



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

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

Legislation Text

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REQUEST FOR DECISION

DATE: December 12, 2018 Report No. DEV-18-090

TO: Laurie Hurst, Chief Administrative Officer

FROM: Janany Nagulan, Planner and Bill Brown, Director of Development Services

SUBJECT:
Rezoning Application - 1198 Munro Street

RECOMMENDATION:

That Council resolves that Bylaw No. 2947 [Appendix A], which would amend Zoning Bylaw, 1992, No. 2050, by changing the zoning designation of 1198 Munro Street [PID 005-455-031, Lot 1, Section 11, Esquimalt District, Plan 44436] from RD- 3 [Two Family/Single Family Residential] to CD. No. 114 [Comprehensive District No. 114], be considered for first and second reading; and

That Council authorizes the Corporate Officer to schedule a public hearing for Zoning Bylaw 1992, No. 2050, Amendment Bylaw No. 2947, and to advertise for same in the local newspaper.

RELEVANT POLICY:

Local Government Act
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, 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:

Appendix A: Bylaw No. 2947 - Bylaw to Amend Zoning Bylaw 1992, No. 2050
Appendix B: Air Photo, Maps, RD-3 Zone
Appendix C: Architectural Drawings and Legal Survey
Appendix D: Green Building Checklist

Appendix E: Feedback from Neighbourhood Meetings - August 8, 2018 & November 21, 2018

Purpose of the Application

The applicant is requesting a change in zoning from the current RD-3 zone [Two Family/Single Family Residential] to a Comprehensive Development District Zone [CD] to enable an additional house on the property. The existing house on the property will not be removed; however the existing garage will be removed to construct a new single family dwelling with a rooftop deck. Should the rezoning be approved, the form and character of the building and landscaping would be controlled by a development permit that would be considered by Council at a future date.

Evaluation of this application should focus on issues relevant to zoning such as the appropriateness of the proposed uses, height, density, massing, proposed unit sizes, siting, setbacks, lot coverage, useable open space, parking, how the building relates to surrounding sites; and consistency with the overall direction contained within the Official Community Plan.

Context

Applicant: Duane Ensing [Villimar Design]

Owners: Karen and Byron Rotgans

Property Size: Metric: 958m² Imperial: 10311.8 ft²

Existing Land Use: Single Family Dwelling

Surrounding Land Uses:

North: Single Family Residential

South: Single Family Residential

West: Single Family Residential

East: Charitable Organization Office & Park

Existing Zoning: RD-3 [Two Family/Single Family Residential]

Proposed Zoning: CD [Comprehensive Development District]

Existing OCP Designation: Low Density Residential

Proposed OCP Designation: Low Density Residential [No change required]

Zoning and Parking

The proposed Comprehensive Development District Zone would be consistent with other single unit projects and would contain the following uses: single family residential, home occupation, boarding and urban hens. The applicant has not proposed a secondary suite in the development.

Density, Lot Coverage, Siting and Parking: The following chart compares the floor area ratio, lot coverage, setbacks, building height, and parking of this proposal with the requirements of the RS-1 [Single Family Residential zone] and its current zone RD-3 [Two Family/ Single Family]:

	Current Zone RD-3 [Two Family/ Single Family]	RS-1 [Single Family]	Proposed CD Zone	
			Lot A [West] With existing home	Lot B [East]
Minimum Parcel Size	686 m ²	530 m ²	600 m ²	358 m ²
Floor Area Ratio	0.40	0.35	0.33	0.40
Lot Coverage	35%	30%	25%	34%
Setbacks				
• Front	7.5 m	7.5 m	7.1 m	5.1 m
• Rear	7.5 m	7.5 m	4.2 m	2.1 m
• Side	3.0 m/1.5 m	3.0 m/1.5 m	2.8/2.4 m	5.0/3.4 m
Building Height	7.3 m	7.3 m	5.76 m	6.9 m
Off Street Parking	1 space	1 space	1 space	2 space

Floor Area Ratio [FAR] measures the size of a building (or for all principal buildings on a lot) as a ratio of the area of the lot on which a building sits. The combined FAR of the new proposed dwelling is 0.40 which matches the maximum FAR allowed for a lot less than 800 m² in the RD-3 zone which permits the single family residential use. The applicant has designed this project to generally comply with its current zone, RD-3 requirements; including FAR, lot coverage, and building height.

