



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

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

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Title: Rezoning Application - 734 Sea Terrace - 19 residential units, Staff Report No.: DEV-22-087

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Attachments: 1. Appendix A - Bylaw No. 3079 Zoning Bylaw Amendment-CD159 - 734 Sea Terrace, 2. Appendix B - Maps – Subject Property, Air Photo, OCP designations, DPAs, and Zoning, 3. Appendix C - Current RD-3, and CD-108 (835 Dunsmuir Road) zone regulations, 4. Appendix D - BCLS site plan, architects plans, landscape plans, 5. Appendix E - Applicants letter recd with revised dwgs Jan 05, 2022, 6. Appendix F - Parking study and Modo car share co-op support, 7. Appendix G - Green Building Checklist, Arborist's reports, 8. Appendix H - Neighbourhood Consultation, 9. Appendix I - Public comments, 10. Appendix J - Applicants Presentation - 734 Sea Terrace, 11. Appendix K - Staff Presentation - 734 Sea Terrace

| Date | Ver. | Action By | Action | Result |
|-----------|------|-----------|----------|--------|
| 9/26/2022 | 1 | Council | approved | Pass |

REQUEST FOR DECISION

DATE: September 21, 2022 Report No. DEV-22-087

TO: Laurie Hurst, Chief Administrative Officer

FROM: Karen Hay, Planner and Bill Brown, Director of Development Services

SUBJECT:
Rezoning Application - 734 Sea Terrace - 19 residential units

RECOMMENDATION:

That Council:

1. give first and second reading to Zoning Bylaw, 1992, No. 2050, Amendment Bylaw, 2022, No. 3079, attached to Staff Report No. DEV-22-087 as Appendix A, which would amend Zoning Bylaw, 1992, No. 2050 by creating Comprehensive Development zone no. 159, authorizing a multiple family building containing 19 dwelling units at 734 Sea Terrace [PID 005-388-902; Lot 4, Section 11, Esquimalt District, Plan 9757] as shown cross hatched on Schedule 'A' of Bylaw No. 3079;
2. authorize the Corporate Officer to schedule a Public Hearing for Zoning Bylaw, 1992, No. 2050, Amendment Bylaw, 2022, No. 3079, mail notices, and advertise for same in the local newspaper; and that

3. as the applicant wishes to assure Council that uses and development will be restricted and amenities provided as identified in Staff Report No. DEV-22-087, the applicant has voluntarily agreed to register a Section 219 Covenant on the title of 734 Sea Terrace [PID 005-388-902; Lot 4, Section 11, Esquimalt District, Plan 9757] in favour of the Township of Esquimalt providing the lands shall not be subdivided, built upon, or used (as appropriate to the requirement, as drafted by the Township's solicitor at the applicant's expense) in the absence of all of the following:

- No more than 19 dwelling units
- No less than two (2) - 3-bedroom units
- All units may be rented by their owners, the strata may not restrict rental, and no short-term rentals are permitted
- 15 parking stalls within a covered parking garage for exclusive use of residents and their guests, with 2 of those spaces dedicated to visitors and 13 resident spaces
- 1 car share vehicle, with its own onsite parking space provided with an electric vehicle charger, and car share memberships for every residential unit of the building
- 29 secure bike stalls, including 2 secure cargo bike stalls (with electric charging provided at all the indoor stalls), and an exterior rack(s) with short term stalls for 6 bikes
- Build to BC Energy Step Code Level 3
- Stormwater - 31 mm of each rainstorm from roof and patios being retained on-site through a rain garden planter system
- Burying of the Hydro and utility lines along the building's frontages.

Council direct staff and legal counsel for the Township to coordinate with the property owner to ensure a Section 219 Covenant is registered against the property title, in priority to all financial encumbrances, prior to returning Amendment Bylaw No. 3079 to Council for consideration of adoption.

