



# 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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**Title:** Development Permit Application - 485 Head Street, Staff Report No. DEV-20-044

**Sponsors:**

**Indexes:**

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**Attachments:** 1. Appendix A -DP000140, 2. Appendix B - Aerial Map, 3. Appendix C - Architectural Drawings and Surveyor's Site Plan, 4. Appendix D - Green Building Checklist

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

## REQUEST FOR DECISION

**DATE:** June 24, 2020      Report No. DEV-20-044

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

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

**SUBJECT:**

Development Permit Application - 485 Head Street

**RECOMMENDATION:**

That Council approve Development Permit No. DP000140, attached as Appendix A to Staff Report DEV-20-044, consistent with the architectural plans provided by Victoria Design Group, stamped "Received June 3, 2020", and sited in accordance with the BC Land Surveyor's site plan provided by Glen Mitchell Land Surveying Inc., stamped "Received June 12, 2020", and staff be directed to issue the Permit and register the notice on the title of the property located at 485 Head Street [PID 002-376-059, Lot A, Section 11, Esquimalt District, Plan 26678].

**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: DP000140

Appendix B: Aerial Map

Appendix C: Architectural Drawings and Surveyor's Site Plan

Appendix D: Green Building Checklist

## **Purpose of the Application**

The applicant is proposing a renovation that includes a front porch and a front deck. As the subject property is located within the tsunami inundation area, this alteration must be considered against the Protection of Development from Hazardous Conditions guidelines of the Official Community Plan.

## **Context**

Applicant:	Deborah Louise Douez
Architect:	Victoria Design Group
Owner:	Deborah Louise Douez and Elizabeth Olive Corcoran
Property Size:	Metric: 581 m <sup>2</sup> Imperial: 6259 ft <sup>2</sup>
Zoning:	C-7A [West Bay Commercial 2]

## **Official Community Plan**

The subject property is located within the tsunami inundation area; hence, it is part of Development Permit Area No. 2 - Protection of Development from Hazardous Conditions. The guidelines of this Development Permit Area are contained within the Esquimalt Official Community Plan Bylaw, 2018, No. 2922.

Relevant Official Community Plan guidelines from Development Permit Area No. 2 include:

### **OCP Section 19.5**

1. No building intended for the occupation of people shall be built within an area directly impacted by a tsunami.

4. The use of construction materials that may leach toxic chemicals over time into the land or water should be avoided.

This alteration to the front of the building does not increase its livable area.

## **Zoning**

The buildings on the subject property along with the proposed renovations conform to the regulations of the C-7A zone.

## **Green Building Features**

The applicant has completed the Esquimalt green building checklist [Appendix D].

## **Comments from Other Departments**

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

received:

**Community Safety Services:** The renovations are to be constructed to the requirements of BC Building Code 2018 and municipal bylaws. Plans will be reviewed for compliance with BC Building Code upon submission of a Building Permit 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.

### **Comments from the Advisory Planning Commission**

The development permit application was considered at the regular meeting of the Advisory Planning Commission held on June 16, 2020.

The committee generally did not have concerns regarding this application. They asked the applicant to clarify the current use of the property as a bed and breakfast. The committee raised concerns in regards to allowing a variance to something that is considered hazardous and its legal implications. However, staff advised that there is no variance being considered and that the proposed renovation does not change its habitable area. Moreover, this application is being considered because it is in the tsunami inundation area and not because of the scope of the renovation.

The Advisory Planning Commission resolved unanimously that the application be forwarded to Council with a recommendation of approval as the proposal will improve the appearance of the house and the tsunami zone is not material to the changes being proposed as the house already exists.

### **ISSUES:**

1. Rationale for Selected Option

The proposed renovation conforms to the Zoning Bylaw and does not create additional livable space in a tsunami inundation area.

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 applicant has completed the Esquimalt green building checklist [Appendix D].

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 approve Development Permit No. DP000140, attached as Appendix A to Staff Report DEV-20-044, consistent with the architectural plans provided by Victoria Design Group, stamped

“Received June 3, 2020”, and sited in accordance with the BC Land Surveyor’s site plan provided by Glen Mitchell Land Surveying Inc., stamped “Received June 12, 2020”, 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 485 Head Street.

2. That Council deny Development Permit No. DP000140 [Appendix A] with reasons provided.