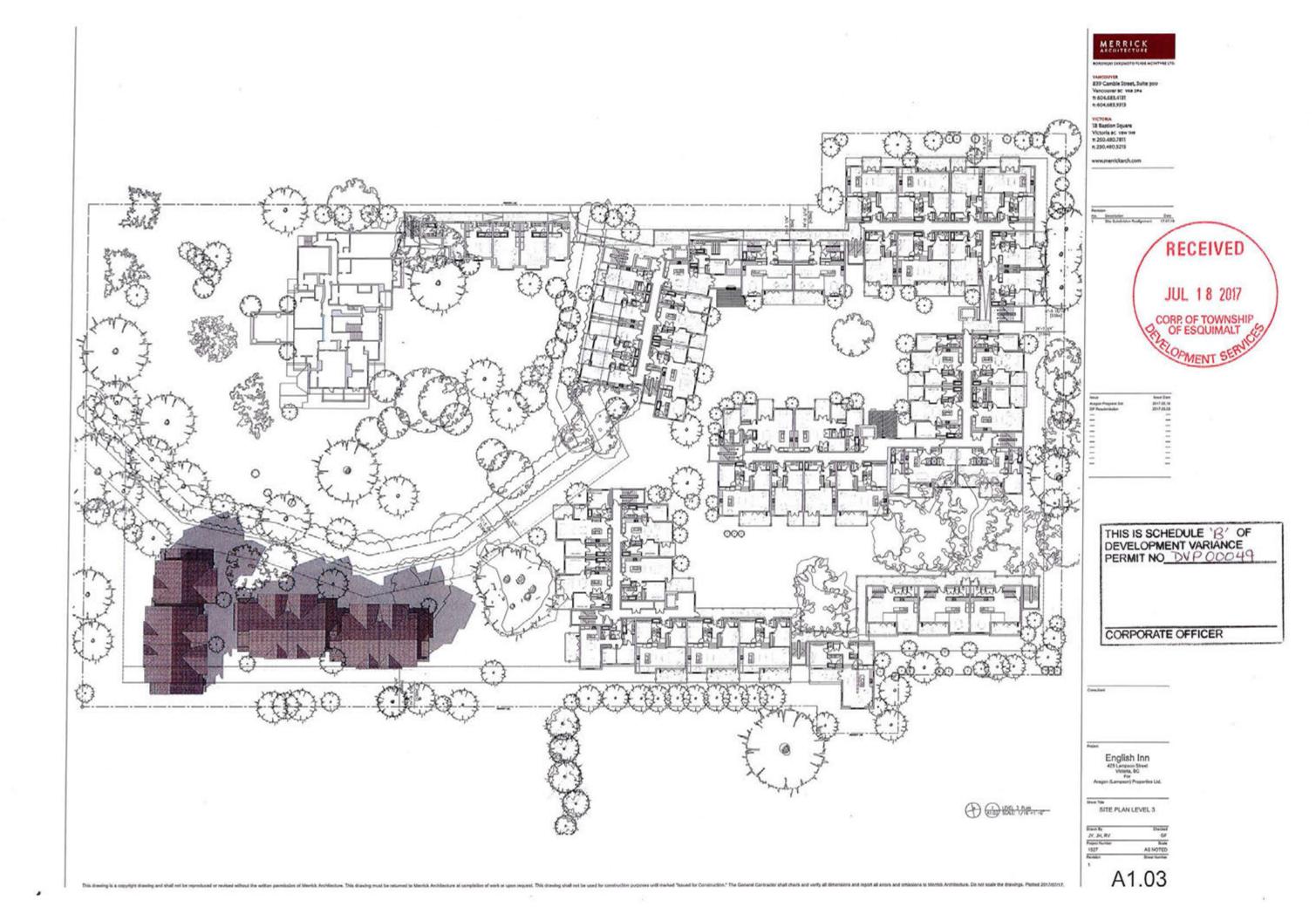


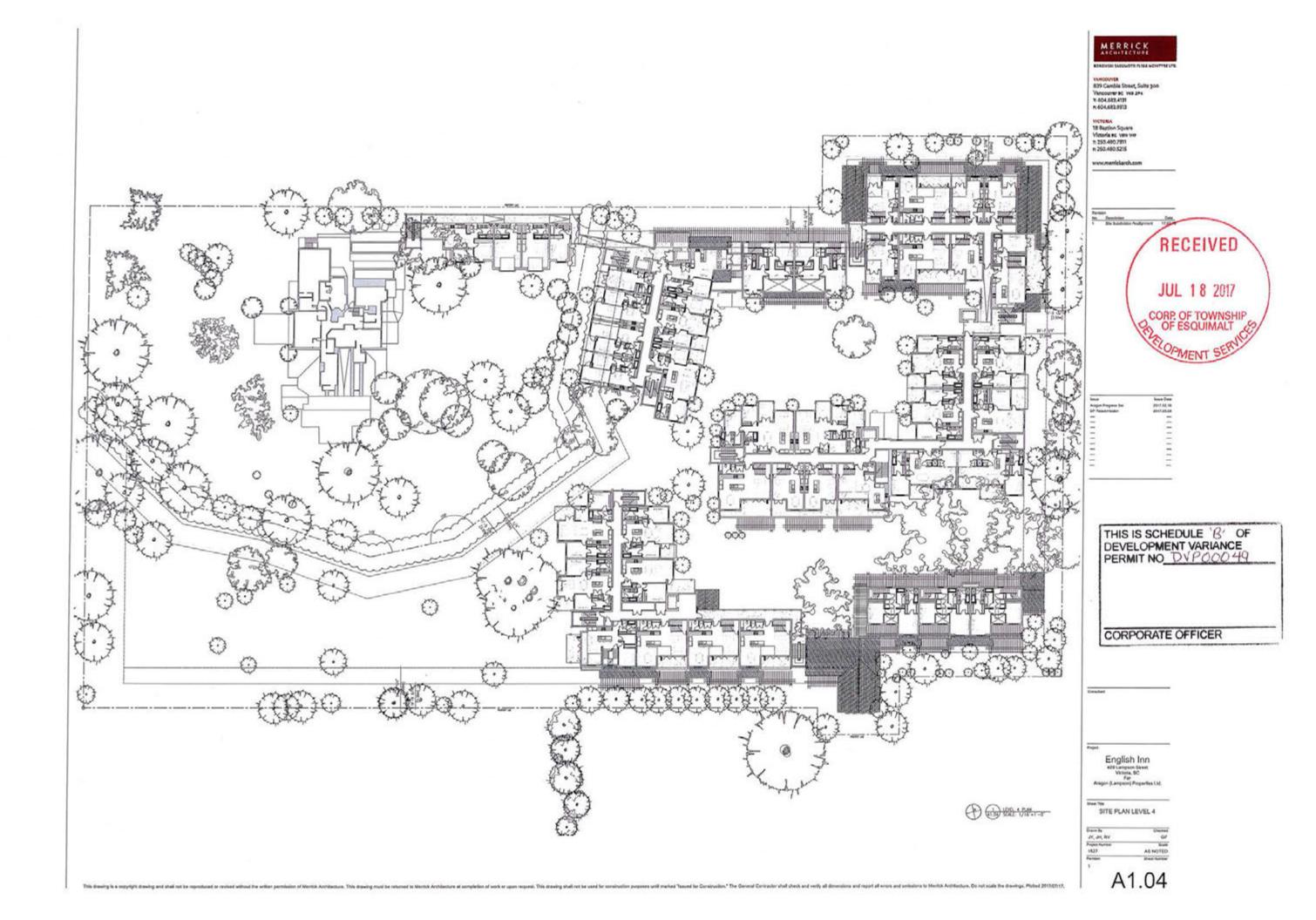


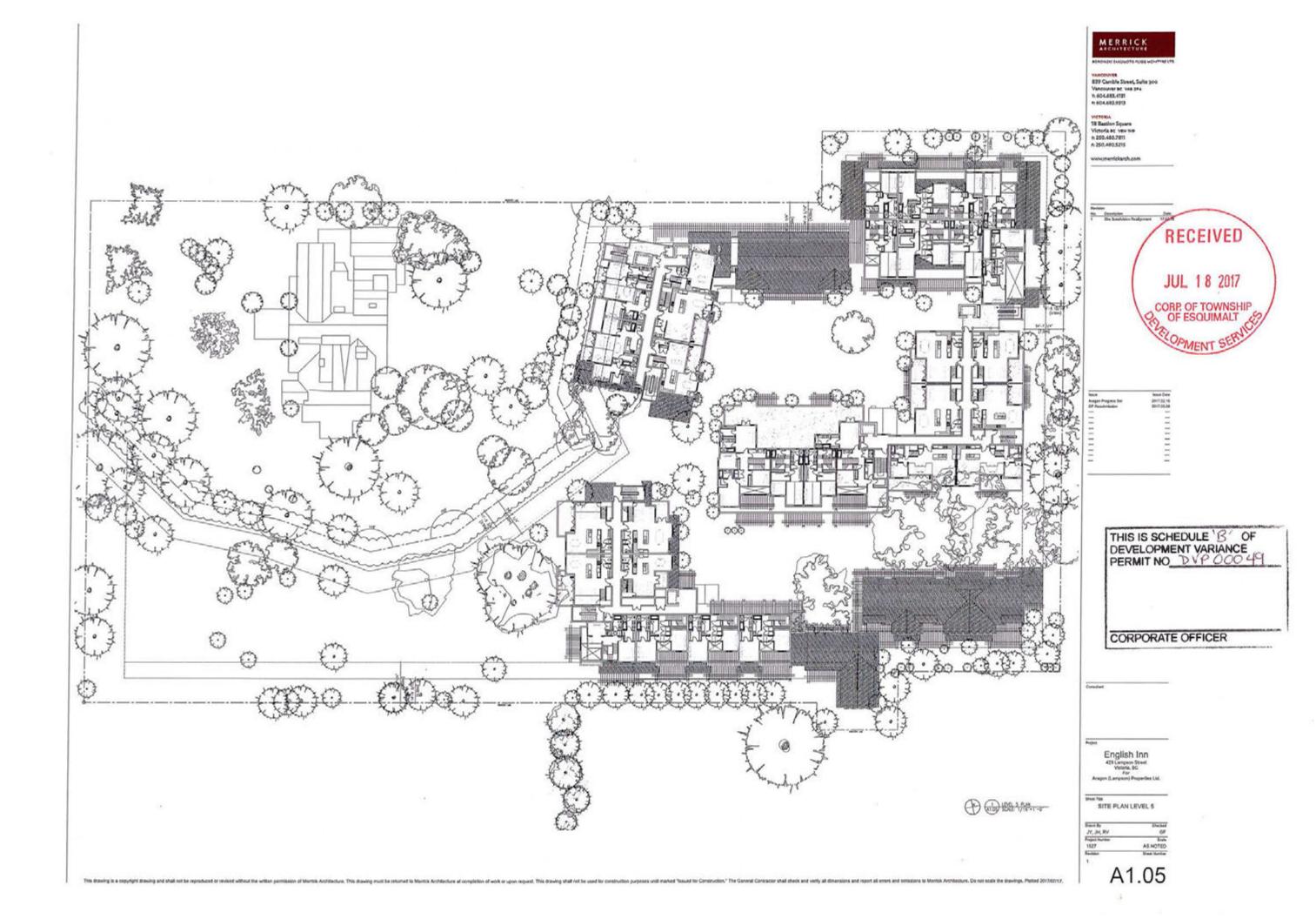


