



# CORPORATION OF THE TOWNSHIP OF ESQUIMALT

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

## Legislation Text

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**File #:** 18-505, **Version:** 1

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### REQUEST FOR DECISION

**DATE:** December 11, 2018

Report No. DEV-18-089

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

**FROM:** Janany Nagulan, Planner & Bill Brown, Development Services Director

**SUBJECT:**

Development Permit - 485 Head Street

**RECOMMENDATION:**

That Council resolves that Development Permit No. DP000109 [Appendix A] permitting the construction of an accessory building to be used as an art studio consistent with architectural drawings prepared by James Kerr Architect stamped "Received August 24, 2018" and as sited on Certified B.C. Land Survey prepared by Glen Mitchell Land Surveying Inc. stamped "Received August 30, 2018" be approved, 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:**

Official Community Plan Bylaw, 2018, No. 2922

Zoning Bylaw, 1992, No. 2050

Development Application Procedures and Fees Bylaw, 2012, No. 2791

Advisory Planning Commission Bylaw, 2012, No. 2792

**STRATEGIC RELEVANCE:**

This Request for Decision does not directly relate to a specific strategic objective

**BACKGROUND:**

Appendix A: DP000109

Appendix B: Architectural Drawings and Land Survey

Appendix C: Comparison of Proposal to Official Community Plan Development Permit Area Guidelines

Appendix D: Air Photo and Subject Property Map

Appendix E: Green Building Checklist

**Purpose of the Application**

The applicant is proposing an accessory building to be used as an art studio on the property which is zoned West Bay Commercial 2 [C-7A]. The subject property is within six (6) OCP Development Permit Areas therefore a Development Permit is required before a Building Permit could be issued.

### **Context**

Applicant: Deborah Douez

Owner: Deborah Douez & Elizabeth Corcoran

Property Size: Metric: 584.7 m<sup>2</sup> Imperial: 6293.68 ft<sup>2</sup>

Existing Land Use: Tourist Accommodation

Surrounding Land Uses:

North: Single Family Dwelling

South: Commercial

West: Vacant

East: Park

Present OCP Designation: Neighbourhood Commercial Mix-Use

Proposed OCP Designation: Neighbourhood Commercial Mix-Use

Zoning: West Bay Commercial 2 [C-7A]

### **Zoning**

The proposed development of an accessory building on the site is in compliance with the Zoning Bylaw, 1992, No. 2050.

### **Official Community Plan**

#### **Development Permit Guidelines**

The subject property is within six OCP Development Permit Areas:

- Development Permit Area No. 1- Natural Environment
- Development Permit Area No. 2- Protection of Development From Hazardous Conditions
- Development Permit Area No. 4- Commercial
- Development Permit Area No. 7- Energy Conservation and Greenhouse Gas Reduction
- Development Permit Area No. 8- Water Conservation
- Development Permit Area No. 11- West Bay

The applicant has addressed those Official Community Plan guidelines applicable to the development [Appendix C].

### **Summary**

#### **OCP Section 18 Development Permit Area No.1- Natural Environment**

The applicant has stated that the existing landscaping, mature garden and soil will be retained with the exception of one Laurel shrub that will be removed.

Staff has recognized that due to the location and size of the accessory building that stormwater management maybe request at the building permit stage. The Applicant has stated that rainwater would be directed to a ground storage (rock pit) however staff has suggested that the applicant supplement the storage with a rain barrel.

#### OCP Section 24 Development Permit Area No. 7 - Energy Conservation & Greenhouse Gas Reduction

Within Development Permit Area 7 skylights are discouraged as they decrease the insulating values. The proposed accessory building is to be used as an art studio and the skylight will be used as a natural light source.

#### OCP Section 25 Development Permit Area No. 8 - Water Conservation

The applicant is in compliance with the applicable guidelines.

#### OCP Section 28 Development Permit Area No. 11- West Bay

Staff determined that Development Permit Area No. 11 West Bay Guidelines are not applicable to this specific development as it is an accessory building. The accessory building is being constructed with minimal impact to the existing landscaping and designed to be respectful of neighbouring properties and have minimal visual impact on the surrounding areas.

#### Comments from Other Departments

**Engineering Services:** With the preliminary review, the Engineering staff has stated that the proposed accessory building will not have an impact on Engineering aspect of this property.

**Community Safety Services (Building Inspection):** Project will be subject to review for current BC Building Code and municipal bylaw compliance at the time of a Building Permit application.

**Parks Services:** A tree cutting permit application must be completed for all trees to be removed. Application must be approved prior to any removal. Tree protection fencing must be erected at the dripline, for all trees that are being retained, including boulevard trees.

**Fire Services:** No objections.

#### Green Building Features

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

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

The application was considered at the regular meeting of the APC held on September 25, 2018. The Esquimalt Advisory Planning Commission passed a motion that the application for a Development Permit, authorizing construction of an accessory building to be used as an art studio as per architectural plans prepared by James Kerr Architect, stamped "Received August 24, 2018" and BC Land Surveyor Site Plan prepared by Glen Mitchell Land Surveying Inc. stamped "Received August 30, 2018", for the property located at 485 Head Street [PID: 002 - 376-059, Lot A, Section 11, Esquimalt District, Plan 26678] be forwarded to Council with a recommendation by the Esquimalt Advisory Planning Commission to approve; as the proposed development is a good fit for the neighbourhood and a good use of the land.

#### **ISSUES:**

##### 1. Rationale for Selected Option

The Advisory Planning Commission has recommended approval of this application. The accessory building is being constructed with minimal impact to the existing landscaping and designed to have

minimal visual impact on the surrounding areas.

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 represents minimal sustainability and environmental implications.

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 resolves that Development Permit No. DP000109 be approved, 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].
2. That Council resolves that Development Permit No. DP000109 be amended and approved as amended, 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].
3. That Council deny Development Permit No. DP000109.