



# CORPORATION OF THE TOWNSHIP OF ESQUIMALT

Municipal Hall  
1229 Esquimalt Road  
Esquimalt, B.C. V9A 3P1

## Staff Report

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File #:22-433

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### REQUEST FOR DECISION

**DATE:** August 22, 2022

Report No. DEV-22-083

**TO:** Laurie Hurst, Chief Administrative Officer

**FROM:** Mikaila Montgomery, Planner and Bill Brown, Director of Development Services

**SUBJECT:**

Development Variance Permit Application - 435 Lampson Street

**RECOMMENDATION:**

That Council approve Development Variance Permit No. DVP00130, attached as Appendix A to staff report DEV-22-083, authorizing a reduction to the ratio of parking spaces per dwelling unit, including the following relaxations to Parking Bylaw, 1992, No. 2011, and staff be directed to issue the permit and register the notice on the title of the property located at Lot 1, Section 11, Esquimalt District, Plan 9444 [435 Lampson Street].

Parking Bylaw, 1992, No. 2011, Part 5, Section 13, Number of off-street parking spaces, Table 1 - Residential: A reduction to the ratio of parking spaces permitted in medium and high density apartment zones from 1.3 required parking space per dwelling unit to 1 parking space per dwelling unit.

**RELEVANT POLICY:**

Official Community Plan Bylaw, 2018, No. 2922

Zoning Bylaw, 1992, No. 2050

*Local Government Act*

Declaration of Climate Emergency

Development Application Procedures and Fees Bylaw, 2012, No. 2791

**STRATEGIC RELEVANCE:**

Healthy, Livable and Diverse Community: Support community growth, housing, and development consistent with our Official Community Plan.

**BACKGROUND:**

Appendix A: DVP No. DVP00130

Appendix B: Aerial Map

Appendix C: Notice of Variance at 435 Lampson

**CHRONOLOGY:**

August 3, 2022 - Application Received

August 17, 2022 - Notice of Variance mailed

**PURPOSE OF THE APPLICATION:**

The applicant is proposing to convert two main-floor storage units into a (bachelor) suite in an existing 12-unit multi-family building. The applicant is also proposing to add one additional parking space. This would result in 13 parking spaces for 13 units, a ratio of 1:1. This does not conform to the Parking Bylaw for multi-family residential, which requires a ratio of 1.3 parking spaces to every dwelling unit. Therefore, a variance of 4 parking spaces is being sought. Evaluation of the Development Variance Permit should focus on Parking Bylaw, 1992, No. 2011 as it does not conform to Part 5, Section 13, Table 1.

**CONTEXT:**

**Applicant:** Charles Pakosh

**Owner:** 1358167 BC Ltd. Derek Townsend

**Property Size:** 1,143m<sup>2</sup>

**OCP Land Use Designation:** Medium-density residential

**Zone:** Multi-Family Residential [RM-4]

**Existing Land Use:** Multi-Family residential

**Surrounding Land Uses:**

**North:** Low-density residential

**South:** English Inn

**East:** Medium-density residential

**West:** Low-density residential

**OCP ANALYSIS:**

**5.1 Anticipated Housing Needs in the Next 5 Years**

Policy: Support the development of a variety of housing types and designs to meet the anticipated housing needs of residents. This may include non-market housing options that are designed to accommodate young and multi-generational families, the local workforce, as well as middle and high income households. This development proposal would add one bachelor rental unit to Esquimalt's housing stock.

**18.5.5 Drainage and Erosion**

5. Use porous surfaces to enhance stormwater infiltration, permeable paving is preferable for all open air parking areas. Ensure installation methods contribute to sustained permeability and retention of stormwater on the site. The proposed paving material is asphalt.

**23.5 Multi-Family Residential - Guidelines**

4. Landscaping should emphasize the creation of an attractive streetscape, as well as provide privacy between individual buildings and dwellings, screen parking areas, and break up large expanses of paving.

5. Surface parking areas in developments less than five storeys in height, will be situated away from the street and screened by berms, landscaping or solid fencing or a combination of these three.

18. Wherever possible, outdoor storage and parking areas should be screened from view.

#### **COMMENTS FROM OTHER DEPARTMENTS:**

##### **Engineering:**

We have reviewed the plans submitted with the application for a Development Variance permit at 435 Lampson Street. The proposed addition of one suite will not have an impact on the Engineering aspects of this property. Engineering has no requirements for this Development Variance Permit application.

##### **Building:**

No concerns. This project requires the services of an architect. Subject to review for Building Code and Bylaw compliance at time of Building Permit application.

#### **ISSUES:**

##### **1. Rationale for Selected Option**

The reduction in parking is reasonable for the location of the site which is close in proximity to amenities and transit.

##### **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 minimal sustainability and environmental implications.

##### **5. Communication & Engagement**

As this is a Development Variance Permit application, notices were mailed to owners and tenants of properties within 50 metres (164 ft) of the subject property. Notices were mailed out on August 17, 2022.