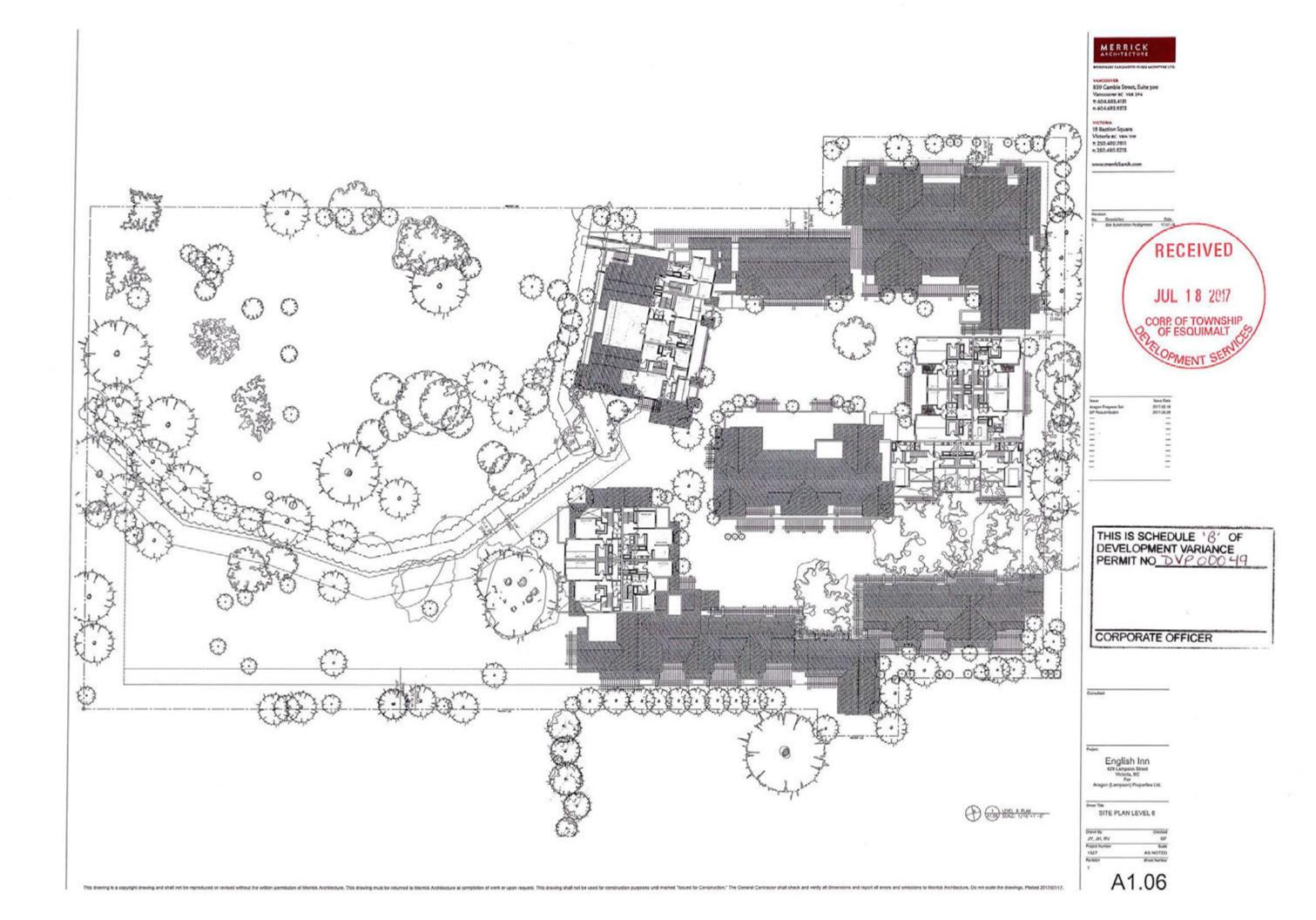


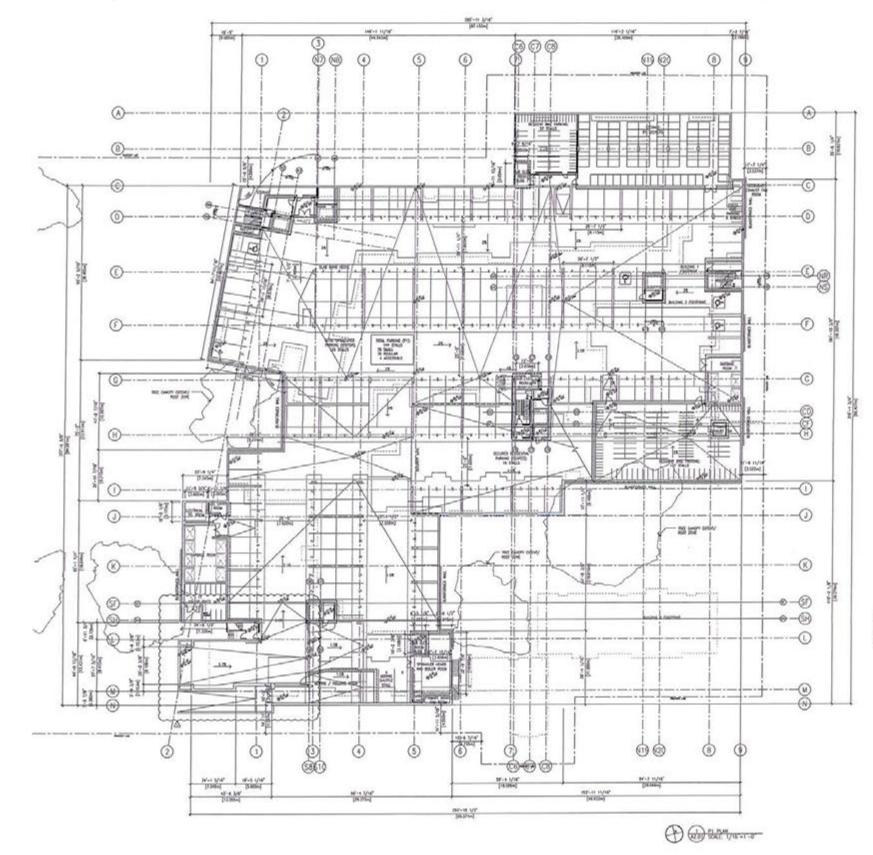
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