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

BACKGROUND:

Appendix A: Zoning Bylaw, 1992, No. 2050, Amendment Bylaw, 2022, No. 3079
Appendix B: Maps - subject property, ortho, OCP & Zone

Appendix C: Current RD-3, and CD-108 (835 Dunsmuir Road) zone regulations
Appendix D: BCLS site plan, architectural drawings, landscape plan
Appendix E: Applicant's letters
Appendix F: Parking study and Modo car share co-op support
Appendix G: Green Building Checklist and Arborist's Report
Appendix H: Neighbourhood Consultation
Appendix I: Public Comments
Appendix J: Applicant's Presentation
Appendix K: Staff Presentation

PURPOSE OF APPLICATION:

The applicant is requesting a change in zoning from the current Single Family/Two Family Residential [RD-3] zone to a new Comprehensive Development District, to accommodate 19 multiple family dwelling units, to be constructed in one stratified building on the subject property. The existing house would be demolished, and the proposed new building would be constructed. Should the rezoning be approved, the form and character of the building and landscaping would be controlled by a development permit that would be considered by Council at a future date.

Evaluation of this application should focus on issues relevant to zoning, such as the appropriateness of the proposed uses, height, density, massing, proposed unit sizes, siting, setbacks, lot coverage, useable open space, parking, how the building relates to surrounding sites, and consistency with the overall policy direction contained within the OCP.

CONTEXT:

Applicant: Eddie Williams, Steller Architectural Consulting

Owner: Satish Shekhar and Annis Satish, Scala Development Consultants Ltd.

Architect: Eddie Williams, Steller Architectural Consulting

Property Size: 908.5 square metres

OCP Land Use Designation:

Present: Low Density Residential

Proposed: Medium Density Residential

Zone: Two Family Single and Two Family Residential [RD-3]

Existing Land Use: Single Family Residential

Proposed Land Use: Multiple Family Residential

Surrounding Land Uses:

North: Townhouse Residential (CD-31)

South: Multiple Family Residential (RM-4)

East: Townhouse Residential (RM-2)

West: Multiple Family Residential (RM-4)

OFFICIAL COMMUNITY PLAN (OCP) ANALYSIS:

This site is designated 'Medium Density Residential', as illustrated on the "Proposed Land Use Designation" map (Official Community Plan Bylaw, 2018, No. 2922 - Schedule B).

The Official Community Plan supports the expansion of housing types in residential areas. The immediate neighbourhood contains a mix of single family, two-family, townhouse, and multiple family housing types. The following policies would be considered in the evaluation of this proposal.

Section 5 Housing & Residential Land Use contains policies that are intended to ensure that concerns such as tree protection, parking, traffic, noise, effects on neighbouring properties, and neighbourhood character are addressed.

- Support the development of a variety of housing types and designs to meet the anticipated housing needs of residents. This may include non-market and market housing options that are designed to accommodate young and multi-generational families, the local workforce, as well as middle- and high-income households.

Section 5.3 Medium/High Density Residential Development contains policies that promotes compact, efficient medium density and high-density residential development that integrates with existing and proposed adjacent uses.

- Encourage new medium density and high-density residential development with high quality design standards for building and landscaping and which enhance existing neighbourhoods.
- Prioritize medium density and high-density residential development in proposed land use designated areas that:
 1. reduce single occupancy vehicle use
 2. support transit service
 3. are located within close proximity to employment centres; and
 4. accommodate young families.
- Consider new medium density residential development proposals with a Floor Area Ratio of up to 2.0, and up to six storeys in height, in areas designated on the "Proposed Land Use Designation Map."
- Notwithstanding other policies set out in this OCP, maximum heights in medium density and high-density residential land use designated areas in West Bay are limited to those parcel heights identified in the West Bay Development Permit Area.
- A mix of dwelling unit sizes should be provided in medium density and high-density residential land use designated areas in order to meet the varying housing needs of Esquimalt residents.
- Buildings with shallow setbacks should step down to no more than three storeys at street level in order to provide an appropriate human scale along the sidewalk.
- Encourage the incorporation of spaces designed to foster social interaction.

5.4 Affordable Housing contains policies to encourage a range of housing by type, tenure, and price so that people of all ages, household types, abilities and incomes have a diversity of housing choice in Esquimalt.

