



# CORPORATION OF THE TOWNSHIP OF ESQUIMALT

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

## Legislation Details (With Text)

<b>File #:</b>	21-315	<b>Version:</b>	1	<b>Name:</b>	
<b>Type:</b>	Staff Report	<b>Status:</b>		Passed	
<b>File created:</b>	6/7/2021	<b>In control:</b>		Council	
<b>On agenda:</b>	6/14/2021	<b>Final action:</b>		6/14/2021	
<b>Title:</b>	Development Permit Application – 457 Sturdee Street, Staff Report No. DEV-21-046				
<b>Sponsors:</b>					
<b>Indexes:</b>					
<b>Code sections:</b>					
<b>Attachments:</b>	1. Appendix A - DP000125 - Amendment, 2. Appendix B - DP000154, 3. Appendix C - Aerial Map and Official Community Plan Development Permit Area No. 2 Guidelines, 4. Appendix D - Architectural Drawings and Landscape Plan, 5. Appendix E - Green Building Checklist, 6. Appendix F - Geotechnical Engineering Report, 7. Appendix G - Applicant's comments regarding development permit area guidelines				

Date	Ver.	Action By	Action	Result
6/14/2021	1	Council	approved	Pass

## REQUEST FOR DECISION

**DATE:** June 7, 2021

Report No. DEV-21-046

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

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

### SUBJECT:

Development Permit Application - 457 Sturdee Street

### RECOMMENDATION:

1. That Council approves an amendment to Development Permit No. DP000125 [Appendix A], and staff be directed to issue the permit, and register the notice on the title of the property located at PID 031-023-916, Strata Lot C Suburban Lot 48 Esquimalt District Strata Plan EPS5951 together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on form V [457 Sturdee Street].

2. That Council approves Development Permit No. DP000154 [Appendix B], for a single-family dwelling as illustrated on the architectural drawings by Victoria Design Group, stamped "Received December 24, 2020", and staff be directed to issue the permit, and register the notice on the title of the property located at PID 031-023-916, Strata Lot C Suburban Lot 48 Esquimalt District Strata Plan EPS5951 together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on form V [457 Sturdee Street].

### RELEVANT POLICY:

Official Community Plan Bylaw, 2018, No. 2922  
Zoning Bylaw, 1992, No. 2050  
Local Government Act  
Declaration of Climate Emergency  
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  
Green Building Checklist

### **STRATEGIC RELEVANCE:**

Develop and implement strategies that reduce impact on the environment consistent with our Climate Action Charter goals.

### **BACKGROUND:**

Appendix A: DP000125 Amendment  
Appendix B: DP000154  
Appendix C: Aerial Map and Official Community Plan Development Permit Area No. 2 Guidelines  
Appendix D: Architectural Drawings and Landscape Plan  
Appendix E: Green Building Checklist  
Appendix F: Geotechnical Engineering Report  
Appendix G: Applicant's comments regarding development permit area guidelines

### **CHRONOLOGY:**

December 24, 2020 - Development Permit Application Received.  
May 18, 2021 - Development Permit Application presented to the Advisory Planning Commission.

### **PURPOSE OF APPLICATION:**

The application is for the development of a single-family dwelling that is on a lot that is currently vacant and 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.

On September 30, 2019, Council approved Development Permit No. DP000125, which established the minimum geodetic elevation for future residential development due to tsunami hazard at 9.0 metres. The owners have applied for an amendment to Development Permit No. DP000125, which would amend the minimum geodetic elevation from 9.0 metres to 4.73 metres. The proposed lower floor of the residence is situated at a geodetic elevation of 6.17 metres.

The purpose of Development Permit No. DP000154 is to ensure compliance with the development guidelines in Development Permit Area No. 2 "Protection of Development from Hazardous Conditions".

### **CONTEXT:**

Applicants: Laylee Rohani and Dusty Delain  
Owners: Laylee Rohani and Dusty Delain  
Designer: Victoria Design Group

Property Size: Metric: 767 m<sup>2</sup> Imperial: 8256 ft<sup>2</sup>  
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. The proposed single-family dwelling conforms to Zoning Bylaw, 1992, No. 2050.

### **COMMENTS FROM THE ADVISORY PLANNING COMMISSION:**

This application was considered at the regular meeting of the Advisory Planning Commission held on May 18, 2021. Members had no concerns regarding the application but expressed the need for stronger design guidelines for shoreline properties.

The Advisory Planning Commission resolved unanimously that the application be forwarded to Council with a recommendation of approval as the proposal meets the Township's design guidelines.

### **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 proposed development conforms to Zoning Bylaw, 1992, No. 2050 and addresses the development permit area guidelines relating to protection from hazardous conditions.

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

**ALTERNATIVES:**

1. That Council approves Development Permit Amendment No. DP000125 and Development Permit No. DP000154 [Appendix A], and staff be directed to issue the permits and register the notices on the title of the property.

2. That Council denies Development Permit Amendment No. DP000125 and Development Permit No. DP000154 [Appendix A] with reasons.