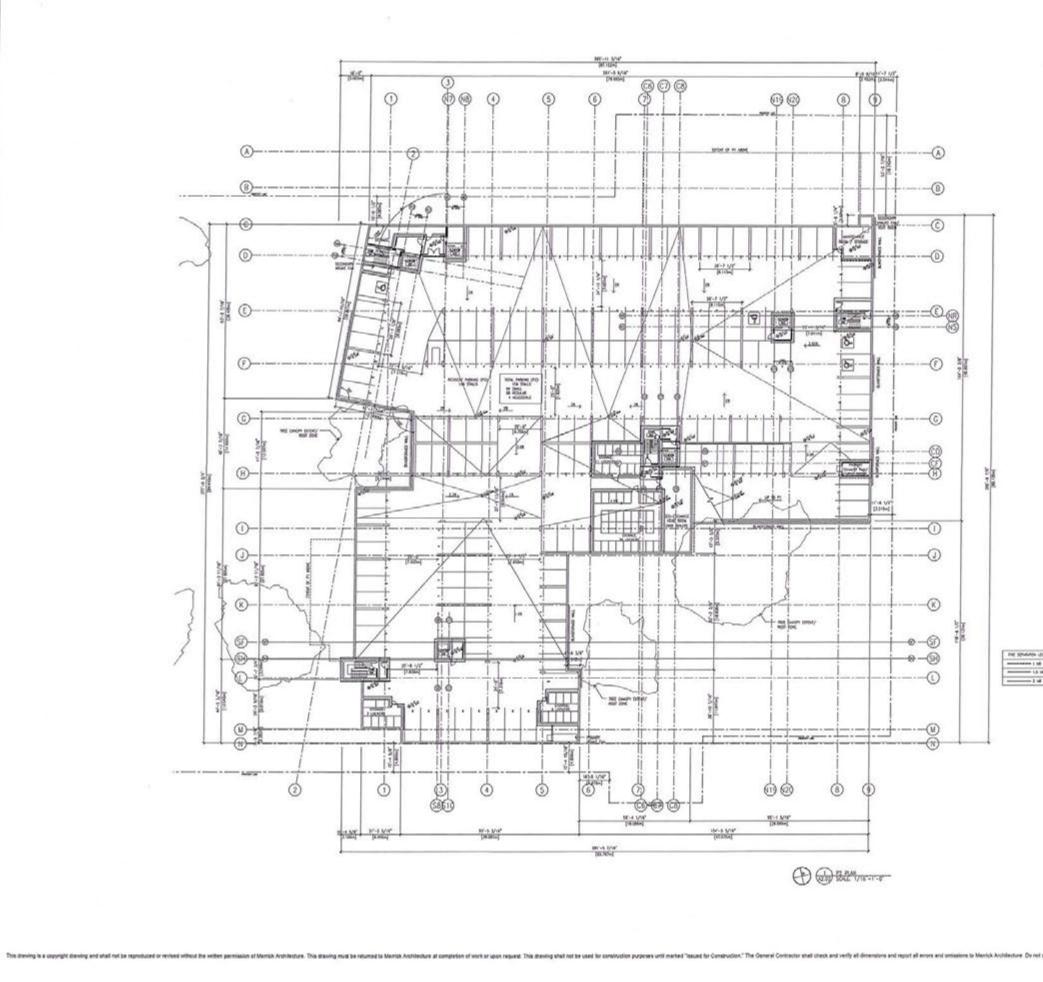






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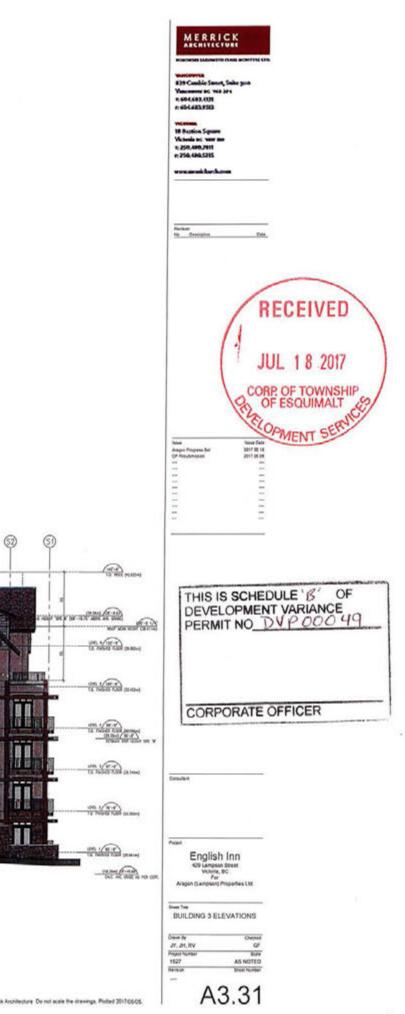


