



# CORPORATION OF THE TOWNSHIP OF ESQUIMALT

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

## Legislation Details (With Text)

**File #:** 22-397      **Version:** 1      **Name:**

**Type:** Staff Report      **Status:** Passed

**File created:** 8/2/2022      **In control:** Advisory Planning Commission

**On agenda:** 8/16/2022      **Final action:** 8/16/2022

**Title:** Development Permit Application - 1189 Highrock Place, Staff Report No. APC-22-017

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Appendix A: Site Plan and Architectural Drawings, 2. Appendix B: DPA 1 Natural Environment Checklist, 3. Appendix C: DPA 3 Enhanced Design Control Residential, 4. Appendix D: DPA 7 Energy Conservation Greenhouse Gas Reduction, 5. Appendix E: DPA 8 Water Conservation, 6. Appendix F: Green Building Checklist, 7. Appendix G: Applicant's Presentation

Date	Ver.	Action By	Action	Result
8/16/2022	1	Advisory Planning Commission	approved	Pass

## REQUEST FOR DECISION

**DATE:** August 2, 2022      Report No. APC-22-017

**TO:** Chair and Members of the Advisory Planning Commission;

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

**SUBJECT:**

Development Permit for a Detached Accessory Dwelling Unit at 1189 Highrock Place

### RECOMMENDATION:

That the Esquimalt Advisory Planning Commission recommends to Council that the application for a Development Permit authorizing the design of a Detached Accessory Dwelling Unit to be constructed at 1189 Highrock Place, legally described as Lot E, Section 10, Esquimalt District, Plan 45667 have a PID of 008-762-589, in accordance with the BCLS Site Plan prepared by Wey Mayenburg, the architectural drawings prepared by Finlayson Bonet Architecture, stamped "Received June 30, 2022", be forwarded to Council with a recommendation to either approve, approve with conditions, or deny the application with reasons for the chosen recommendation.

### RELEVANT POLICY:

Declaration of Climate Emergency  
 Official Community Plan Bylaw, 2018, No. 2922  
 Zoning Bylaw, 1992, No. 2050  
 Parking Bylaw, 1992, No. 2011

Development Application Procedures and Fees Bylaw, No. 2791, 2012  
Advisory Planning Commission Bylaw, 2012, No. 2792  
Subdivision and Development Control Bylaw, 1997, No. 2175  
Local Government Act

**STRATEGIC RELEVANCE:**

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

**BACKGROUND:**

Appendix A: Site Plan and Architectural Drawings  
Appendix B: DPA 1 Checklist  
Appendix C: DPA 3 Checklist  
Appendix D: DPA 7 Checklist  
Appendix E: DPA 8 Checklist  
Appendix F: Green Building Checklist

**PURPOSE OF APPLICATION:**

The applicant is proposing to construct a Detached Accessory Dwelling Unit in the rear yard of the subject property. The property is located within the Single Family DADU Residential [RS-6] zone.

A Development Permit is required, to ensure that the application is generally consistent with the Development Permit Area guidelines contained within the OCP and is required prior to a building permit being issued for the construction of a structure.

**CONTEXT:**

Applicant: Silvia Bonet

Owner: George Devlin

Designer: Finlayson Bonet Architecture

Property Size: 0.130 ha / 1295.9m<sup>2</sup>

OCP Land Use Designation:

Current: Low Density Residential

Proposed: Low Density Residential

Zone: RS-6 [Single Family DADU Residential]

Existing Land Use: Single Detached Dwelling

Proposed Land Use: Single Detached Dwelling and a Detached Accessory Dwelling Unit

Surrounding Land Uses:

North: Single Detached Residential

South: Single Detached Residential

East: Single Detached Residential

West: Single Detached Residential

### **OCP ANALYSIS:**

This site is located within OCP Development Permit Area No. 1 - Natural Environment, Development Permit Area No. 3 - Enhanced Design Control Residential, Development Permit Area No. 7 - Energy Conservation and Greenhouse Gas Reduction, and Development Permit Area No. 8 - Water Conservation.

The applicant has done an analysis of compliance of the proposed Detached Accessory Dwelling Unit vis a vis the relevant design guidelines in the OCP [Appendixes B, C, D, and E]

### OCP Section 18 Development Permit Area No. 1 - Natural Environment

#### 18.5.1 Lands Free of Development

This site is well away from local waterways, so these guidelines are not applicable (NA).

#### 18.5.2 Natural Features

The site is slightly sloped with natural rock exposure on the northeast side of the parcel. The site contains existing mature and established landscaping that includes grass, stones, trees, and shrubs. Six shrubs and one deciduous tree will be removed to make space for the Detached Accessory Dwelling Unit.

#### 18.5.3 Biodiversity

No new landscaping is proposed.

#### 18.5.4 Natural Environment

New outdoor lighting will be downcast LED.

#### 18.5.5 Drainage and Erosion

One existing deciduous tree and six shrubs are to be removed from the site. One new path to the DADU will be permeable. There is little water absorption in the existing landscape.

### OCP Section 20 Enhanced Design Control Residential

#### 20.6.1 Relationship to Existing Houses

The proposed DADU is sited in the rear yard with no direct sight lines from neighbouring properties. The new construction of the DADU will be complimentary to the existing house.

#### 20.6.2 Massing

The DADU is one storey.

