



# 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:** Development Permit Application - 833 and 835 Dunsmuir Road, Staff Report DEV-19-020  
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**Attachments:** 1. Appendix A - DP000104, 2. Appendix B - Subject Property Map, Aerial Map, CD No. 108 Zone, 3. Appendix C - Architectural Drawings, Landscape Plan, and Surveyor's Site Plan, 4. Appendix D - Green Building Checklist, 5. Appendix E - Applicant's Comments for Development Permit Area Guidelines, 6. Appendix F - Official Community Plan Development Permit Area Guidelines

Date	Ver.	Action By	Action	Result
3/4/2019	1	Council	approved	Pass

## REQUEST FOR DECISION

**DATE:** February 27, 2019

Report No. DEV-19-020

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

**FROM:** Alex Tang, Planner and Bill Brown, Director of Development Services

### SUBJECT:

Development Permit Application - 835 Dunsmuir Road [Consolidation of 833 and 835 Dunsmuir Road]

### RECOMMENDATION:

That Council resolves that Development Permit No. DP000104, attached as Appendix A to Staff Report DEV-19-020, consistent with the architectural plans provided by Praxis Architects, Inc., the landscape plan by Lombard North Group Inc., and sited in accordance with the BCLS Site Plan provided by J.E. Anderson and Associates Surveyors Engineers, all stamped "Received September 27, 2018", be approved, and staff be directed to issue the permit (subject to receipt of the required landscape security) and register the notice on the title of the property located at 835 Dunsmuir Road [PID 030-709-156, Parcel A (Being a Consolidation of Lots 2 and 3, see CA7353737), Section 11, Esquimalt District, Plan 9757].

### RELEVANT POLICY:

Official Community Plan Bylaw, 2018, No. 2922  
Zoning Bylaw, 1992, No 2050  
Parking Bylaw, 1992, No. 2011

Development Application Procedures and Fees Bylaw, 2012, No. 2791  
Advisory Planning Commission Bylaw, 2012, No. 2792  
Subdivision and Development Control Bylaw, 1997, No. 2175  
Local Government Act

## **STRATEGIC RELEVANCE:**

This Request for Decision does not directly relate to a specific strategic objective.

## **BACKGROUND:**

Appendix A: DP000104  
Appendix B: Subject Property Map, Aerial Map, CD No. 108 Zone  
Appendix C: Architectural Drawings, Landscape Plan, and Surveyor's Site Plan  
Appendix D: Green Building Checklist  
Appendix E: Applicant's Comments for Development Permit Area Guidelines  
Appendix F: Official Community Plan Development Permit Area Guidelines

## **Purpose of the Application**

The applicant is proposing to build a 32 unit multiple family residential building. Comprehensive Development District No. 108 of Esquimalt Zoning Bylaw 1992, No. 2050 has been written to regulate this development.

This site is located within Development Permit Area No. 1 - Natural Environment, Development Permit Area No. 6 - Multi-Family Residential, Development Permit Area No. 7 - Energy Conservation and Greenhouse Gas Reduction, and Development Permit Area No. 8 - Water Conservation. A Development Permit is required to ensure that the application is consistent with the Development Permit Area guidelines contained within the Esquimalt Official Community Plan Bylaw, 2018, No. 2922. The development permit 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 and other structures in relation to the relevant 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/Architect:	Praxis Architects Inc. [Heather Spinney]
Owner:	D.E. Mann Properties Ltd. Inc.No BC1125695
Property Size:	Metric: 1526 m <sup>2</sup> Imperial: 16427 ft <sup>2</sup>
Existing Land Use:	Single Family Residential
Surrounding Land Uses:	
North:	Single Family Residential
South:	Multiple Family Residential [4 storeys]
West:	Multiple Family Residential [3 storeys]
East:	Multiple Family Residential [4 storeys]
OCP Proposed Land Use Designation:	Medium Density Residential [No change required]

Zoning: CD No. 108 [Comprehensive Development District]

## **Zoning**

**Density, Lot Coverage, Height and Setbacks:** The following chart details the floor area ratios, lot coverage, setbacks, height, parking requirements, and usable open space of this proposal.