- Encourage the provision of affordable housing by the private market and the non-profit housing sector. Partnerships between private, public, or non-market housing providers may be supported. These might include innovative approaches such as limited equity, rent-to-own, co-op, mixed market, and non-market projects.
- Encourage the placement of new rental, affordable, special needs, and seniors housing in accordance with designated residential land use areas as they are integral components of inclusive neighbourhoods.
- Promote housing agreements to ensure that all strata units have the opportunity to be used as long-term residential rentals within strata buildings.
- Consider bonus density, parking relaxations or other development variances where a development proposal includes affordable, special needs or seniors housing. This may apply to both market and non-market housing, and mixed-use proposals. A housing agreement may be entered into between the Township and the owner.

5.5 Age-friendly Housing contains policies to expand and protect seniors housing in Esquimalt to enable citizens to “age in place.”

- Support and facilitate development of multi-generational housing, including in medium and high density residential developments.
- Encourage child friendly developments that provide appropriate amenities such as outdoor play areas for young children that are well-separated from traffic circulation and parking areas.
- Encourage adaptable design for all dwellings created through rezoning.
- Encourage more accessible housing for people with mobility limitations on the ground floor of medium and high density residential buildings.
- Encourage the development of seniors housing that is within close proximity and accessible to services and amenities.

11.3 Cycling - 11.3.2 New Development contains policies to encourage the inclusion of bicycle facilities in new developments.

- Encourage developers to provide a variety of end of trip facilities for active transportation.
- Encourage bike lockers in multi-unit residential and commercial/ commercial mixed-use developments.

A Development Permit would be required prior to a building permit being issued. Therefore, applicants are urged to consider the OCP DPA guidelines early in the process. Many DPA guidelines

require that the zoning issues (useable open space, lot coverage, height, density, massing, siting, setbacks, parking, how the building relates to adjacent homes) be created to be able to fulfill the guidelines.

Relevant Development Permit Area Guidelines to consider as they relate to the rezoning application include:

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

18.5.2 Natural Features - Natural features and areas to be preserved, protected, restored, and enhanced where feasible:

- Retain existing healthy native trees, vegetation, rock outcrops, and soil wherever possible.
- Narrower manoeuvring aisles, fewer and smaller parking spaces can be considered where natural areas are being conserved.

18.5.5 Drainage and Erosion - Measures to control drainage and shoreline erosion.

- Preserve, restore, and enhance treed areas. Trees are the most effective form of absorbent landscaping due to their extensive root zones and their ability to both absorb water from the soil and intercept precipitation on leaves, needles, and branches. Consider that native conifers are well adapted to local wet winters.
- Reduce the impact of surges in stormwater on shorelines by designing on-site stormwater retention systems to contain the first 3 centimetres [1.25 inches] of precipitation on site, per precipitation event; and incorporating rainwater collection systems into roof design and landscaping.
- Maximize the ratio of planted and pervious surfaces to unplanted surfaces, and design paved areas to direct water towards vegetated areas, to help reduce surface run off. Where paved surfaces are needed, intersperse with drought resistant vegetation and trees, to help absorb stormwater, provide shade, and reduce the local heat island effect.

OCP Section 23 - Development Permit Area No. 6 - Multi-Family Residential

To ensure that the development of multi-unit residential sites is compatible with surrounding uses.

- The size and siting of buildings that abut existing single- and two-unit and townhouse dwellings should reflect the size and scale of adjacent development and complement the surrounding uses. To achieve this, height and setback restrictions may be imposed as a condition of the development permit.
- New buildings should be designed and sited to minimize visual intrusion on to the privacy of surrounding homes and minimize the casting of shadows on to the private outdoor space of adjacent residential units.
- To preserve view corridors and complement natural topography, stepped-down building designs are encouraged for sloping sites.
- Retention and protection of trees and the natural habitat is encouraged wherever possible.
- Provide for building occupants to overlook public streets, parks, walkways, and spaces, considering security and privacy of residents.
- Provide for slightly raised entrances to ground floor residences along with private yards that are accessible from the fronting street or lane to encourage community interaction.
- Wherever possible, outdoor storage and parking areas should be screened from view.

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

Reduction

24.5.1 Siting of buildings and structures.

- Orient buildings to take advantage of site-specific climate conditions, in terms of solar access and wind flow, design massing and solar orientation for optimum passive performance.
- Build new developments compactly, considering the solar penetration and passive performance provided for neighbouring sites, and avoid shading adjacent to usable outdoor open spaces.
- Strategically site buildings to sustain and increase the community's urban forest tree canopy cover.
- Provide space for significant landscaping including varying heights of trees, shrubs, and ground covers.

