



# CORPORATION OF THE TOWNSHIP OF ESQUIMALT

Municipal Hall  
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Esquimalt, B.C. V9A 3P1

## Legislation Details (With Text)

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**Title:** Development Permit - 481 South Joffre Street  
Staff Report No.: APC-20-019

**Sponsors:**

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**Attachments:** 1. Appendix A - Subject property map, Air photo, pending CD - 141 zone, 2. Appendix B - Survey, Drawings, Landscape Plan, 3. Appendix C - DPA No. 1, 3, 7, 8 guideline forms

Date	Ver.	Action By	Action	Result
11/17/2020	1	Advisory Planning Commission	approved	Pass

## REQUEST FOR DECISION

**DATE:** November 10, 2020      Report No. APC-20-019

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

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

### SUBJECT:

Development Permit Application - 481 South Joffre Street  
[PID 003-150-909, Lot 4, Section 11, Esquimalt District, Plan 4729]

### RECOMMENDATION:

That the Esquimalt Advisory Planning Commission recommends to Council that the application for a Development Permit authorizing the proposed development (form and character, natural environment, greenhouse gas and water conservation) of a new detached accessory dwelling unit [garden suite] to be constructed in accordance with the BCLS Site Plan prepared by Brent Mayenburg, Wey Mayenburg Land Surveying Inc., is consistent with the architectural plans and landscape plan prepared by Adapt Design all stamped "Received October 1, 2020" 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 [OCP]  
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:

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

**BACKGROUND:**

Appendix A: Subject property map, Air photo, pending CD No.141 zone  
Appendix B: Survey, Drawings, Landscape Plan  
Appendix C: DP Area No. 1, 3, 7, 8 guideline forms

**PURPOSE OF APPLICATION:**

The owner is proposing to create a development where the existing single family dwelling is retained and a new detached accessory dwelling unit [DADU], “garden suite” is added in the rear yard of the property. Comprehensive Development District No. 141 of Esquimalt Zoning Bylaw 1992, No. 2050 has been written to regulate this development and is pending final adoption.

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 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, 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 design 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:** John Sorenson, J. Sorenson Design Build

**Owner:** Lynn Mitchell

**Designer:** Adapt Design

**Property Size:** Metric: 682.3 m2 Imperial: 7344.2 ft2

**Existing Land Use:** Single Family Residential

**Surrounding Land Uses:**

**North:** Single Family Residential  
**South:** Single Family Residential  
**West:** Single Family Residential  
**East:** Multiple Family Residential

**Existing Zoning:** Two Family/ Single Family Residential [RD-3]

**Proposed Zoning:** CD No. 141 (adoption pending)

**Existing OCP Designation:** Low Density Residential [No change proposed]

**OFFICIAL COMMUNITY PLAN ANALYSIS:**

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.

As Council is required to consider all of the OCP Development Permit Area guidelines in evaluating a DP application, the applicant has submitted a document addressing these guidelines [Appendix C].

**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 site has little slope or remaining natural features. The location of the proposed garden suite allows for retention of the existing trees.

18.5.3 Biodiversity

The gardens on this site are well established and the new garden suite will have minimal impact on them, some additional plantings have been proposed, composed of a mix of ornamental and native vegetation.

18.5.4 Natural Environment

Outdoor lighting is proposed to be no brighter than necessary and cast downward in order to minimize light pollution. This is a quiet area of Esquimalt where street noise is minimal.

18.5.5 Drainage and Erosion

Impervious surfaces are being minimized with the design, allowing for natural soil penetration of rainwater.

### 18.5.7 Native Bird Biodiversity

A proposed mix of species types and sizes should help support the goal of increasing habitat for native bird populations. Further use of larger native trees could add vertical habitat availability for local birds.

## **OCP Section 20 - Development Permit Area No. 3 - Enhanced Design Control**

### Residential Guidelines - 20.6 Single-unit Infill Housing

The garden suite has been designed to be complementary to the existing house, and the second storey massing has been reduced through the use of modest dormers.

The CD No. 141 zone contains guidelines specifically designed for the garden suite, see the 'Zoning and Parking Analysis' section.

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

### 24.5.1 Siting of buildings and structures

Shading of neighbouring outdoor areas should not be a concern with the setbacks and height proposed.