	<b>CD No.108 Zone</b>
<b>Units</b>	32
<b>Floor Area Ratio</b>	1.50
<b>Lot Coverage</b>	51%
<b>Setbacks</b>	
• <b>Front</b>	3.50 m
• <b>Rear</b>	4.00 m
• <b>Exterior Side [North]</b>	7.50 m
• <b>Interior Side [South]</b>	7.50 m
<b>Building Height</b>	18.5 m
<b>Off Street Parking</b>	35
<b>Usable Open Space</b>	140 m <sup>2</sup>

## **Official Community Plan**

This site is located within Development Permit Area No. 1 - Natural Environment, Development Permit Area No. 6 - Multi-Family Residential, Development Permit Area No. 7 - Energy Conservation and Greenhouse Gas Reduction, and Development Permit Area No. 8 - Water Conservation. The guidelines of these Development Permit Areas are contained within the Esquimalt Official Community Plan Bylaw, 2018, No.2922.

As Council is required to consider all of the Official Community Plan guidelines from these Development Permit Areas in evaluating this application, the applicant has submitted a document addressing these guidelines [Appendix E].

**Development Permit Area No.1** is designated for the purpose of establishing objectives for the protection of the natural environment, its ecosystems and biological diversity.

### **OCP Section 18.5.2 Natural Features**

As noted by the applicant, most of the guidelines in this section are not applicable due to the underground parking structure.

### **OCP Section 18.5.3 Biodiversity**

The applicant has emphasized native shrubs and ground covers. The applicant states that the building is surrounded by diverse landscape elements including deciduous trees and medium shrubs and stepped layer planters.

OCP Section 18.5.4 Natural Environment

The applicant has included vegetation as a noise barrier and has minimized light pollution with their light fixture selection.

OCP Section 18.5.5 Drainage and Erosion

The applicant states that most of the lot is porous in order to facilitate stormwater infiltration while the remaining lot area is predominantly covered by vegetated areas.

OCP Section 18.5.7 Native Bird Biodiversity

The applicant has taken measures to retain existing Cedar and Maple trees to the East of the lot to protect native bird biodiversity.

**Development Permit Area No.6** is designated for the purpose of establishing objectives for the form and character of multi-family residential development.

OCP Section 23.5 Multi-Family Residential Guidelines

The applicant describes how the proposed development has been sited and stepped back appropriately, with the surrounding landscape creating a privacy buffer for adjacent residents. Underground parking has been incorporated in this building and consistent with the guidelines. The applicant states that the use of cladding material along with the landscape elements in the proposed development emphasizes the street corner. All the units in the building have balconies or patios, providing overlook of public streets and spaces.

**Development Permit Area No.7** is designated for the purposes of energy conservation and greenhouse gas reduction.

OCP Section 24.5.1 Siting of buildings and structures

The building is oriented for passive solar and will incorporate photovoltaic panels on the roof.

OCP Section 24.5.2 Form and exterior design of buildings and structures

The applicant states that the upper roof at Level 5 will incorporate solar elements for the use of photovoltaic roofing. The private rooftop patios for the 5<sup>th</sup> floor residents include garden spaces but have not included greenhouses.

OCP Section 24.5.3 Landscaping

The applicant states that the front yard landscaping is extensive with deciduous trees located along the southern portions of the lot, Dunsmuir Road and Garrett Place. Smaller shrubs are planted adjacent to the building with larger shrubs and trees towards the property lines.

OCP Section 24.5.4 Machinery, equipment and systems external to buildings and other structures

The applicant states that they are using efficient low energy lighting with solar panels to improve the building's energy performance. Bicycle parking will be provided in a secured bicycle parking room with bicycle racks located near the main entrance on Dunsmuir Road. Furthermore, 100% of the parking spaces will be equipped with Level 2 electric vehicle infrastructure leaving the owners to purchase the charging station.

OCP Section 24.5.5 Special Features

The applicant will choose high performing, durable materials and will consider the various guidelines

as it pertains to the selection of materials during further detailed design.