24.5.2 Form and exterior design of buildings and structures.

- Orient larger roof surfaces to the south for potential use of solar panels or photo-voltaic roofing.
- Use roof designs that reduce heat transfer into neighbouring buildings, helping reduce the local heat island effect and the need for cooling of buildings in warmer months.
- Add rooftop patios and gardens, particularly food producing gardens, as they can contribute to local resilience, livability, and reduction in greenhouse gas production by reducing food transportation costs.

24.5.3 Landscaping

- Choose open space and landscaping over dedicating space to the parking and manoeuvring of private motor vehicles.
- Conserve native trees, shrubs, and soils, thereby saving the cost of importing materials and preserving already sequestered carbon dioxide.

24.5.5 Special Features

- Reuse of existing buildings and building materials is encouraged.

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

25.5.3 Landscaping - Retaining Stormwater on Site (absorbent landscaping)

- Preserve and restore treed areas. Trees are the most effective form of absorbent landscaping due to their extensive root zones and their ability to both absorb water from the soil and intercept precipitation on leaves, needles, and branches. Consider that native conifers are well adapted to local wet winters.
- Avoid disturbing, compacting, and removing areas of natural soil, as these are naturally absorbent areas.

OCP Section 28 - Development Permit Area No. 11 - West Bay

28.5 Guidelines - Residential

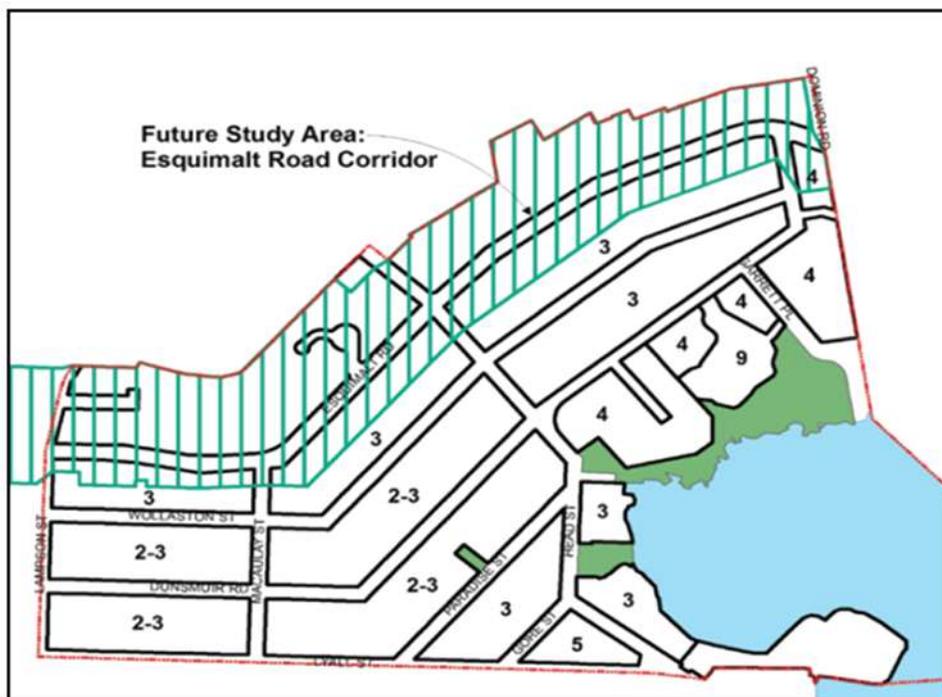
- Site and orient multi-plex, townhouse, and apartment buildings to overlook public streets, parks, walkways, and communal spaces, while ensuring the security and privacy of residents.
- Locate off-street surface parking behind or underneath buildings. Off-street surface parking located between the front of the building and the public sidewalk or adjacent to other public open spaces is strongly discouraged and should be avoided. When parking is accessed from the fronting public street, recess parking garages and entrances from the front face of buildings.

