



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: March 13, 2019

Report No. DEV-19-027

TO: Laurie Hurst, Chief Administrative Officer

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

SUBJECT:

Development Permit Application - 1379 Esquimalt Road - St. Peter and St. Paul's Church

RECOMMENDATION:

That, subject to Council approval of Heritage Alteration Permit HAP00003, Council resolves that **Development Permit No. DP000117** [Appendix A] authorizing the development of a new ministry centre and multiple family building with landscaping in compliance with the guidelines in the following development permit areas, Natural Environment (DPA No. 1), Energy Conservation and Greenhouse Gas Reduction (DPA No. 7) and Water Conservation (DPA No. 8), and consistent with the architectural plans provided by Number Ten Architectural Group, the 'Landscape Concept Plan' provided by Four Site Landscape Architecture and Site Planning, and the engineering plans provided by Islander Engineering, all stamped "Received March 12, 2019", to be located at 1379 Esquimalt Road / 520 Foster Street (St. Peter and St. Paul's Church) [PID 024-848-905; Lot A (DD EP75276), Suburban Lot 27, Esquimalt District, Plan 5092], be approved, and staff be directed to issue the permit (subject to receipt of the required landscape security) and register the notice on the title of the property; and

That Council resolves that the **Section 219 Covenant** [Appendix B] for the form and character of the new ministry centre and multiple family building, including exterior finishes and landscape amenities, consistent with the architectural plans provided by Number Ten Architectural Group, the 'Landscape Concept Plan' provided by Four Site Landscape Architecture and Site Planning, stamped "Received March 12, 2019", to be located at 1379 Esquimalt Road / 520 Foster Street (St. Peter and St. Paul's Church), be approved and Council direct staff and legal counsel for the Township to coordinate with the property owner to ensure the Section 219 Covenant addressing the aforementioned issues is registered against the property title, in priority to all financial encumbrances.

RELEVANT POLICY:

Official Community Plan Bylaw, 2018, No. 2922

Zoning Bylaw, 1992, No. 2050

Heritage Designation (1379 Esquimalt Road) Bylaw, 1999, No. 2377

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 does not directly relate to a specific strategic objective.

BACKGROUND:

Appendix A: DP000117 - 1379 Esquimalt Road / 520 Foster Street
Appendix B: Covenant (signed by Synod and Society)
Appendix C: Air photo, OCP policy and designation, CD No. 23 zone amended
Appendix D: DPA No. 1, 7 & 8 forms and Green Building Checklist
Appendix E: Plans Received March 12, 2019

Purpose of the Application:

CitySpaces Consulting on behalf of the owner of St. Peter and St. Paul's Church (The Anglican Synod of the Diocese of British Columbia), is requesting a Development Permit, and approval of a Section 219 Covenant for 'form and character', to facilitate the development of the subject property. The proposed development of a new Ministry Centre with 24 units of affordable housing includes a new parking lot and landscaping with new rain gardens, to assist with stormwater management. The form and character of the development will be controlled by a Section 219 Covenant. As this property is not within a form and character development permit area, there are no guidelines to consider.

Context:

Applicant: Deane Strongitharm, CitySpaces Consulting
Owner: The Anglican Synod of the Diocese of British Columbia
Architect: Barry Cosgrave, Number Ten Architectural Group
Property Size: Metric: 6284 m²
Existing Land Use: Church, Parish Hall, Senior's Multiple Family Residence, Cemetery
Surrounding Land Uses:
North: Multiple Family Residential
South: Multiple Family Residential
West: Multiple Family Residential
East: Multiple Family Residential
Existing Zoning: Comprehensive Development District No. 23 [CD-23]
Existing OCP Designation: St. Peter and St. Paul's

Official Community Plan [OCP]:

This site is located within Development Permit Area No. 1 - Natural Environment, Development Permit Area No. 7 - Energy Conservation and Greenhouse Gas Reduction, and Development Permit Area No. 8 - Water Conservation, of the Esquimalt Official Community Plan Bylaw, 2018, No. 2922.

As Council is required to consider all of the Official Community Plan guidelines from these Development Permit Areas in evaluating a DP application, the applicant has submitted a document addressing these guidelines [Appendix D].

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

18.5.1 Lands Free of Development

This site is well away from local waterways so these guidelines are not applicable (NA).

18.5.2 Natural Features

This site currently has several existing natural features such as a rocky area with native Garry Oak ecosystem species and multiple mature native trees which are being preserved. The changes are proposed for a previously disturbed portion of the site.

OCP Section 18.5.3 Biodiversity

The mix of native and ornamental vegetation and the water feature (rain garden) proposed have the potential to offer greater habitat for local species. Any native soil that can be saved on site should assist with the successful establishment of native and ornamental plant species.

OCP Section 18.5.4 Natural Environment

Outdoor lighting will be selected to minimize light pollution levels and meeting the principles of the Dark-Sky Association, while providing for safe movement of pedestrians on site.

OCP Section 18.5.5 Drainage and Erosion

The proposed addition of rain gardens and retention of the larger conifers will help with drainage, particularly in winter months.

OCP Section 18.5.7 Native Bird Biodiversity

The proposed mix of species types and sizes supports the goal of sustaining habitat for native bird populations. The large native tree species contribute important shelter for birds.