**Development Permit Area No.8** is designated for the purpose of water conservation.

*OCP Section 25.5.1. Building and Landscape Design*

The applicant states that there is space for absorbent landscaping as well as significantly sized trees where appropriate. The landscaping has been designed with more planted and pervious surfaces than solid surfaces. The applicant states that the other guidelines will be considered during further detailed design.

*OCP Section 25.5.2. Landscaping - Select Plantings for Site and Local Conditions*

The applicant states that the proposed development has given consideration into the selection and placement of plant species consistent with these guidelines, including the planting of native species.

*OCP Section 25.5.3. Landscaping - Retaining Stormwater on Site*

The applicant states that they are consistent with these guidelines except the avoidance of the disturbing, compacting and removal of natural soils due to the underground parking structure.

*OCP Section 25.5.4. Landscaping - Water Features and Irrigation Systems*

The applicant states that the proposed development has included automated high efficiency irrigation systems and plantings to Canadian Landscape Standards.

**Green Building Features**

The applicant has completed the Esquimalt Green Building Checklist [attached].

**Comments from Other Departments**

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

**Community Safety Services:** Building to be constructed to requirements of BC Building Code 2012 and Municipal Building Code Bylaw. Applicant must address all issues contained within the Township Development Protocol should application be approved. Plans will be reviewed for compliance with BC Building Code upon submission of a Building Permit application.

**Engineering Services:** Engineering staff have completed a preliminary evaluation of Works and Services that would be required for the 32 unit multiple family residential building proposed to be located at 835 Dunsmuir Road. Staff confirms that the design appears achievable on the site and that appropriate works and services are available in the immediate area. If approved, the development must be serviced with bylaw requirements including, but not limited to, new sewer and drain connections, underground power, telephone and cable services, and new road works up to the centre line of both Dunsmuir Road and Garrett Place. Should the application be approved, additional comments will be provided when detailed engineering drawings are submitted as part of a Building Permit application.

**Parks Services:** Parks Staff has completed a preliminary review of the proposed on-site and off-site landscaping and commented that the landscape plan was adequate. Should the application for rezoning be approved, a tree survey of the trees proposed for retention on the site will be required as

part of the consideration of the Development Permit. Moreover, tree protection fencing must be put up at the dripline of all trees to be retained.

**Fire Services:** Fire Services staff has completed a preliminary review of the proposal and has no concerns at this time.

### **Comments from the Design Review Committee [DRC]**

This development application was considered at the regular meeting of the DRC held on November 14, 2018. Members were generally pleased with the design and the exterior aesthetics of the building. Members had questions on whether a gate would be placed to separate the usable open space to the north of the building and the sidewalk. Members also had questions on the photovoltaic cells of the rooftop solar panel and their application. The applicant stated that they will determine at a future date on whether the solar energy will feed back into the grid or be stored on site.

The DRC resolved unanimously that the application be forwarded to Council with a recommendation of approval because it is a nice design and meets the Official Community Plan requirements.

### **ISSUES:**

1. Rationale for Selected Option

The proposed development conforms to the Zoning Bylaw and is generally consistent with the development permit area guidelines where applicable and feasible. Moreover, the Design Review Committee recommended approval.

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 proposed building will have rooftop solar panels in generating electricity with a renewable energy source. Increasing residential density in existing neighbourhoods creates a more compact and sustainable community. Increased residential density also decreases the per capita costs of providing services such as public transit and utilities.

5. Communication & Engagement

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

### **ALTERNATIVES:**

1. That Council resolves that Development Permit No. DP000104, attached as Appendix A to Staff Report DEV-19-020, consistent with the architectural plans provided by Praxis Architects, Inc., the landscape plan by Lombard North Group Inc., and sited in accordance with the BCLS Site Plan provided by J.E. Anderson and Associates Surveyors Engineers, all stamped "Received September 27, 2018", be approved, and staff be directed to issue the permit (subject to receipt of the required landscape security) and register the notice on the title of the property located at 835 Dunsmuir Road [PID 030-709-156, Parcel A (Being a Consolidation of Lots 2 and 3, see CA7353737), Section 11,

Esquimalt District, Plan 9757].

2. That Council deny Development Permit No. DP000104 [Appendix A] with reasons provided.