#### 20.6.3 Privacy/Screening/Shadowing

Existing fences and trees screen neighbouring properties. Most of the new windows face the internal yard and the primary residence.

#### 20.6.5 Private Open/Yard Space

The DADU has access to a private 5.86m<sup>2</sup> deck and access to a 20.0m<sup>2</sup> yard space.

### OCP Section 24 - Development Permit Area No. 7 - Energy Conservation and Greenhouse Gas Reduction

#### 24.5.1 Siting of buildings and structures

The existing retaining wall will be removed, and a new retaining wall will be constructed. The DADU is located on gravel and bedrock in the southwestern corner of the irregular parcel. Siting was chosen to maximize usable open green space between the primary dwelling unit and the proposed DADU.

#### 24.5.2 Form and exterior design of buildings and structures.

Windows on the south side of the dwelling are limited due to siting and distance to the fence. There is a five foot roof overhang to provide shading of the main living area. Windows open for ventilation and egress. There are no skylights in the design.

#### 24.5.4 Machinery, equipment, and systems external to buildings and other structures

A heat pump is being proposed. Exterior light will be low-energy downcast lighting.

#### 24.5.5 Special Features

Wood is the primary construction material. The cladding material and external trim that are being proposed for the exterior of the new building are fibre cementitious and considered durable materials.

### OCP Section 25 - Development Permit Area No. 8 - Water Conservation

#### 25.5.1 Building and Landscape Design

No additional landscaping is proposed in this plan.

### **ZONING ANALYSIS:**

In addition to the design guidelines found in the OCP and outlined above, the Zoning Bylaw contains the following DADU specific design guidelines:

1. The entrance to the Detached Accessory Dwelling Unit shall be oriented to and visible from the street, well-lit and provide protection from the elements by either a projecting roof or by recessing the front door.

The DADU is oriented to the street.

2. A minimum 1.2 m wide, unobstructed pathway shall be provided to the front door of the Detached Accessory Dwelling Unit from the street; for certainty, this cannot also be a driveway.

The pathway from the street to the DADU is 1.2m.

3. The Detached Accessory Dwelling Unit shall be provided with a garbage / recycling collection bin

storage area onsite, screened from the view of pedestrians on the street.

Garbage and recycling area to be shared with the principal residence.

4. The Detached Accessory Dwelling Unit shall be provided with a bicycle storage area, onsite, screened from the view of pedestrians on the street.

Bicycle storage is proposed in the garage of the principal dwelling and next to the DADU.

5. Windows oriented towards adjacent properties are discouraged, unless it can be demonstrated that overlook is mitigated by a design or natural feature.

Overlook onto existing landscape and principal dwelling is mitigated by distance, but no other features. Windows oriented to other properties are screened by the existing fence.

6. Roof decks and balconies on the roof are not permitted.

The proposed deck is not on the roof.

7. Siting should respect mature trees both on-site and on adjacent properties by locating the Detached Accessory Dwelling Unit to minimize the impact on a tree's root system. A certified arborist report may be required as part of the application.

An arborist report was not produced. Siting has been chosen to maximize usable green space which means removing one tree and several shrubs.

8. Designs which incorporate as many of the green building features outlined on the Green Building Checklist as possible are encouraged.

The proposal meets 8 out of the 60 green building checklist items.

The following Table summarizes many of the requirements contained within the Zoning Bylaw 1992, No. 2050 - Single Family DADU Residential [RS-6] zone. The proposed Detached Accessory Dwelling Unit complies with the zoning and parking requirements.

	<b>R-6 zone</b>	<b>Proposed</b>
<b>Minimum Parcel Size</b>	530m <sup>2</sup>	1,295.9m <sup>2</sup>
<b>Floor Area Ratio</b>	0.35	0.26
<b>Lot Coverage (All Buildings and Structures)</b>	30%	22.7%
<b>Lot Coverage (DADU &amp; all Accessory Structures)</b>	10%	5.8%
<b>DADU Building Height</b>	4.2m	3.96m
<b>DADU side setback</b>	1.5m	22.1m (N) 1.5m (S)
<b>DADU rear setback</b>	1.5m	1.5m
<b>Building Separation</b>	2.5m	14.2m

**PARKING ANALYSIS:**

Required off street parking space for Single Family Dwelling: 1  
Required off street parking space for DADU: 1  
Existing: 4 (2 car garage plus 2 in driveway).

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

Community Safety Services (Building Inspection):

No concerns. Retaining walls and accessory structures may require a separate Building Permit. Subject to review for Building Code and Bylaw compliance at time of Building Permit application.

Engineering Services:

No concerns. A preliminary review reveals that the subject property is connected to the Municipal sewer and storm drain systems. The proposed development currently has Services as per Bylaw 2175 (Subdivision and Development Control Bylaw). No additional Works and Services are required. No engineering drawings are required since the proposed development is fully serviced.

Parks:

Waiting on response.

Fire Services:

N/A.

#### **ISSUES:**

Please comment on the form, character, and siting of the proposed DADU as well as the conformity with the DPA Guidelines.

#### **ALTERNATIVES:**

1. Forward the application for development to Council with a **recommendation of approval including reasons for the recommendation.**
2. Forward the application for development to Council with a **recommendation including specific conditions and including reasons for the recommendation.**
3. Forward the application for development to Council with a **recommendation of denial including reasons for the recommendation.**