



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

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

Legislation Details (With Text)

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Title: Request by Owner of 480 & 482 Grafton Street to Cancel Development Permit No. DP000105, Being a Development Permit for a Duplex, Staff Report No. DEV-20-078

Sponsors:

Indexes:

Code sections:

Attachments: 1. Appendix A - DP000105 480 & 482 Grafton Street, 2. Appendix B - Air Photo Showing Location of 480 & 482 Grafton Street, 3. Appendix C - Letter to Mayor and Council from Robert Cote - owner of 480 & 482 Grafton Street

Date	Ver.	Action By	Action	Result
11/16/2020	1	Council	approved	Pass

REQUEST FOR DECISION

DATE: November 9, 2020 Report No. DEV-20-078

TO: Laurie Hurst, Chief Administrative Officer

FROM: Bill Brown, Director of Development Services

SUBJECT:

Cancellation of Development Permit No. DP000105 - 480 & 482 Grafton Street.

RECOMMENDATION:

That Council, by resolution, cancel Development Permit No. DP000105, (Attached as Appendix "A" to staff report DEV-20-078) being a development permit for a duplex at:

Street Address: 480 & 482 Grafton Street.
 PID: 000-127-833
 Legal Description: Lot 5 Esquimalt Plan VIP1428, Subsidy Lot 29

RELEVANT POLICY:

- Declaration of a Climate Emergency
- Local Government Act*
- 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

STRATEGIC RELEVANCE:

Strategic Goal - Healthy, Livable, and Diverse Community
Operational Strategy - Support community growth, housing, and development consistent with our Official Community Plan

BACKGROUND:

On August 27, 2018, Council approved Development Permit DP000105 (Appendix “A”) being a development permit for a duplex at 480 and 482 Grafton Street (Appendix “B”). Due to circumstances beyond the owner’s control, the owner has requested that Development Permit DP000105 be cancelled (Appendix “C”).

As this is a request for a cancellation of a development permit, Council’s adjudication of the request is based on an assessment of any potential negative consequences of cancelling the development permit. The owner is unable to proceed with the development as prescribed in the Development Permit DP000105. Issues such as the construction materials on the lot are more appropriately dealt with through, Bylaw No. 2826 - A Bylaw to regulate Maintenance of Property.

Appendices

- Appendix A: DP000105 Development Permit for a Duplex at 480 and 482 Grafton Street
- Appendix B: Air photo showing the location of 480 and 482 Grafton Street
- Appendix C: Letter from the owner of 480 and 482 Grafton Street requesting that the development permit be cancelled.

Timeline

- August 27, 2018 - Development Permit DP000105 approved by Council.
- September 24, 2018 - Development Permit DP000105 issued by the Director of Development Services.
- November 8, 2020 - Request received from Robert Cote, owner of 480 & 482 Grafton Street.

Context

Owner:	Robert A. Cote
Property Size:	Metric: 531 m ² Imperial: 5715.6 ft ²
Existing Land Use:	Two Family Residential
Surrounding Land Uses:	
North:	Single Family Dwelling
South:	Single Family Dwelling
East:	Single Family Dwelling
West:	Single Family Dwelling
Existing Zoning:	RD-1 [Two -Family Residential] [No change required]

ISSUES:

1. Rationale for Selected Option

The applicant is unable to proceed with the development authorized by Development Permit DP000105 and has requested that the permit be cancelled.

2. Organizational Implications

There are not significant organizational implications.

3. Financial Implications

There are no significant financial implications

4. Sustainability & Environmental Implications

There are not significant sustainability and environmental implications.

5. Communication & Engagement

No communications or engagement is required to cancel a development permit.

ALTERNATIVES:

- 1) That Council, by resolution, cancel Development Permit No. DP000105, (Attached as Appendix "A" to staff report DEV-20-078) being a development permit for a duplex at:

Street Address:	480 & 482 Grafton Street.
PID:	000-127-833
Legal Description:	Lot 5 Esquimalt Plan VIP1428, Subsidy Lot

- 2) That Council take no action on the matter.