



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

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

Legislation Details (With Text)

File #:	20-525	Version:	1	Name:	
Type:	Staff Report	Status:		Agenda Ready	
File created:	10/27/2020	In control:		Council	
On agenda:	11/2/2020	Final action:		11/2/2020	
Title:	Development Permit and Development Variance Permit Application - 455 Sturdee Street, Staff Report No. DEV-20-075				
Sponsors:					
Indexes:					
Code sections:					
Attachments:	1. Appendix A - DP000150, 2. Appendix B - DVP00109, 3. Appendix C - Aerial Map, RS-3 Zone, DPA No.2, and Mail Notice, 4. Appendix D - Architectural Drawings and Surveyor's Site Plan, 5. Appendix E - Green Building Checklist, 6. Appendix F - Letters from Applicant, 7. Appendix G - Applicant's comments regarding DPA No. 2 - Protection of Development from Hazardous Conditions, 8. Appendix H - Presentation: Applicant				

Date	Ver.	Action By	Action	Result
11/2/2020		Council	approved	Pass

REQUEST FOR DECISION

DATE: October 27, 2020 **Report No.** DEV-20-075

TO: Laurie Hurst, Chief Administrative Officer

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

SUBJECT:
Development Permit and Development Variance Permit Application - 455 Sturdee Street

RECOMMENDATION:

1. That Council approves Development Permit No. DP000150 [Appendix A], authorizing the construction of a single-family dwelling as illustrated on the architectural drawings by One Seed Architecture + Interiors, stamped "Received October 28, 2020", and staff be directed to issue the permit, and register the notice on the title of the property located at PID 031-023-908, Strata Lot B, Suburban Lot 48, Esquimalt District, Strata Plan EPS 5951 together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on form V [455 Sturdee Street].

2. That Council approves Development Variance Permit No. DVP00109 [Appendix B] including the following variances to Zoning Bylaw, 1992, No. 2050, as illustrated on the architectural drawings by One Seed Architecture + Interiors, stamped "Received October 28, 2020", and staff be directed to issue the permit and register the notice on the titles of the property located at PID 031-023-908,

Strata Lot B, Suburban Lot 48, Esquimalt District, Strata Plan EPS 5951 together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on form V [455 Sturdee Street]:

Zoning Bylaw, 1992, No. 2050, 36 (6)(a) - Building Height: to increase the maximum allowed Height from 7.3 metres to 7.6 metres.

Zoning Bylaw, 1992, No. 2050, 36 (8)(a) - Lot Coverage: to increase the maximum allowed Lot Coverage from 30% of the Area of a Parcel to 31.6% of the Area of a Parcel.

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:

Healthy, Livable and Diverse Community: Support community growth, housing and development consistent with our Official Community Plan.

BACKGROUND:

Appendix A: DP000150
Appendix B: DVP00109
Appendix C: Aerial Map, RS-3 Zone, DPA No.2, and Mail Notice
Appendix D: Architectural Drawings and Surveyor's Site Plan
Appendix E: Green Building Checklist
Appendix F: Letters from Applicant
Appendix G: Applicant's comments regarding DPA No. 2: Protection of Development from Hazardous Conditions

Chronology:

July 28, 2020 - Board of Variance Application Received.
September 30, 2020 - Development Variance Permit Application Received.
October 20, 2020 - Development Variance Permit Application and Development Permit Application presented to the Advisory Planning Commission.

Purpose of Application:

The two applications are for the development of a single-family dwelling on a vacant lot that is part of a 3-lot residential subdivision that was approved in September of 2019. A portion of the lot is located within a tsunami zone. The purpose of the development permit is to ensure compliance with the development guidelines in Development Permit Area No. 2 - "Protection of Development from Hazardous Conditions". In addition, a development variance permit is required because the applicant is requesting two variances to the new Single Family Dwelling to be constructed. Specifically, the

applicant is requesting a variance to the maximum height from the allowed 7.3 metres to 7.6 metres. Moreover, the applicant is also requesting a variance to the lot coverage from the allowed 30% to 31.6%.

Evaluation of the Development Variance Permit application should focus on issues related to the potential impact of the variances on the neighbours' enjoyment of their property and potential environmental impacts related specifically to the proposed variances.

Evaluation of the Development Permit Application should focus on whether or not Council feels that the proposed development meets the guidelines in Development Permit Area No. 2: Protection of Development from Hazardous Conditions (see the applicants response in Appendix G).

CONTEXT:

Applicant: Allison Holden-Pope
Owner: Amanda and Graham Tarling
Designer: Allison Holden-Pope
Property Size: Metric: 686.8 m² Imperial: 7392 ft²
OCP Land Use Designation: Low Density Residential
Zone: RS-3
Existing Land Use: Vacant Lot
Proposed Land Use: Single Family Residential
Surrounding Land Uses:
North: Single Family Residential
East: Single Family Residential
West: Single Family Residential

OCP ANALYSIS:

As the subject property is in Development Permit Area No. 2 - Protection of Development from Hazardous Conditions, a Development Permit is required.

ZONING ANALYSIS:

The current zoning on the subject property is RS-3 to accommodate Single Family Residential use. According to the RS-3 zone, the maximum Principal Building height is 7.3 metres. The applicant is seeking a variance to allow for a maximum height of 7.6 metres. The proposed house consists of a roof with a pitch of 0.5:12. Buildings with a flat roof or a pitch of less than 3:12 are measured from grade to the highest point. In contrast, buildings with a pitch between 3:12 and 12:12 are measured from grade to the midpoint between the eaves and highest ridge.

In addition, the applicant is seeking a variance to allow for an increase in lot coverage from 30% to 31.6%. The proposed 31.6% lot coverage is only for the Principal Building and would not allow for any additional accessory buildings and structures.

COMMENTS FROM THE ADVISORY PLANNING COMMISSION:

This application was considered at the regular meeting of the Advisory Planning Commission held on October 20, 2020. Members generally liked the design and thought that the variances seem

reasonable within their context. However, members had concerns that it would be viewed as a massive 3-storey box from the water. The commission recommended adding visual interest to the wall on the waterfront side to improve the project.

The Advisory Planning Commission resolved unanimously that the application be forwarded to Council with a recommendation of approval subject to the applicant giving further consideration to the design of the tsunami wall, specifically referring to the Development Permit Area design guidelines.

In response to the comments from the Advisory Planning Commission, the applicant has revised the wall on the waterfront side to include a wood-clad wall with a barn door instead of an exposed concrete wall. Moreover, the underside of the deck and house will include cedar soffits.

COMMENTS FROM OTHER DEPARTMENTS:

Community Safety Services (Building Inspection):

The building is to be constructed to 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 has no concerns with this application.

Parks:

Parks staff has no concerns with this application.

Fire Services:

Fire Services staff has no concerns with this application.

ISSUES:

1. Rationale for Selected Option

The variances are reasonable for the proposed single-family dwelling.

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

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

5. Communication & Engagement

As this application includes a Development Variance Permit application, notices were mailed to tenants and owners of properties within 50 metres of the subject property.

Notices were mailed out on October 21, 2020 indicating that Council would be considering the requested Development Variance Permit on November 2, 2020. To date, the Development Services Department has not received any public input regarding this variance.

ALTERNATIVES:

1. That Council approves Development Permit No. DP000150 [Appendix A] and Development Variance Permit No. DVP00109 [Appendix B], and staff be directed to issue the permits and register the notices on the title of the property.
2. That Council denies Development Permit No. DP000150 [Appendix A] and Development Variance Permit No. DVP00109 [Appendix B] with reasons.