



# 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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**Attachments:** 1. Appendix A - DP000105 - 480- 482 Grafton, 2. Appendix B - Air Photo and Development Permit Area Guidelines, 3. Appendix C- Green Building Checklist

Date	Ver.	Action By	Action	Result
8/27/2018	1	Council	approved	Pass

## REQUEST FOR DECISION

**DATE:** August 22, 2018      Report No. DEV-18-065

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

**FROM:** Janany Nagulan, Planner and Bill Brown, Director of Development Services

### SUBJECT:

Development Permit Application, 480-482 Grafton Street [PID: 000-127-833, Lot 5, Suburban Lot 29, Esquimalt District, Plan 1428

### RECOMMENDATION:

That Council resolves that **Development Permit No. DP000105** [Appendix A] authorizing the form and character of the construction of a uniquely shaped duplex as per architectural and landscape plans prepared by Waymark Architecture, stamped "Received August 22, 2018", and site plan prepared by J.E Anderson & Associates, stamped "Received June 11, 2018" **be approved, and staff be directed to issue the permit and register the notice on the title** of the property 480-482 Grafton Street [PID: 000-127-833, Lot 5, Suburban Lot 29, Esquimalt District, Plan 1428

### RELEVANT POLICY:

Official Community Plan Bylaw, 2018, No. 2922  
Zoning Bylaw, 1992, No. 2050  
Development Application Procedures and Fees Bylaw, 2012, No. 2791  
Advisory Planning Commission Bylaw, 2012, No. 2792  
Green Building Checklist

## STRATEGIC RELEVANCE:

The Request for Decision supports the following specific strategic objective:  
Support community growth, housing and development consistent with our Official Community Plan

## BACKGROUND:

### Appendices

Appendix A: DP000105 - 480-482 Grafton

Appendix B: Air Photo, 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, Development Permit Area No. 8- Water Conservation Guidelines

Appendix C: Green Building Checklist

### Purpose of the Application

The applicant is proposing to construct a two- story uniquely shaped duplex on the subject property. The property is zoned Two Family Residential [RD-1].

The property is within the following Development Permit areas: 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 [Appendix B]. Therefore a Development Permit is required before a Building Permit could be issued.

### Context

**Applicant:** Graeme Verhulst

**Owner:** Robert A. Cote

**Property Size:** **Metric:** 531 m<sup>2</sup>      **Imperial:** 5715.64 ft<sup>2</sup>

**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]

### Zoning

Due to the nature of the Building staff cannot confirm the lot coverage and floor area ratio of the building however the architect has provided and confirmed those measurements. Therefore the proposed development does not require any variances to Zoning Bylaw, 1992, Bylaw No. 2050 as it is in accordance with all the requirements of the RD-1 zone.

### Official Community Plan

The Official Community Plan supports the development of a variety of housing types and designs to meet the anticipated housing needs of residents.

**Section 5.2 Low Density Residential Redevelopment** of the Official Community Plan supports the proposed redevelopment within present low density residential land use designated areas should be built to high quality design and landscaping standards and respond sensitively to existing neighbourhood amenities.

## **Development Permit Guidelines**

The subject property is within 4 OCP Development Permit Areas:

- 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
- Development Permit Area No. 8- Water Conservation

Outlined below are Development Permit guidelines that are possibly applicable to the subject property

### **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:

1. Retain existing healthy native trees, vegetation, rock outcrops and soil wherever possible.
3. Preservation of natural topography is favoured over blasting or building of retaining walls.
6. Avoid disturbing, compacting and removing areas of natural soil as this can lead to invasion by unwanted plant species, poor water absorption and poor establishment of new plantings. Use of local natural soil in disturbed and restored areas will support re-establishment of ecosystem functions.

#### **18.5.3 Biodiversity**

Landscaping features that will protect, restore and enhance biodiversity. Where feasible:

3. Choose trees and plants for site conditions; consider shade, sunlight, heat, wind-exposure, sea spray tolerance, and year round moisture requirements in their placement.
4. Consider the habitat and food needs of birds, pollinators, and humans in tree and plant species selection and placement; native plantings and food gardens compliment each other.
6. Encourage native plant and food gardens to spill from private land into boulevards.
8. Avoid using fast-growing non-native plants to cover and retain soils as they may become invasive and a constraint to the establishment of other plants.
12. Aim to meet the Canadian Landscape Standards in all landscaping installations.