Esquimalt requires one parking space “behind the front face of the principle building” for a single family residence. This proposal incorporates a single car garage in each unit thereby meeting this regulation. The applicant has held a public consultation meeting and feedback from the meeting indicated that there were concerns raised in regards to available parking. As a result another parking spot is to be added on the proposed east lot.

Official Community Plan

This proposal is consistent with the ‘Present’ and the ‘Proposed’ Land Use Designations applied to the subject property, “Low Density Residential”.

The following policies were considered in evaluating this development application:

Section 5 Housing & Residential Land Use

Objective: Support the expansion of housing types within Esquimalt while addressing concerns such as tree protection, parking, traffic, noise, effects on neighbouring properties, and neighbourhood character.

- Policy: Support the development of a variety of housing types and designs to meet the anticipated housing needs of residents. This may include non-market and market housing options that are designed to accommodate young and multi-generational families, the local workforce, as well as middle and high income households.

- Policy: Consider the inclusion of secondary suites in infill development where it is demonstrated that neighbourhood impacts can be mitigated.

Section 5.2 Low Density Residential Redevelopment

Objective: Strive for redevelopment and infill development that improves and enhances the appearance and livability of neighbourhoods and the community as a whole.

- Policy: Proposed redevelopment or infill within present low density residential land use designated areas should be built to high quality design and landscaping standards and respond sensitively to existing neighbourhood amenities.

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:

Building Inspection: No concerns. Subject to review for Building Code and Bylaw compliance at time of Building Permit application.

Engineering Services: Engineering has completed a preliminary review of the proposed development at 1198 Munro Street. The developer should be aware that they may be required to provide Works and Services up to the road centre line, at the expense of the property owner. The development is to have sewer, drain, catch basin and water service connections, as well as underground hydro, telephone, and cable. At a minimum new curb, gutter and sidewalks along the frontage of the proposed development maybe required. All proposed Works and Services shall be as per Bylaw, 1997, No. 2175. It is the responsibility of the applicant to hire a qualified professional for the design and construction supervision of all Works and Services, including construction costs, engineering fees, administrative fees and as indicated in Bylaw No. 2175. Additional review and comments will be provided upon receipt of detailed engineering drawings.

Fire Services: Fire has no objection to this project.

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

Comments from the Advisory Planning Commission [APC]

This application was considered at the regular meeting of the APC held on October 16, 2018. The APC members were supportive of the application, and passed a motion that the application for rezoning, which would be required in order to subdivide the existing lot into two residential lots in accordance with Proposed Subdivision Survey prepared by Wey Mayenburg Land Surveying Inc. stamped "Received September 17, 2018" and be consistent with the architectural plans provided by Villamar Design stamped "Received September 17, 2018" for the proposed development to be located at 1198 Munro Street [PID 005-455-031, Lot 1, Section 11, Esquimalt District, Plan 44436] be forwarded to Council with a recommendation by the Esquimalt Advisory Planning Commission to approve; as the proposal is a sensitive small lot infill that will gradually increase density and not have

sufficient impact on the community.

ISSUES:

1. Rationale for Selected Option

The Advisory Planning Commission has recommended approval of this application. This proposal complies with the Official Community Plan policies and guidelines for infill housing. A covenant could be registered on title to ensure the following:

- That the space titled "Home Occupation Space" as shown on architectural drawings [Appendix C] cannot be used as a secondary suite.
- That no further development can occur until the subdivision application is approved and that the subdivision would occur as shown in the survey plans provided.

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 proposal before Council would result in a denser urban environment which is generally associated with reduced greenhouse gas emissions. The livability of a development and the neighbourhood contributes to the social and economic sustainability of the community.

5. Communication & Engagement

As this is a rezoning application, should it proceed to a Public Hearing, a notice would be mailed to tenants and owners of properties located within 100 metres (328 ft) of the subject property. Notice of the Public Hearing would be placed in two editions of the Victoria News. Three signs indicating that the property is under consideration for a change in zoning have been installed on the property since September 2018. These signs would be updated to include the date, time, and location of the Public Hearing.

The applicant held two Neighbourhood Meetings [Appendix E]. The first was held prior to the submission of the application on August 8, 2018. The second was held on November 21, 2018 in order to comply with the public consultation procedures of Development Application Procedures and Fees Bylaw, 2018, No. 2971.

ALTERNATIVES:

1. Council read Bylaw No. 2947 a first and second time, and direct the Corporate Officer to schedule a Public Hearing.
2. Council postpone consideration of Bylaw No. 2947 pending receipt of additional information.
3. Council deny first and second reading of Bylaw No. 2947.