



# CORPORATION OF THE TOWNSHIP OF ESQUIMALT

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

## Legislation Text

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File #: 21-227, Version: 1

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### REQUEST FOR DECISION

**DATE:** April 20, 2021

Report No. DEV-21-030

**TO:** Laurie Hurst, Chief Administrative Officer

**FROM:** Trevor Parkes, Senior Planner and Bill Brown, Director of Development Services

**SUBJECT:**

Rezoning Application - 851 Lampson Street

**RECOMMENDATION:**

That Council resolves that Zoning Bylaw, 1992, No. 2050, Amendment Bylaw No. 3007, attached as Appendix A to Staff Report No. DEV-21-030, which would amend Zoning Bylaw, 1992, No. 2050, by changing the zoning designation of 851 Lampson Street [PID 005-778-441, Parcel A (DD 19978W) of Lot 12, Section 10, Esquimalt District, Plan 7500], shown cross-hatched on Schedule "A" of Amendment Bylaw No. 3007, from Two Family/ Single Family Residential [RD-3] to Comprehensive Development District No. 134 [CD. No. 134], be considered for adoption.

**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

Subdivision and Development Control Bylaw, 1997, No. 2175

Building Regulation Bylaw, 2017, No. 2899

**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 (OCP).

**BACKGROUND:**

**Appendices**

Appendix A: Bylaw No. 3007 - Amendment to Zoning Bylaw 1992, No. 2050, CD-134

Appendix B: Section 219 Covenant - Registered at LTSA  
Appendix C: Architectural Plans, Landscape Plan and BCLS Site Plan

### **Purpose of the Application**

The applicant is requesting a change in zoning from the current RD-3 [Two Family/ Single Family Residential] zone to Comprehensive Development District No. 134 [CD-134] to accommodate the proposed four (4) strata townhouse residences to be constructed in one building on the subject property.

### **Timeline**

Application received - February 7, 2020.

Advisory Planning Commission - April 21, 2020.

Design Review Committee - May 13, 2020.

Esquimalt Council - Bylaw No. 3007 read a first and second time and waived the public hearing - September 28, 2020.

Esquimalt Council - Council rescinds second reading, amends and reads Bylaw No. 3007 anew a second time and waives the public hearing a second time - October 26, 2020.

Notice of Waived Public Hearing mailed to 76 owners and occupiers located within 100m of the subject property - November 3, 2020.

Victoria News advertisement runs providing Notice of Waived Public Hearing - November 5, 2020 and November 12, 2020.

Esquimalt Council - Council considers reading Bylaw No. 3007 a third time - November 16, 2020.

Staff received confirmation of registration of the Section 219 Covenant addressing issues considered at the Public Hearing - March 12, 2021 -

Council considers adoption of Zoning Amendment Bylaw No. 3007 - April 26, 2021.

### **ISSUES:**

#### 1. Rationale for Selected Option

This proposal complies with the 'Townhouse Residential' 'Proposed Land Use Designation' (OCP Schedule B) and is consistent with the policy direction contained within the OCP for townhouse development.

The proposed development would add 'missing middle' family-oriented housing to Esquimalt, close to transit services, schools and abutting a major park and would improve housing choices in the area, while encouraging owners and residents to choose alternative, lower carbon transportation solutions.

The property owner has voluntarily executed and registered a Section 219 covenant on the property, acknowledging that the amenities and the restrictions are in the public interest; and thereby providing that 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:

- The existing buildings will only be used for their current uses prior to demolition,
- The number of dwelling units in the new development will remain at no more than four [4] units, as stated in Bylaw No. 3007,
- One (1) visitor parking space will be provided and remain as illustrated in the Site Plan,

SK-1, attached in Appendix D of Staff Report DEV-20-077,

- Installation of a Level 2 electric vehicle charging station in each of the four [4] private garages and at the visitor parking space,
- The development will be constructed to meet Step 3 of the BC Energy Step Code,
- Installation of five (5) visitor bicycle lockups as illustrated in the Site Plan, SK-1, attached in Appendix D of Staff Report DEV-20-077,
- A constraint on the future strata corporation that the rental of the units will not be restricted, and
- Tree protection fencing will be installed and maintained around the Township's Pine tree throughout construction and the critical root zone will remain undisturbed and free of deposit or storage of any material related to construction activity.

## 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

Increasing residential density in existing neighbourhoods is believed to make a community more sustainable. The applicant has committed to installing Level 2 electric vehicle charging stations at all five parking spaces and providing secure storage for bicycles within the garages including access to a plug for charging e-bikes. Five (5) bike lockups are secured for the Lampson Street frontage offering opportunities for visitors to choose to cycle to the site, all of which serve to encourage alternative transportation. The applicant has also committed to constructing the building to Step 3 of the BC Energy Step Code.

## 5. Communication & Engagement

### Public Notification

Notice of Waived Public Hearing was mailed on November 3, 2020, advertising in two consecutive editions of the Victoria News, and signage on the property was updated to clarify that the Public Hearing was Waived by Council and Zoning Amendment Bylaw No. 3007 would be considered for third reading on November 16, 2020.

### Applicant Community Consultation Submission

The Township mailed out a letter, drafted by the applicant, on September 3, 2020 requesting feedback from owners and occupiers located within 100m of the parcel in order to comply with the public consultation procedures of Development Application Procedures and Fees Bylaw, 2012, No. 2791. This mail out solicitation for feedback was approved by the Director of Development Services in lieu of a formal Community Open House meeting to ensure compliance with appropriate COVID-19 protocols.

## **ALTERNATIVES:**

1. That Council adopt Zoning Bylaw, 1992, No. 2050, Amendment Bylaw No. 3007.
2. That Council defeat Zoning Bylaw, 1992, No. 2050, Amendment Bylaw No. 3007.