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

Garden suite has been designed to take advantage of southern exposures.

### 24.5.3 Landscaping

Landscaping plan appears to largely meet the intent of the majority of the guidelines in this section while balancing the needs for on-site parking. The addition of some larger trees could be a benefit to residents and the neighbourhood.

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

Building designed to meet BC Step Code level 2 with mechanical ventilation.

### 24.5.5 Special Features

The cement board lap siding materials that are being proposed for the exterior of the new building are considered durable materials. Heat recovery equipment is proposed.

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

### 25.5.1 Building and Landscape Design

The landscape plan indicates that stormwater from the driveways will be captured in swales next to each driveway. A narrowing of the driveway width provides for improved permeable area. Improved

permeability through use of pavers could be considered.

25.5.2 Landscaping - Select Plantings for Site and Local Conditions

It appears that site conditions have been considered in the choice of plantings.

25.5.3 Landscaping - Retaining Stormwater on Site (absorbent landscaping)

Proposed landscaping includes several new trees. Plantings will help water absorb into the soils and it appears native soils will be preserved where feasible.

25.5.4 Landscaping - Water features and Irrigation systems

Canadian Landscape Standard and BCSLA Landscape Standard are equivalent. Applicant has indicated that this proposal would meet the standards.

**ZONING AND PARKING ANALYSIS:**

The following chart summarizes many of the requirements contained within the Zoning Bylaw 1992, No. 2050 Comprehensive Development District No. 141 [CD No. 141] [Appendix C].

	<b>Proposed CD 141 Zone</b>		
	<b>Principal Building</b>	<b>DADU</b>	<b>Accessory Buildings</b>
<b>Minimum Parcel Size</b>	680 square metres		
<b>Floor area ratio FAR)</b>	0.35		NA
<b>Lot coverage</b>	30% for all buildings	8 %	2%
<b>Building height</b>	7.3 m	5.2 m	3.6 m
<b>Setbacks</b>			
• <b>Front</b>	6.4 m	Behind principal building	Behind principal building
• <b>Rear</b>	7.5 m	3.7 m	1.5 m
• <b>Interior Side</b>	3.0 m/1.37 m	9.0 m / 1.5 m	1.5 m/ 1.5 m
<b>Building separation</b>		5.0 m from principal building	2.5 m from principal and DADU
<b>Off-street parking</b>	2 spaces (1 per dwelling unit)		

Comprehensive Development District No. 141 [CD No. 141] [Appendix A] zone contains the follow development permit 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.
- (b) 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 could also be a driveway.
- (c) The Detached Accessory Dwelling Unit shall be provided with a minimum of 20 square metres of open space at grade, that is:
  - (i) separate and distinct from that space available for the occupants of the principal dwelling;
  - (ii) adjacent to and accessible from the Detached Accessory Dwelling Unit;
  - (iii) defined through the use of landscaping;
  - (iv) distinct from the pathway from the street; and
  - (v) not usable as a vehicle parking space.
- (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.
- (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 landscaping plan [Appendix B] illustrates how the proposal would comply with the above guidelines.

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

The plans for this proposal were circulated to other departments and the following comments were received by the submission deadline:

Community Safety Services (Building Inspection): Project will be subject to review for current BC Building Code and municipal bylaw compliance at the time of a Building Permit application.

Engineering Services: Engineering staff have completed a preliminary evaluation of the Works and Services that would be required for the proposed development. According to Subdivision and Development Control Bylaw, 1997, No. 2175, including all schedules, the developer may be required to provide all works and services up to the road centre line. Staff confirms that the design appears achievable on the site and that new drain and sewage services maybe required for both buildings. The applicant is responsible for retaining the services of a qualified professional for the design and construction supervision of all works and services, including construction costs, engineering fees, administrative costs and contingency allowance, as indicated in Bylaw 2175. Additional comments provided when detailed engineering drawings submitted.

Parks Services: Tree protection fencing will need to be erected at the dripline for all trees, and possibly the neighbour's trees. Tree cutting permits are required for all trees that may be removed.

Fire Services: Please ensure suite address is visible from the street.

#### **ISSUES:**

1. Rationale for Selected Option

Does the proposal reasonably satisfy the development permit area guidelines?

The Advisory Planning Commission has two alternatives to choose from.

**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 denial including reasons for the recommendation.