28.5 Guidelines - Neighbourliness

- Buildings should respect adjacent properties by siting and designing new development to minimize disruption of the privacy and outdoor activities of residents in adjacent buildings, and by ensuring buildings are sited to compliment the type, scale, and use of adjacent buildings.
- New projects should provide a sensitive transition to nearby, less intensive zones or areas with different uses. Projects on zone edges should be developed in a manner that creates a step in actual or perceived height, bulk, and scale between the anticipated development potential of adjacent zones.
- Buildings and groups of buildings should step down to be similar in height to adjacent buildings. This allows for an effective transition in scale and adequate sunlight penetration into open spaces and adjacent properties.
- Face similar uses across the street and at compatible scales; avoid building scale differences of more than 2 storeys across streets.
- Locate development to minimize view impacts on existing and planned future development.
- Buildings should be positioned and scaled to minimize the impact of shadows on adjacent open spaces, buildings, and within the project.
- Locating off-street surface parking in front of buildings, at prominent corners or intersections, immediately adjacent to public sidewalks and open spaces, and other public oriented active open spaces is strongly discouraged and should be avoided.
- Minimize impacts from sloping sites on neighbouring development. Examples of treatments to minimize impacts include using terraced retaining walls of natural materials or stepping a building to respond to the slope.
- Views from upper stories of new buildings should minimize overlook into adjacent private yards, especially in less intensive areas. Following are some strategies which can be used to achieve this guideline:
 1. Increase building separation so that the face of the building and hence the windows are setback farther from the property line.
 2. Take advantage of site design that reduces impacts by using, for example, an adjacent ground floor area for an entry court.
 3. Stagger windows to not align with adjacent, facing windows.
 4. Primary windows into habitable spaces should not face interior side-yards.

28.5 Guidelines - Height

- Note that the heights shown are storeys and are guidelines. They are not height regulations.



28.5 Guidelines - Green Healthy Buildings and Open Spaces

- Building design and site planning should reduce the overall “ecological footprint” (energy use, waste, and pollution) of new development while also maximizing livability. This can be achieved by maximizing passive lighting, heating, and cooling, providing usable outdoor amenity spaces, and being responsive to the existing ecosystems and natural context.
- New buildings should not block significant views or solar access to adjacent buildings and open spaces.
- Where at-grade space is limited, rooftop patios, gardens and courtyards are encouraged.
- Retention and infiltration best management practices for rainwater should be used as appropriate.
- Residential buildings should incorporate direct access to a usable private outdoor space such as a patio, balcony, or upper-level terrace.

ZONING ANALYSIS:

In keeping with other multiple family projects, a proposed Comprehensive Development District zone would contain the uses: Dwelling - Multiple Family, and Home Occupation.

The following chart compares the setbacks, lot coverage, floor area ratio, etcetera, of this proposal with the requirements of a recently completed development at 835 Dunsmuir Road (CD - 108 zone).

| | CD - 108 Zone (Built at 835 Dunsmuir Rd.) | 734 Sea Terrace (Proposed) |
|----------------------------------|---|---|
| Lot Area | 1,526 m ² | 908.5 m ² |
| Floor Area Ratio [F.A.R.] | 1.5 | 1.79 |
| Lot Coverage | 86 % (parking structure) 45% (1 st storey) | 87% (parking structure) 56 % (1 st storey) |
| Setbacks | | |
| • Front | 3.5 m (Garrett Pl.) (5.5 m - 5 th storey) | 3.6 m (Sea Terrace - entrance) 5.2 m (corner - Dunsmuir Rd.) (8.4 m – 4 & 5 th storey) |
| • Rear | 4.0 m (6 m - 5 th storey) | 1.92 m 4.0 m (1 st storey) (8.43 m to stairs) |
| • Side | 7.5 m (north, exterior, Dunsmuir Rd.) | 0.4 m (east, garage) 3.3 m (1 st storey) 5.0 m (4 & 5 th storey) |
| • Side | 7.5 m (south - interior) | 1.9 m (west) |
| Building Height | 18.5 m (5 storeys) | 17.4 m (5 storeys) 18.5 m to elevator shaft |
| Off Street Parking | 1.09 spaces/ dwelling unit (35 spaces, includes 3 visitor spaces) for 32 units | 0.89 spaces/ dwelling unit (17 spaces, includes 1 visitor space) for 19 units |
| Usable Open Space | 140 m ² | 0 m ² [no area large enough to meet the definition] |

The Floor Area Ratio of this proposal is 1.79, which is less than the maximum acceptable for consideration amount of 2.0 for lands designated Medium Density Residential in the Official Community Plan and larger than the comparison CD-108 zone. The lot coverage measures 87% at the parking level and 56% at the 1st storey is slightly higher than the Dunsmuir Road development. It should be noted that the context is quite different at this site as the lot is smaller, with considerable elevation change across the lot, and it is located at the entrance of a short cul-de-sac.

