



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

Municipal Hall
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Legislation Details (With Text)

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Title: Development Variance Permit Application - 856 Isbister Street, Staff Report No. DEV-20-043
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Attachments: 1. Appendix A - DVP00104, 2. Appendix B - Aerial Map, 3. Appendix C - Architectural Drawings, 4. Appendix D - Public Comment

Date	Ver.	Action By	Action	Result
7/6/2020	1	Council	approved	Pass

REQUEST FOR DECISION

DATE: June 24, 2020

Report No. DEV-20-043

TO: Laurie Hurst, Chief Administrative Officer

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

SUBJECT:

Development Variance Permit Application - 856 Isbister Street

RECOMMENDATION:

That Council approve Development Variance Permit No. DVP00104 [Appendix A] including the following variances to Parking Bylaw, 1992, No. 2011, and staff be directed to issue the permit and register the notice on the title of the property located at PID 002-702-193, Lot 5, Section 2, Esquimalt District, Plan 27374 except that part in Plan 916 BL [856 Isbister Street]:

Parking Bylaw, 1992, No. 2011, (9)(4) - Exemption from the requirement that Parking Spaces in Residential zones shall be located no closer to the front lot line than the front face of the Principal Building.

RELEVANT POLICY:

Declaration of Climate Emergency

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: DVP00104

Appendix B: Aerial Map

Appendix C: Architectural Drawings

Appendix D: Public Comment

Purpose of Application:

The applicant is enclosing the carport of a single family dwelling and changing it into livable space. As this was the subject property's provision of Parking Space, the applicant is requesting a variance to have its Parking Spaces in front of the front face of the house.

Applicant: Devin Perfect

Owners: Devin Perfect and Leanne McCartney

Designer: Bryan Reiber

Property Size:

Metric: 678 m² Imperial: 7298 ft²

Existing Land Use: Two Family Residential

Surrounding Land Uses:

North: Single Family Residential

South: Single Family Residential

West: Single Family Residential

East: Single Family Residential

Existing Zoning: RD-1 [Two Family Residential]

Official Community Plan

Although the subject property is located within Development Permit Areas No. 1, 6, 7 and 8, single detached dwellings are exempt from development permits.

Zoning

The current zoning on the subject property is RD-1 to accommodate Two Family Residential use. Off-street parking shall be provided in accordance with the requirements of Parking Bylaw, 1992, No. 2011 (as amended).

In Single Family and Two Family residential dwellings, 1 Parking Space per dwelling unit is required. As per Parking Bylaw, 1992, No. 2011, 9 (4), Parking Spaces in Residential zones shall be located no closer to the Front Lot Line than the front face of the Principal Building. The applicant is proposing to use the Parking Area in front of the Principal Building as Parking Spaces; hence, a variance is necessary to accommodate the use of this area for Parking Spaces.

Comments from the Advisory Planning Commission

This application was considered at the regular meeting of the Advisory Planning Commission held on June 16, 2020. Members generally did not have concerns and noted that the Township needs to

review their Parking Bylaw.

The Advisory Planning Commission resolved that the application be forwarded to Council with a recommendation of approval as this would codify how the current parking configuration is on the parcel.

Comments from Other Departments

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

Community Safety Services: Community Safety Services staff have no concerns with this application.

Engineering Services: Engineering staff have no concerns with this application.

Parks Services: Parks staff have no concerns with this application.

Fire Services: Fire Services staff have no concerns with this application.

ISSUES:

1. Rationale for Selected Option

The use of this site's parking area in front of the house as parking spaces is a reasonable variance to allow for the enclosure of the carport. The increase in floor area as a result of the carport is within the allowable floor area as governed by Zoning Bylaw, 1992, No. 2050.

2. Organizational Implications

This Request for Decision has no organizational implications.

3. Financial Implications

This Request for Decision has no financial implications.

4. Sustainability & Environmental Implications

This Request for Decision has no sustainability & environmental implications.

5. Communication & Engagement

As this is a Development Variance Permit application, notices were mailed to owners and tenants of properties within 50 metres (164 ft) of the subject property. Notices were mailed out on June 22, 2020. To date, the Development Services Department has received 1 response in opposition (Schedule "D") as a result of these notifications.

ALTERNATIVES:

1. That Council approve Development Variance Permit No. DVP00104 [Appendix A], and staff be directed to issue the permit and register the notice on the title of the property.

2. That Council denies Development Variance Permit No. DVP00104 [Appendix A] with reasons.