



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

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

Legislation Text

File #: 19-117, Version: 1

REQUEST FOR DECISION

DATE: April 10, 2019

Report No. DEV-19-034

TO: Laurie Hurst, Chief Administrative Officer

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

SUBJECT:

Rezoning Application - 1158 Craigflower Road

RECOMMENDATION:

1. That Council resolves that Zoning Bylaw, 1992, No. 2050, Amendment Bylaw No. 2957, attached to Staff Report DEV-19-034 as Appendix A, which would amend Zoning Bylaw, 1992, No. 2050 by changing the zoning designation of 1158 Craigflower Road [PID 000-284-025, Lot 1, Section 2, Esquimalt District, Plan 5766], shown cross hatched on Schedule 'A' of Bylaw No. 2957, from RD-3 [Two Family/Single Family Residential] to CD No. 119 [Comprehensive Development District No. 119], be given first and second reading; and

2. That Council authorizes the Corporate Officer to schedule a Public Hearing for Zoning Amendment Bylaw No. 2957, mail notices and advertise for same in the local newspaper.

RELEVANT POLICY:

Official Community Plan Bylaw, 2018, No. 2922

Zoning Bylaw, 1992, No. 2050

Declaration of a 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:

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

BACKGROUND:

Appendix A: Zoning Bylaw, 1992, No. 2050, Amendment Bylaw No. 2957

Appendix B: Subject Property Map, Aerial Map, LUD Map, OCP Policies

Appendix C: Architectural Drawings, Amended Landscape Plan, Surveyor's Site Plan

Appendix D: Green Building Checklist
Appendix E: Developer's Public Consultation Summary
Appendix F: Original Landscape Plan
Appendix G: Public Comments

Purpose of the Application

The applicant is requesting a change in zoning from the current RD-3 [Single Family/Two Family Residential] zone to a Comprehensive Development District zone to accommodate two new single family dwellings.

Evaluation of this application should focus on issues relevant to zoning such as the appropriateness of the proposed height, density and massing, siting, setbacks, lot coverage, usable open space, how the building relates to adjacent and surrounding sites and whether the proposed uses are appropriate and consistent with the overall direction contained within the Official Community Plan.

This site is located within Development Permit Area No. 1 - Natural Environment, No. 3 - Enhanced Design Control Residential, No. 7 - Energy Conservation and Greenhouse Gas Reduction and No. 8 - Water Conservation of the Township's Official Community Plan. If the rezoning application is approved, a Development Permit governing the form and character of the buildings, landscaping, and consistency with guidelines relating to natural environment protection, energy conservation, greenhouse gas reduction, and water conservation would be considered by Council at a future date.

Context

Applicant: Zebra Design [Louis Horvat]
Owner: Artemis Hartt and Nadia Hartt
Property Size: Metric: 790 m² Imperial: 8505 ft²
Existing Land Use: Single Family Residential
Surrounding Land Uses:
North: Single Family Residential
South: Golf Course
West: Single Family Residential
East: Single Family Residential
Proposed OCP Land Use Designation: Low Density Residential [No change required]
Existing Zoning: RD-3 [Single Family/Two Family Residential]
Proposed Zoning: CD No. 119 [Comprehensive Development District No. 119]

Zoning

The following chart compares the floor area ratios, lot coverage, setbacks, height and parking of this proposal with the requirements of the RS-1 zone [Single Family Residential]:

	Proposed CD-119 Zone	RS-1
Parcel Size	2 Parcels at 390 m ² each	Minimum of 530 m ²

Floor Area Ratio	0.36	0.35
Lot Coverage	30%	30%
Setbacks		
• Front	7.5 m	7.5 m
• Rear	7.5 m	7.5 m
• Lot A Side [West]	1.5 m	1.5 m
• Lot A Side [East]	1.8 m	3.0 m
• Lot B Side [West]	1.8 m	3.0 m
• Lot B Side [East]	1.5 m	1.5 m
Building Height	7.3 m	7.3 m
Off Street Parking	1 space/dwelling unit	1 space/dwelling unit

In general, the proposed comprehensive development zone has been created to correspond to the RS-1 zone. Consequently, the applicant has also designed this proposed development to comply with the standards of the RS-1 zone. The main differences between the proposed comprehensive development zone and the RS-1 zone are as follows:

- Floor Area Ratio of 0.36 compared to 0.35
- Minimum parcel size of 390 m² compared to 530 m²
- Side setbacks between the Lot A and Lot B at 1.8 m compared to 3.0 m to allow for a dwelling on a narrow lot
- Minimum lot width of 9.5 m compared to 16 m

Official Community Plan

The proposed development for two single family dwellings is consistent with the Proposed Land Use Designation of 'Low Density Residential' at 1158 Craigflower Road. The two proposed single family dwellings will also have a secondary suite in each of them.

OCP Section 5.1 General: Anticipated Housing Needs in the Next Five Years states an objective to support expansion of housing types within Esquimalt while addressing concerns such as tree protection, parking, traffic, noise, effects on neighbouring properties, and neighbourhood character.