The proposed building is setback 5 metres from the Sea Terrace Front Lot Line with entrance steps that extend to 3.6 metres of the lot line. The building is proposed to have some articulation of the exterior shape and steps further back from lot lines at the higher storeys; from the parking level to 1st storey, and then 4th and 5th storeys step back further on the east, north, and south elevations, creating a stepped-down building design. With the proposed building having five storeys it is

questionable whether it could satisfy design guideline 23.1.1 and “reflect the size and scale of adjacent development” to the east.

‘Useable Open Space’, as defined in the Zoning Bylaw, excludes areas used for front yards and parking, and areas with any dimension less than 6.0 metres. The garden area at the rear could provide future residents with a small outdoor respite but does not satisfy the Useable Open Space requirement as the depth is less than 6 metres from the rear lot line to the building structure.

PARKING ANALYSIS:

Parking Bylaw, 1992, No. 2011 requires 1.3 parking spaces per unit be provided in multiple family developments, with not less than 1 in 4 spaces dedicated to Visitor Parking. Parking areas (i.e., parking lots and underground parking garages) are required to be constructed to meet the standards for manoeuvring aisle dimensions and associated parking stall dimensions detailed in Part 14, Table 2, of the Bylaw.

This development proposal incorporates 16 residential parking spaces within an underground parking structure with one (1) visitor space in the front yard, and numerous transportation demand management measures. The applicant has provided a parking study, prepared by Watt Consulting Group stamped “Received March 09”, 2021 detailing the effectiveness of the parking strategy.

Several relaxations to the parking bylaw are proposed to achieve the number of spaces on one level of underground parking, including:

- Reduction of the number of required parking spaces from 1.3 spaces/unit to 0.89 spaces/unit [i.e. from 25 spaces to 17 spaces]
- Reduction of the number of required Visitor parking spaces from 1 in 4 spaces to 1 in 17 spaces.

Note: that the presented parking study is based on a previous version of the proposal with a larger footprint, more units, and more parking spaces.

The applicant has proposed a car-share vehicle (Modo) to be placed on the municipal roadway on Dunsmuir Road with memberships supplied to initial residents and has proposed secure bicycle parking spaces for 26 bicycles in the garage and two cargo e-bikes for a bike-sharing program.

This site is also approximately 100 metres from regular Route No. 15 BC transit bus service on Esquimalt Road.

COMMENTS FROM OTHER DEPARTMENTS:

Community Safety Services:

Project must be supervised by a BC registered architect. Construct to current BC Building Code and the Township’s Building Regulation Bylaw requirements. Subject to Code and Bylaw review at time of building permit application. Separate permits may be required for retaining walls and accessory buildings.

Engineering Services:

Engineering staff has completed a preliminary evaluation of Works and Services that would be required for the proposed multiple family residential building. The developer should be aware that

they may be required to provide Works and Services up to the road centre line, at the expense of the property owner. The development is to have services as per Bylaw 2175 (Subdivision and Development Control). New sewer, drain, catch basin, and water service connections, new curb/gutter/sidewalk along both frontages as well as underground hydro, telephone, and cable to the development. Additional review and comments will be provided upon receipt of detailed engineering drawings. It is the responsibility of the applicant to hire a qualified professional for the design and construction supervision of all Works and Services, including construction costs, engineering fees, administrative fees and as indicated in Bylaw No. 2175. Additional comments will be provided when a Civil Engineering drawing has been received.

