



# CORPORATION OF THE TOWNSHIP OF ESQUIMALT

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

## Legislation Text

---

File #: 18-254, Version: 1

---

### REQUEST FOR DECISION

**DATE:** June 6, 2018

Report No. DEV-18-037

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

**FROM:** Karen Hay, Planner, and Bill Brown, Director of Development Services

**SUBJECT:**

Development Variance Permit - 801 Esquimalt Road

**RECOMMENDATION:**

That Council resolves that **Development Variance Permit No. DVP00073** [Appendix A] authorizing the parking layout as shown on the site plan prepared by Derek Neale, NSDA Architects, stamped "Received March 23, 2018" and including the following relaxations to Parking Bylaw, 1992, No. 2011, **be approved, and staff be directed to issue the permit and register the notice on the title** of the property located at 801 Esquimalt Road [PID 002-925-729; Parcel B (DD139365I) of Lot A, Section 11, Esquimalt District, Plan 25546 except that part in Plan VIP83622]:

**Parking Bylaw, 1992, No. 2011, Section 11 (1) - Visitor Parking** - A reduction to the requirement that for land zoned multiple family residential 1 of every 4 required spaces shall be clearly marked 'Visitor' and available for use by non-occupants of the Parcel at all times. [ie. from 1 of every 4, to 1 of every 10.5 required spaces];

**Parking Bylaw, 1992, No. 2011, Section 13(1)(a)(iv) - Parking Requirements - Number of Off-Street Parking Spaces** - A reduction to the number of required off-street Parking Spaces, from 42 spaces to 37 spaces [ie. from 1.3 spaces per dwelling unit to 1.16 spaces per dwelling unit];

**Parking Bylaw, 1992, No. 2011, Section 14. (4) - Dimensions Of Off-Street Parking Spaces** - An exemption to the requirement that where any parking space abuts a portion of a fence or structure, the minimum stall width shall be increased by 0.3 metres for that parking space, for those parking spaces abutting a structural post in the covered parking area.

**RELEVANT POLICY:**

Official Community Plan Bylaw, 2006, No. 2646

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

## STRATEGIC RELEVANCE:

This Request for Decision supports the following specific strategic objective:  
Support community growth, housing and development consistent with our Official Community Plan.

## BACKGROUND:

### Appendices

Appendix A - DVP00073 - 801 Esquimalt Road

Appendix B - Air Photo, DVP Mail Notice

Appendix C - Architect's Plans and Property Manager's Letter

### Purpose of the Application

This application is for a development variance permit to legitimize the parking situation that has existed for many years, and to allow the current owner to add one additional suite to the building, without providing additional parking. A development variance permit is required for the parking before a building permit could be issued for the new bachelor suite.

### Context

Applicant/ Architect: Derek Neale, NSDA Architects  
Owner: Capreit, Mark Kennedy, C.O.O.  
Property Size: Metric: 2043 m<sup>2</sup> Imperial: 6703 ft<sup>2</sup>  
Existing Land Use: Multiple Family Residential (Apartment)  
Surrounding Land Uses: North: Commercial  
South: Townhouse Residential  
East: Townhouse Residential (City of Victoria)  
West: Two Family Residential  
Existing Zoning: RM-4 [Multiple Family Residential] [No change required]

### Zoning and Parking

The building currently contains thirty-one (31) suites that were built with the benefit of a building permit. The owner wishes to create one additional suite from an existing 'hobby room'.

The development variance permit would legitimize the parking situation, providing the maximum number of spaces that meet the size standards of Parking Bylaw, 1992, No. 2011, without requiring an alteration to the landscaping. The parking area would continue to have maneuvering aisles that are non-conforming, as they are slightly narrower than current standards. The owner has proposed to provide a 'persons with disabilities' parking space, to comply with current standards.

	Required	Proposed
Total Spaces	1.3 spaces/unit = 42 spaces	1.16 space/unit = 37 spaces
Visitor Spaces	1 of every 4 spaces for visitors 42 / 4 = 11 spaces	4 spaces

The lack of required parking spaces has not been an issue for this rental apartment building and the parking lot has been functional for many years in its current configuration. The building manager has

indicated that only 20 of the current 36 spaces (56%) are being leased, see Appendix C.

This area of Esquimalt is well served by bicycle lanes, walking and transit. Transit routes 15, 24 and 25 run past this location with the 'Route 15: Esquimalt / UVic' bus running every 10 - 15 minutes on weekdays. This location has a 'Walk Score' of 77 which is considered 'very walkable', and it is approximately a 20 minute walk from downtown Victoria, for the average pedestrian.

### **Comments from the Advisory Planning Commission [APC]**

This application was considered at the regular meeting of the APC held on April 17, 2018. The APC made the following motion:

*The application for a Development Variance Permit authorizing the parking layout as shown on the site plan prepared by Derek Neale, NSDA Architects, stamped "Received March 23, 2018" and including the following relaxations to Parking Bylaw, 1992, No. 2011, for the development located at 801 Esquimalt Road [PID 002-925-729; Parcel B (DD139365I) of Lot A, Section 11, Esquimalt District, Plan 25546 except that part in Plan VIP83622], be forwarded to Council with a recommendation by the Esquimalt Advisory Planning Commission to approve; as parking is not an issue for the existing building.*

*Parking Bylaw, 1992, No. 2011, Section 11 (1) - Visitor Parking - A reduction to the requirement that for land zoned multiple family residential 1 of every 4 required spaces shall be clearly marked 'Visitor' and available for use by non-occupants of the Parcel at all times. [ie. from 1 of every 4, to 1 of every 10.5 required spaces];*

*Parking Bylaw, 1992, No. 2011, Section 13(1)(a)(iv) - Parking Requirements - Number of Off-Street Parking Spaces - A reduction to the number of required off-street Parking Spaces, from 42 spaces to 37 spaces [ie. from 1.3 spaces per dwelling unit to 1.16 spaces per dwelling unit];*

*Parking Bylaw, 1992, No. 2011, Section 14. (4) - Dimensions of Off-Street Parking Spaces - An exemption to the requirement that where any parking space abuts a portion of a fence or structure, the minimum stall width shall be increased by 0.3 metres for that parking space, for those parking spaces abutting a structural post in the covered parking area.*

### **ISSUES:**

#### **1. Rationale for Selected Option**

The APC recommended approval. The additional suite will provide needed housing with little impact on the parking demands in this 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**

This Request for Decision has no significant sustainability and environmental implications.

5. Communication & Engagement

As this application is for a Development Variance Permit, notices were mailed to owners and occupiers of parcels within 50 metres [164 ft.] of the subject property. Notices were mailed on May 28, 2018 [Appendix 'B'] indicating that Council would be considering the requested Development Variance Permit on June 11, 2018. To date, the Development Services Department has received no comments as a result of the notification.

**ALTERNATIVES:**

1. That Council resolves that Development Variance Permit No. DVP00073 [Appendix A] be approved, and staff be directed to issue the permit and register the notice on the title.
2. That Council deny Development Variance Permit No. DVP00073.