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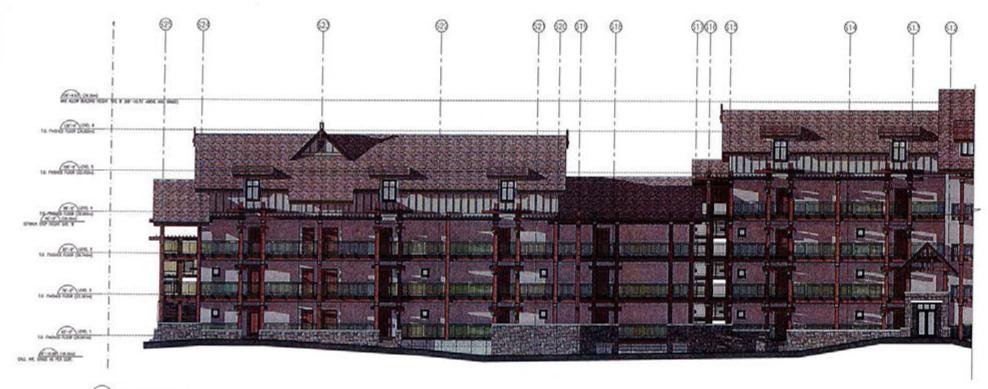
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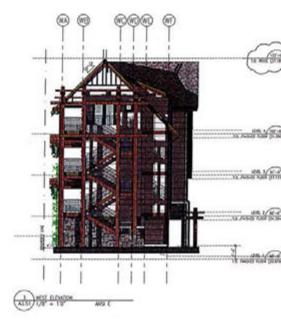


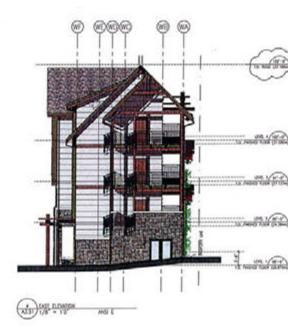
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