Parks Services:

A tree cutting permit application must be submitted for all trees you are requesting to remove. No trees are to be removed without an approved tree cutting permit. Tree protection fencing must be erected, at the dripline, for all trees in the construction area, prior to any work commencing. The municipal arborist has reviewed the Construction Impact Assessment & Tree Preservation Plan and had these comments: If they follow all the recommended tree protection requirements and utilize their project Arborist there should not be any tree damage. Please ensure there is a consulting arborist on site during work in the critical root zones as identified in the section of the Construction Impact Assessment & Tree Preservation Plan, called Arborist Supervision.

Fire Services:

Fire Services staff has completed a preliminary review of the proposal. The closest hydrant on the corner of Wollaston and Dunsmuir has a limited fire flow (1,000 to 1,500gpm). The developer should complete a fire flow calculation to ensure that the supply can meet their demand. In addition, the development may require a new hydrant near their fire department connection to meet BC Building Code. Fire services request undergrounding of utility lines along frontage as it appears that the driveway and building access will be a challenge if the lines remain overhead on the south side of the intersection.

COMMENTS FROM DESIGN REVIEW COMMITTEE:

This application was considered at the regular meeting of the Advisory Planning Commission held on May 11, 2022. The recommendation was to forward to Council for approval, for the following reasons:

- addresses the need of missing middle-housing by providing 2-bedroom and 3-bedroom units,
- project provides ample bicycle parking, and
- the project preserves existing trees on the property.

With the following condition:

- the project be built to at least Step 3 of the BC Building Code.

COMMENTS FROM ADVISORY PLANNING COMMISSION:

This application was considered at the regular meeting of the Advisory Planning Commission held on June 21, 2022. The recommendation was to forward to Council for approval with a condition that the parking issues be revisited with staff, for the reason that the building is a good fit in the neighbourhood and would offer larger suites.

Members noted concerns with the percentage of parking spaces per unit, the location of the visitor space in the front yard of the building contributing to a lack of green space, and the unknown location for the car share car.

Staff recommend to the applicant that the visitor space (s) be relocated inside the garage, and that the car share car needs to be in Esquimalt; with the applicant's traffic engineer determining a best location if it is proposed for the street.

The applicant in working with Modo has proposed to keep the carshare vehicle on site with an electric charger. Two visitor parking spaces would be located inside the parking garage, which lowers the number of spaces available to owners/residents.

ISSUES:

1. Rationale for Selected Option

The OCP supports 'Medium Density Residential', as illustrated on the "Proposed Land Use Designation" areas map. The West Bay DPA design guidelines suggest up to 4 storeys and the building is proposed for five storeys.

The Design Review Committee recommended support for the application, and Advisory Planning Commission recommended support of the application with condition that the proposed parking be improved.

2. Organizational Implications

This Request for Decision has no significant organizational implications.

3. Financial Implications

This Request for Decision has no significant financial implications.

4. Sustainability & Environmental Implications

The applicant has completed the Esquimalt Green Building Checklist and has expressed an interest in building to Step Code level 3, capturing a percentage of stormwater on site, and promoting the use of alternative transportation.

5. Communication & Engagement

As this is a rezoning application, should it proceed to a Public Hearing, notices would be mailed to tenants and owners of properties within 100 metres (328ft) of the subject property. Signs indicating that the property is under consideration for a change in zoning have been installed on the Sea Terrace and Dunsmuir Road frontages. These signs would be updated to include the date, time, and location of the public hearing.

As required by the Development Application Procedures and Fees Bylaw, 2012, No. 2791, the applicant has engaged the public at a meeting held, Monday, March 28, 2022, from 5:30 - 7:00 p.m., at the Esquimalt recreation centre. The applicant also has held various other engagement opportunities in person and virtually. Summary provided in Appendix H.

ALTERNATIVES:

1. That Council give first and second reading to Bylaw No. 3079; authorize the Corporate Officer to schedule a Public Hearing for Zoning Bylaw, 1992, No. 2050, Amendment Bylaw, 2022, No. 3079 and mail notices and advertise for same in the local newspaper; and direct staff and legal counsel

to register a Section 219 Covenant against the property title to secure the items outlined in Staff Report No. DEV-22-087 prior to returning Bylaw No. 3079 to Council for consideration of adoption.

2. That Council postpone consideration of first and second readings to Bylaw No. 3079 pending receipt of additional information.
3. That Council does not give readings to Bylaw No. 3079.