



# CORPORATION OF THE TOWNSHIP OF ESQUIMALT

Municipal Hall  
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## Legislation Details (With Text)

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**Title:** APC Review 1195 Munro Street - Development Permit for a Detached Accessory Dwelling Unit (DADU)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Appendix A Key Map 1195 Munro, 2. Appendix B Architectural Plans, Site Plan, and Site Survey, 3. Appendix C Landscape Plan rec'd Oct 21, 2021, 4. Appendix D OCP Development Permit Area Guildelines, 5. Appendix E Green Building Checklist, 6. Appendix F 1195 MUNRO ST - NOV 16 APC PRESENTATION

Date	Ver.	Action By	Action	Result
11/16/2021	1	Advisory Planning Commission	approved	Pass

## REQUEST FOR DECISION

**DATE:** November 10, 2020

Report No. APC-21-025

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

**FROM:** Bill Brown, Director of Development Services

**SUBJECT:**

Development Permit for a Detached Accessory Dwelling Unit at 1195 Munro Street

### 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 1195 Munro Street, legally described as Lot 3, Section 11, Esquimalt District Plan 5391 have a PID of 005-970-059, in accordance with the BCLS Site Plan prepared by Wey Mayenburg Land Surveying Inc, the architectural drawings prepared by Xquimalt, and the landscape plan prepared by 4Site Landscape Architecture , all stamped "Received September 9, 2021", be forwarded to Council with a recommendation to either approve, approve with conditions, or deny the application; and including 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:**

This Request for Decision supports the following specific strategic objective:  
Healthy, Livable and Diverse Community: Support community growth, housing, and development consistent with our Official Community Plan.

**BACKGROUND:**

Appendix A: Air photo,  
Appendix B: BC Land Surveyor's site plan and Architectural Plans  
Appendix C: Landscape Plan  
  
Appendix D: OCP DP Area Guidelines - DPA No. 1, 3, 7, and 8  
Appendix E: Green Building Checklist  
Appendix F: Applicant's Presentation

**PURPOSE OF APPLICATION:**

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

This site is located within 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, of the Esquimalt Official Community Plan Bylaw, 2018, No. 2922.

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.

Evaluation of this application should focus on issues respecting the form and character of the development, including landscaping, exterior design, and finish of the buildings in relation to the relevant development permit area guidelines. In addition, evaluation should focus on natural environment protection, energy conservation, greenhouse gas reduction, and water conservation, in relation to the relevant development permit area guidelines.

**CONTEXT:**

Applicant: Xeniya Vins  
Owner: Roderick Gabriel Bourgeois and Kelly Marie Bourgeois  
Designer: Xquimalt

Property Size: 0.106 ha

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:

Northwest: Single Detached Residential

Northeast: Single Detached Residential

Southwest: Single Detached Residential

Southeast: 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 [Appendix D].

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

This is a relatively flat site. One mature tree, one tree has been removed as it has been assessed by an arborist as being near the end of its lifespan and it will be much easier to remove it now rather than after the DADU has been built.

#### 18.5.3 Biodiversity

New landscaping consists predominantly of native plant species.

#### 18.5.4 Natural Environment

There are no significant impacts on the natural environment.

#### 18.5.5 Drainage and Erosion

There are no new paved surfaces being created other than the patio as per the Bylaw.

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

#### 24.5.1 Siting of buildings and structures

Due to space constraints, there are few opportunities to adjust siting.

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

Site layout options are limited, the shared wall between the units does provide for enhanced energy efficiency.

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

Heat pumps are being proposed.

#### 24.5.5 Special Features

The Hardie shingle and plank materials that are being proposed for the exterior of the new building are considered durable materials.

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

#### 25.5.1 Building and Landscape Design

Due to the minor nature of the proposed development, there are limited opportunities to enhance landscape design.

#### 25.5.2 Landscaping - Select Plantings for Site and Local Conditions

All new plants will be native species.

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

- (a) 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 front door faces the street; however, direct line of site is blocked by a coniferous tree.

- (b) On corner lots and laneways, the primary entry to the Detached Accessory Dwelling Unit should be oriented to the side street or laneway, rather than the front lot line. If this orientation is not possible, the entryway should face the interior of the lot rather than the exterior.

Not applicable to this application.

- (c) 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.

In this case the driveway is wide enough to accommodate both the pedestrian access and the vehicle access.

- (d) 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.

The garbage/recycling bins are located behind a gate.

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

The architect will need to confirm the location of the bicycle storage area.

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

The rear and east elevations have limited window openings.

- (g) Roof decks and balconies on the roof are not permitted.

There are not roof decks or balconies proposed.

- (h) 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.

A certified arborist determined that the large mature tree on site was coming to the end of its lifespan and should be removed before the DADU is built.

- (i) On sloping sites, the scale, mass and location of the Detached Accessory Dwelling Unit should adapt to the topography and natural features. The view from adjacent properties should be considered in the design of the Detached Accessory Dwelling Unit.

This is a flat site.

- (i) Hydro utility meters and mechanical systems should not be placed on the front façade of a building and, if placed in a manner which is visible from the street, will be appropriately screened by the owner in a manner consistent with BC Hydro requirements.

The mechanical room is located at the rear of the building.

- (j) Exterior side yards on corner lots should be designed and treated as the main entrance to the Detached Accessory Dwelling Unit. Screening and landscaping between the street and outdoor space should be used to define the transition from public to private space.

Not applicable

- (k) Designs which incorporate as many of the green building features outlined on the Green Building Checklist as possible are encouraged.

The green building checklist is attached as Appendix "E".

- (l) Where dormers are used to provide interior room height, the exterior face of the dormer should be set back a minimum of 0.6 m from the exterior wall edge edge, and 1.2 metres from projecting roof eaves.

Not applicable

## ZONING ANALYSIS:

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>RS-6 Zone</b>	<b>Proposed</b>
<b>Minimum Parcel Size</b>	530 m2	1060 m2
<b>Floor Area Ratio</b>	0.35	0.17
<b>Lot Coverage (All Buildings and Structures)</b>	30%	26.5%
<b>Lot Coverage (Detached Accessory Building and all Accessroy Buildings and Structures Combined)</b>	10%	8.8%
<b>Lot Coverage (Detached Accessory Dwelling Unit and all Accessory Buildings and Structures combined for Rear Yard only)</b>	25%	19.1%
<b>Building Height (Principal Building)</b>	7.3 m	4.77 m (to roof peak)
<b>Building Height (DADU)</b>	4.2 m	4.17 m
<b>DADU Setbacks Front Rear Interior side Interior side</b>	N/A 1.5 m 1.5 m (4.5 m total) 3.0 m	1.5 m 1.52 7.94 m
<b>Building Separation</b>	2.5 m	12.9 m
<b>Off-street Parking</b>	2	3

**ISSUES:**

1. Rationale for Selected Option

Does the proposal adequately comply with the OCP design guidelines for DP Area No. 1 - Natural Environment, DP Area No. 3 - Enhanced Design Control Residential, DP Area No. 7 - Energy Conservation and Greenhouse Gas Reduction, and DP Area No. 8 - Water Conservation as well as the DADU guidelines in the Zoning Bylaw?

**ALTERNATIVES:**

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