#### **ALTERNATIVES:**

1. That Council approves Development Variance Permit No. DVP00130, and staff be directed to issue the permits and register the notices on the title of the property.

2. That Council denies Development Variance Permit No. DVP00130 with reasons.

**CORPORATION OF THE TOWNSHIP OF ESQUIMALT**

**Development Variance Permit  
No. DVP00130**

**Owner:** 1358167 BC Ltd. Derek Townsend

**Lands:** PID 005-302-196 Lot 1, Section 11, Esquimalt District, Plan 9444

**Address:** 435 Lampson Street, Esquimalt, BC

**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 Parking Bylaw, 1992, No. 2011 as follows:

**Part 5, Section 13, Number of off-street parking spaces, Table 1 – Residential:** A reduction in the ratio of parking spaces permitted in medium and high density apartment zones from 1.3 required parking space per dwelling unit to 1 parking space per dwelling unit.

3. 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.
4. 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.
5. For the purposes of this Development Variance Permit, the holder of the Permit shall be the owner(s) of the lands.

APPROVED BY MUNICIPAL COUNCIL RESOLUTION ON THE \_\_\_\_ DAY OF \_\_\_\_\_, 2022.

ISSUED BY THE DIRECTOR OF DEVELOPMENT SERVICES THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2022.

\_\_\_\_\_  
Director of Development Services

\_\_\_\_\_  
Corporate Officer, Corporation of the Township of Esquimalt





August 15, 2022

## DEVELOPMENT VARIANCE PERMIT NOTICE

Dear Resident,

The owners of 435 Lampson have applied for a development variance permit to vary the parking requirements for a 12-unit multi-family dwelling at this location. The applicants are proposing to turn a main floor storage unit into a new bachelor suite and add one additional parking space. An additional parking space would increase the number of parking spaces to 13, which is below the required ratio of 1.3 parking spaces per dwelling-unit.

### What does this mean?

As part of the application, the public has an opportunity to provide input to Council regarding the proposed variances. All variances to the Township's Parking Bylaw, 1992, No. 2011 must be considered by Council. The Parking Bylaw can be found on the Township's website at:

<https://www.esquimalt.ca/government-bylaws/bylaws-enforcement/bylaws/parking-bylaw-consolidated>

### Details:

**Site Location:** 435 Lampson Street.



### Description of land:

- Parcel Identifier (PID): 005-302-196
- Legal description: Lot 1, Section 11, Esquimalt District, Plan 9444

Please turn over

1229 Esquimalt Road  
Esquimalt BC V9A 3P1  
t. 250-414-7103  
f. 250-414-7160  
[www.esquimalt.ca](http://www.esquimalt.ca)

**Purpose of the application:**

The applicant would like a variance to the parking requirements for the existing multi-family dwelling.

Therefore, the applicant is requesting the following variances to Esquimalt's Parking Bylaw 1992, No. 2011:

**Vary Part 5, Section 13 Number of Off-Street Parking Spaces** to decrease the number of parking spaces for a 13-unit residential dwelling (Medium and High Density Apartment Zone) from the required 1.3 ratio of 17 to 13 (a variance of 4 spaces).

**Input opportunities:**

The Municipal Council will consider this application at the **Regular Meeting of Council commencing at 7 p.m., Monday, September 19, 2022, in the Council Chambers, Esquimalt Municipal Hall, 1229 Esquimalt Road, Esquimalt, B.C.** Affected persons may make representations to Council at that time or submit written comments by 12:00 pm (noon) on the day of the meeting by email to [corporate.services@esquimalt.ca](mailto:corporate.services@esquimalt.ca), or by mail or delivery to the Municipal Hall at 1229 Esquimalt Road, Esquimalt, BC, V9A 3P1. If you would like to register to provide comments during the meeting via telephone, please contact the Corporate Officer at 250-414-7135 prior to 4:30 p.m. on the day of the meeting.

A copy of the development variance permit can be reviewed on the Township's website from September 5, 2022 until September 15, 2022 by viewing the Development Tracker at <https://www.esquimalt.ca/business-development/development-tracker/development-variance-permit-applications>. Alternatively, it may be viewed at the Municipal Hall, at the Development Services counter between 8:30 a.m. and 4:30 p.m., Monday to Friday from September 5, 2022 until September 15, 2022, excluding statutory holidays.

*Personal information contained in communications to Council on this matter is collected under the authority of section 26 (c) of the Freedom of Information and Protection of Privacy Act and will be used to assist Council members in decision making. Comments expressed orally during the meeting will be webcast live and recorded to form part of the public record. Written submissions will form part of the Township's public record and may be included in a public agenda and posted on our website. Your phone number and email address will not be disclosed; however, your address is considered relevant to this proposal and will be disclosed to inform Council of your opinion in relation the proposed variances. Questions regarding the collection of personal information may be referred to the Corporate Officer at [corporate.services@esquimalt.ca](mailto:corporate.services@esquimalt.ca) or 250-414-7135.*

**More information about the project:** Mikaila Montgomery, Development Services; 250-414-7114

Thank you,  
Deb Hopkins, Corporate Officer