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

24.5.1 Siting of buildings and structures

Site layout was largely determined with the rezoning application, with the exception of the connection to the heritage church. The location of the new structure and parking lot allow for separation between the buildings and courtyards for pedestrian enjoyment.

24.5.2 Form and exterior design of buildings and structures

The siting of the buildings allows access at several locations for pedestrians.

24.5.3 Landscaping

Landscaping appears to meet the intent of the guidelines in this section, while balancing the needs for some on-site parking.

24.5.4 Machinery, equipment and systems external to buildings and other structures

Lighting location and principles appear to be well thought out. Heat pumps or other available energy saving heating and cooling systems would be a long-term benefit. Several bike racks are being made available for visitors to the site.

24.5.5 Special Features

Wood frame construction and durable building materials are being proposed for this development. The heritage designated church is being retained.

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

25.5.1 Building and Landscape Design

Having a fairly compact five storey design allows more site area to be available for permeability. The rain gardens' location in the north-west corner of the site should effectively assist with the capture of stormwater, as they are located in the portion of the site with the lowest elevation.

25.5.2 Landscaping - Select Plantings for Site and Local Conditions

It appears that site conditions have been considered in the choice of plantings.

25.5.3 Landscaping - Retaining Stormwater on Site (absorbent landscaping)

Proposed landscaping includes rain gardens, trees, plantings and pavers that will help water slowly absorb into the soils on site. The rain gardens in particular would hold water from each heavy precipitation event and facilitate slow absorption, thereby lessening pressure on local stormwater systems.

25.5.4 Landscaping - Water features and Irrigation systems

An automated irrigation system is proposed.

Section 219 Covenant:

During the Rezoning Application process, the property owners voluntarily executed and registered a Section 219 covenant on the property to restrict building and subdivision of the lot until the form and character of the new building is approved by Council within a future covenant. The new covenant is attached as Appendix B.

Comments from Other Departments:

The plans for this proposal were circulated to other departments and the following comments were received:

Building Inspection: Subject to BC Building Code and Municipal Building Bylaw review at time of building permit application. A fire safety plan for construction and demolition will be required with building permit and demolition permit.

Engineering Services: Engineering has completed a preliminary review of the proposed development at 1379 Esquimalt Road. 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. New curb, gutter and sidewalk along the frontage of the proposed development may be required. The development is to have sewer, drain, catch basin and water service connections, as well as underground hydro, telephone, and cable. Additional review and comments will be provided upon receipt of detailed engineering drawings. All proposed Works and Services shall be as per Bylaw 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.

Fire Services: New fire hydrant mid-block on Foster Street tied into Esquimalt Road main will be

required. Consider aerial apparatus in tree selection along Esquimalt Road and Grafton Street. Existing church fire alarm system will need to be upgraded and connected with the new buildings system. It is important that the existing church hall is removed prior to construction or additional fire measures would need to be put in place.

Parks Services: Should work around the existing Arbutus tree on municipal property. Follow tree preservation notes provided by the consulting arborist, and apply for tree cutting application for the tree removals.

Design Review Committee [DRC]:

The DRC reviewed the application on March 6, 2019. The committee made the following recommendation:

That the Esquimalt Design Review Committee [DRC] recommends that the Development Permit Application for the Natural Environment (DRA No. 1), Energy Conservation and Greenhouse Gas Reduction (DPA No. 7) and Water Conservation (DPA No. 8), authorizing a new development consistent with the architectural plans provided by Number Ten Architectural Group, stamped "Received February 15, 2019", to be located at 1379 Esquimalt Road / 520 Foster Street (St. Peter and St. Paul's Church) [PID 024-848-905; Lot A (DD EP75276), Suburban Lot 27, Esquimalt District, Plan 5092]; and

That the [DRC] recommends that the Form and Character of the proposed development (to be controlled by a Section 219 Covenant) consistent with the architectural plans provided by Number Ten Architectural Group, stamped "Received February 15, 2019", to be located at 1379 Esquimalt Road / 520 Foster Street (St. Peter and St. Paul's Church) be forwarded to Council with the recommendation for approval based on the conditions:

1. That the parking entrance be modified to help celebrate the entrance,
2. Improve the western façade,
3. Reduce the visual massing of the upper floors,

As it conforms to the guidelines of the OCP and its architectural vernacular is appropriate for the location and context.

Note: The plans have been modified to address the concerns of the DRC. The new plans provide additional details by the south (parking) entrance, improvements to the west façade with new Juliette balconies and increased use of the contrasting siding, and reduced massing of the roof line through use of slatted eaves and also breaking the eaves into segments.

ISSUES:

1. Rationale for Selected Option

The DRC has recommended approval, with conditions that the applicant has responded to with revised plans. The proposal largely meets the guidelines of Development Permit Areas No. 1, 7 and 8.

This building will provide needed affordable housing for seniors with an enhanced activity space for the congregation of the church.

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

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

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. DP000117 [Appendix A] be approved, and staff be directed to issue the permit (subject to receipt of the required landscape security) and register the notice on the title of the property, and that staff and legal counsel for the Township coordinate with the property owner to ensure the Section 219 Covenant for form and character is registered against the property title, in priority to all financial encumbrances.
2. Council deny Development Permit No. DP000117 [Appendix A], with reasons.