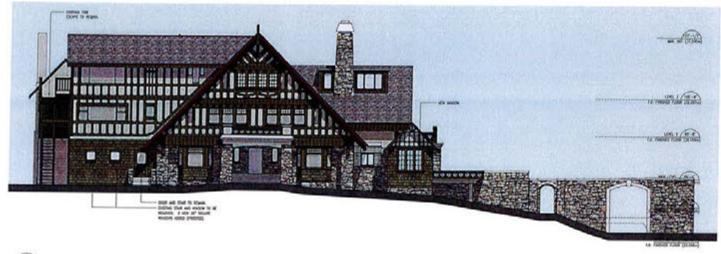
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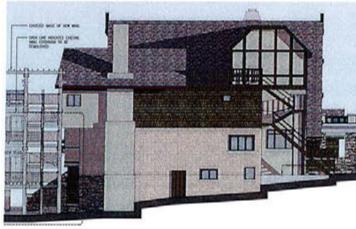


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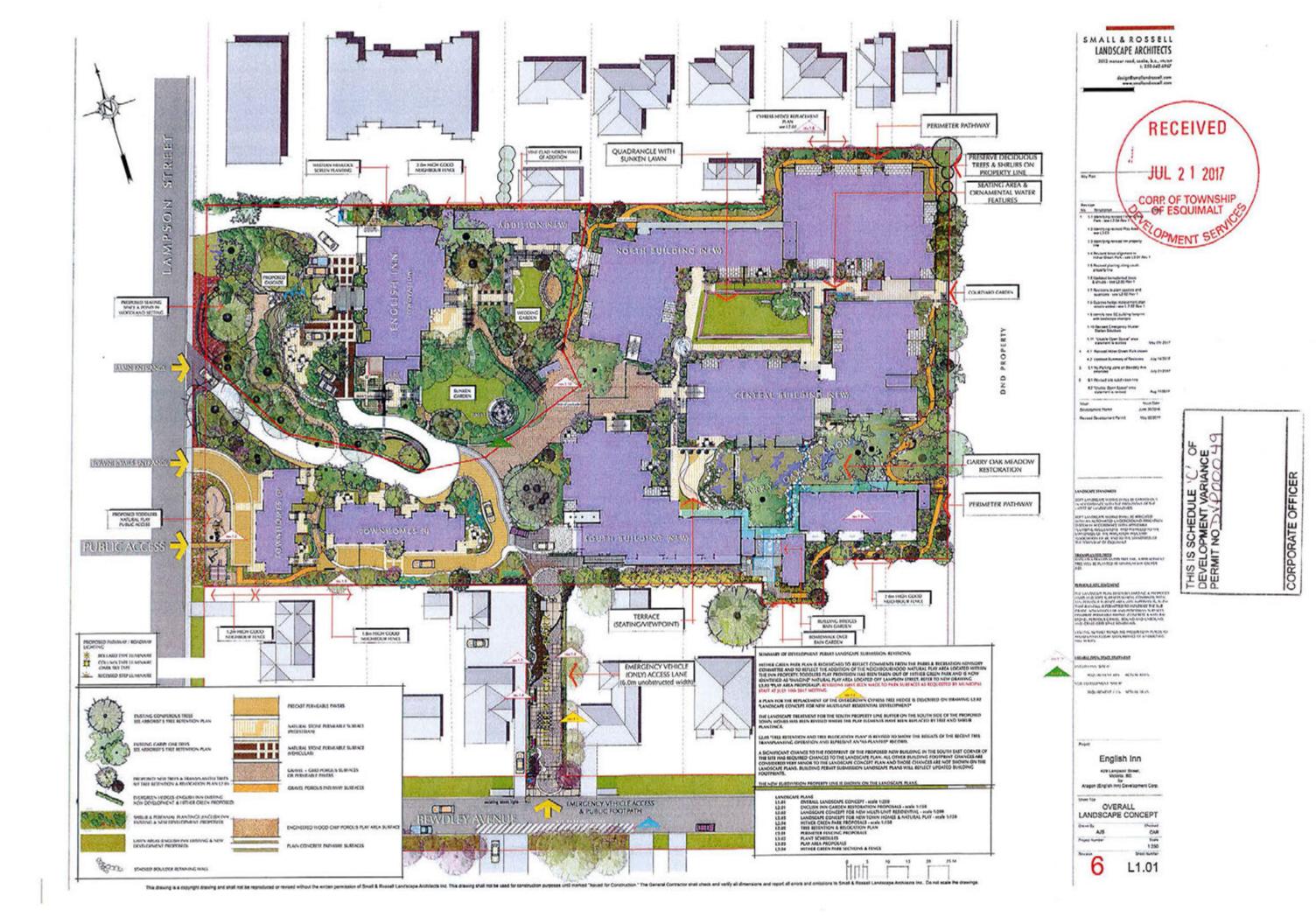