#### **18.5.4. Natural Environment**

Measures to protect restore and enhance the natural environment (limit noise, light and air

pollution).Where it is reasonable:

2. Use International Dark-Sky Association approved lighting fixtures in outdoor locations. Outdoor lighting shall be no brighter than necessary, be fully shielded (directed downward and designed to serve pedestrian needs), have minimal blue light emissions and only be on when needed. Avoid vanity lighting, and lighting directed into the night sky and trees tops.

#### 18.5.5 Drainage and Erosion

Measures to control drainage and shoreline erosion. Where it is reasonable:

2. 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.
6. Choose absorbent landscaping materials; leaf mulches, wood chips and good quality top soil, over gravel, pavers and concrete. Provide mulch of organic, locally derived materials; leaf mulch from local tree leaves is most desirable.

### OCP Section 20 Development Permit Area 3 - Enhanced Design Control Residential

#### 20.5 Duplex Housing

1. The fronts of the buildings should be designed to create the appearance of smaller structures either by staggering the dwelling units or visually breaking up the façade with architectural detailing while still maintaining a complementary streetscape.
2. Innovative and creative site-specific two-unit dwellings are encouraged where usable open space is maintained either on the ground (yard) or as rooftop gardens. Setbacks to the street may be reduced to maximize property use.
4. Side by side, up and down, or staggered unit configurations are preferred as these result in a greater number of units facing the street, less disruption of privacy, and a more equitable division of outdoor amenity areas between the two dwelling units.
5. The use of exterior building materials similar to those used in older residential neighbourhoods (i.e. combinations of wood, brick, stucco, and stone) is encouraged.
6. Rooflines of new development should relate in height, shape and pitch to existing residential buildings in the immediate area. For corner sites, the building design should avoid having large unbroken sloped roof areas facing the street.
7. To create interest in the façade of the buildings facing the street, the incorporation of architectural elements such as bay windows, covered porches, verandas and prominent front doors is encouraged.
8. Buildings should be designed to minimize visual intrusion on to the privacy of surrounding homes. Some overlook of adjoining yards and neighbouring decks may be unavoidable; however,

additional privacy should be achieved by inseting balconies, decks and patios into the building or by screening them with latticework or landscaping. Windows should be spaced so that they do not align directly with those of other buildings.

9. The height and massing of new two-unit dwellings should be designed to minimize the casting of shadows on to the private outdoor space of adjacent residential dwellings
10. A landscaping plan showing ground cover areas, planting beds, shrubbery and trees (both existing and proposed) is required. Landscaping should add to the aesthetic appeal of the streetscape as well as provide privacy between dwelling units.
11. The provision of private open space should be part of an overall site development and landscape plan and should take into consideration general site circulation patterns (including parking), existing landscape features, sun access, privacy and usability.
12. Retention and protection of trees and the natural habitat is encouraged where possible.
13. Parking areas, garages and driveways should appear as a minor component of the site when viewed from the street. The building of curving access roads and driveways helps to avoid views from the street of large expanses of paving. The use of shared driveways is encouraged.
14. The use of permeable and decorative surfacing materials, such as brick, concrete pavers, textured concrete, coloured paving or grasscrete is encouraged in place of solid expanses of asphalt or concrete.
18. For new or converted two unit dwellings, garages and parking areas are encouraged to be located in the rear yard. Shared driveways are preferred to access the rear yard.

#### OCP Section 24 Development Permit Area 7 - Energy Conservation & Green

##### The objectives of this DPA include:

- Support reductions in energy consumption in buildings, and reduced maintenance costs through the use of durable building materials; support the best use of existing infrastructure and minimizing the need for system capacity expansion and extension;
- Encourage and support innovation in redevelopment, siting and design;
- Consider the long-term comfort of building occupants in design decisions;

##### 24.5.1 Siting of building and structure

Where it is feasible:

1. 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.
2. Build new developments compactly, considering the solar penetration and passive performance provided for neighbouring sites, and avoid shading adjacent to usable outdoor open spaces.