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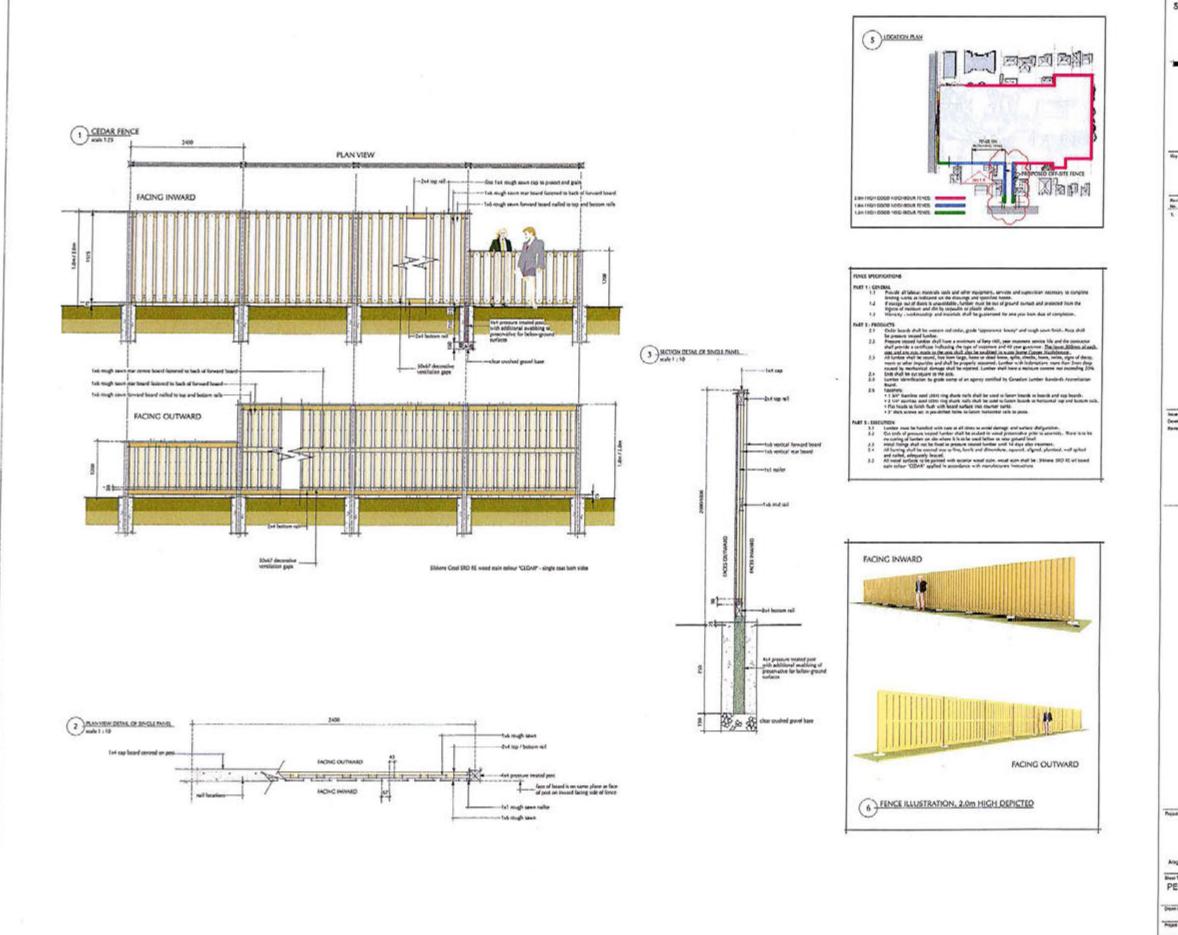
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