6. Provide space for significant landscaping including varying heights of trees, shrubs and ground covers.
9. In residential neighbourhoods, provide space for larger trees and a second row of street trees as this will enhance the pedestrian experience by lowering wind velocity at street level, reducing excessive heating at ground level and absorbing vehicle and other urban noises.

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

Where it is feasible:

1. Orient larger roof surfaces to the south for potential use of solar panels or photo-voltaic roofing.
2. 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.
6. Provide building occupants with control of ventilation i.e. windows that open.

#### 24.5.3 Landscaping

Where it is feasible:

1. Develop a front yard landscape design that is natural and delightful so residents do not need to leave the neighbourhoods to experience nature.
2. Choose open space and landscaping over dedicating space to the parking and manoeuvring of private motor vehicles.
3. Conserve native trees, shrubs and soils, thereby saving the cost of importing materials and preserving already sequestered carbon dioxide.
7. As context and space allow, plant trees that will attain a greater mature size for greater carbon storage; removal of healthy trees is discouraged as the loss of the ecosystem services provided by larger trees will take many years to recover
8. Plant trees with larger canopy cover along roadways and sidewalks, thereby providing shading and paved areas, lowering the heating of paved surfaces and reducing the wind velocities in these pedestrian areas.
9. Plant shorter and sturdier vegetation closer to buildings and other structures, and taller vegetation further away to avoid potential damage from strong winds blowing vegetation against buildings

#### 24.5.5 Special Features

Where it is feasible:

1. Select building materials that have been shown to have a high level of durability for the use intended

3. Select local and regionally manufactured building products whenever possible to reduce transportation energy costs.

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

### 25.5.1 Building and Landscape Design

Where it is feasible:

2. Provide space for absorbent landscaping, including significantly sized trees on the site and by not allowing underground parking structures to extend beyond building walls.
6. Design landscaping with more planted and pervious surfaces than solid surfaces.

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

Where it is feasible:

1. Retain existing native trees vegetation, and soil on site.
3. Consider shade, sunlight, heat, wind- exposure and sea spray, as well as water needs in the selection and placement of plant species.

### 25.5.3 Landscaping - Retaining Stormwater on Site (absorbent landscaping)

Where it is feasible:

1. 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.
3. Avoid disturbing, compacting and removing areas of natural soil, as these are naturally absorbent areas

### **Comments from Advisory Planning Commission [APC]**

At its regular meeting held on Tuesday, July 17, 2018 The Esquimalt Advisory Planning Commission [APC] recommends to Council that the application for a Development Permit, authorizing construction of a uniquely shaped duplex as per plans architectural plans prepared by Waymark Architecture, stamped "Received July 12, 2018", landscape plan prepared by Waymark Architecture stamped "Received June 1, 2018", and site plan prepared by J.E Anderson & Associates, stamped "Received June 11, 2018", for the property located at 480-482 Grafton Street [PID: 000-127-833, Lot 5, Suburban Lot 29, Esquimalt District, Plan 1428] **be forwarded to Council with a recommendation by the Esquimalt Advisory Planning Commission to deny**; as the proposal is too incongruous with the surrounding houses in the neighbourhood.

### **Changes Made in Response to APC Comments**

In response to comments made by the Advisory Planning Commission, the applicant has made a

series of changes. These changes include providing an entry door at front face of the duplex with a connecting walkway which was in response to suggestions that in the original renderings had the entry doorway at the side of the building. In response to APC comments that the building did not fit the neighbourhood character the applicant has added “residential elements” such as cedar siding, front door walkway, and a porch. Another major concern addressed by the applicant was that the interior layout did not seem family oriented. The applicant has altered the floor plan to replace the office in the loft level with a bedroom.

## **ISSUES:**

### **1. Rationale for Selected Option**

The application is consistent with the Zoning for the Property. The applicant has made multiple changes taking into consideration suggestion made by the APC to be more consistent with the Development Permit Area guidelines in the Official Community Plan.

### **2. Organizational Implications**

This Request for Decision has no 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 [Appendix C]

### **5. Communication & Engagement**

As this is a Development Permit application requiring no variances, the *Local Government Act* does not require notification be provided.

## **ALTERNATIVES:**

1. That Council resolves Development Permit No. DP000105 [Appendix A] be approved, and staff be directed to issue the permit and register the notice on title of the property.
2. That Council deny Development Permit No. DP000105 [Appendix A] with reasons.