Supporting policies in this section consistent with the proposed development include:

- Support the inclusion of secondary suites within present and proposed low density residential land use designated areas.
- 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.

OCP Section 5.2 Low Density Residential Development states an objective to strive for redevelopment and infill development that improves and enhances the appearance and livability of neighbourhoods and the community as a whole.

Supporting policies in this section consistent with the proposed development include:

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

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:

Community Safety Services:

Building to be constructed to requirements of BC Building Code 2012 and Municipal Bylaws. Applicant must address all issues contained within the Township Development Protocol should application be approved. Plans will be reviewed for compliance with BC Building Code upon submission of a Building Permit application.

Engineering Services:

Engineering staff has completed a preliminary evaluation of Works and Services that would be required at 1158 Craigflower Road. Staff confirms that the design appears achievable on the site and that appropriate works and services are available in the immediate area. If approved, the development must be serviced in accordance with bylaw requirements including, but not limited to, new sewer and drain connections, underground hydro, telephone and cable services and new road works may be required up to the centre line of Craigflower Road. Should the application be approved, additional comments will be provided when detailed civil engineering drawings are submitted as part of a Building Permit application.

Parks Services:

A tree cutting permit is required for any tree removal. Tree protection fencing set up at the drip line to be provided for all the trees to be retained, prior to commencement of site preparation, demolition and construction.

Fire Services:

Fire Services staff has completed a preliminary review of the proposed plans and have no concerns at this time aside from the addressing.

Comments from the Advisory Planning Commission [APC]

This application was considered at the regular meeting of the APC held on February 19, 2019. Members' comments were generally positive, noting that the proposed development fits within the surrounding area. Members expressed a desire to reduce the front setback but the presence of a sanitary sewer main in the front yard inhibits construction closer to the front lot line. Members liked the option of a basement suite in the proposed development.

The APC resolved that the application be forwarded to Council with a recommendation of approval as it is in keeping with the style of the new developments in the Township, and it is consistent with the proposed land use designation of low density residential with the condition that the zone be written as

if the right of way does not exist.

Changes since Advisory Planning Commission

In the amended landscape plan by Zebra Designs, the amount of green area in the front yard has been significantly reduced to accommodate additional paved parking area. This has resulted in 2 less tree plantings in the front yard and a change from green permeable area with ground cover to paved concrete in the amount of 44m² [474 ft²].

Although the amended landscape plan will create additional areas for parking, it will also limit the amount of green space capable of plantings in the front yard. This is further accentuated by the generous front setback that increases the front yard and reduces the rear yard. The original landscape plan has been attached as Appendix F as a comparison.

Although the plantings and landscaping are issues to be addressed at Development Permit Application, the issues of parking and open green space are assessed at the Rezoning Application.

ISSUES:

1. Rationale for Selected Option

The application is consistent with the policy direction contained within the Official Community Plan for a low density residential designated property. This Comprehensive Development Zone has been written to maintain the density and lot coverage of the prevailing RS-1 zones for Single Family Dwellings in creating the same proportion of open space and an appropriate contextual fit as it relates to massing. Moreover, the APC recommended approval of this application.

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, detailing green features that will be considered for inclusion in the development should it be approved [Appendix D].

5. Communication & Engagement

As this is a rezoning application, if approved, notices would be mailed to tenants and owners of properties located within 100 metres (328 feet) of the subject property. Notice of the Public Hearing would be placed in two editions of the Victoria News. Furthermore, a sign indicating that the property is under consideration for a change in zoning has been in place on the Craigflower Road frontage since February 2019 and would be updated to show the date, time, and location of the Public Hearing.

As required by the Township's Development Application Procedures and Fees Bylaw, 2012, No. 2791, the applicant sent notices to properties within 100 metres of the subject property soliciting comments and inviting residents to attend a public open house. This meeting was held from 6pm to 8pm, March 27, 2019 at the Gorge Vale Golf Club on 1005 Craigflower Road. Staff confirms that the applicant has provided the required submissions [Appendix E]. To date, there has been one response from the public regarding this rezoning application. The applicant also solicited

residents in the neighbourhood and received written comments in October and November of 2018 [Appendix G].

ALTERNATIVES:

1. That Council resolves that Zoning Bylaw, 1992, No. 2050, Amendment Bylaw No. 2957, attached to Staff Report DEV-19-034 as Appendix A, which would amend Zoning Bylaw, 1992, No. 2050 by changing the zoning designation of 1158 Craigflower Road [PID 000-284-025, Lot 1, Section 2, Esquimalt District, Plan 5766], shown cross hatched on Schedule 'A' of Bylaw No. 2957, from RD-3 [Two Family/Single Family Residential] to CD No. 119 [Comprehensive Development District No. 119], be given first and second reading; and that Council authorizes the Corporate Officer to schedule a Public Hearing for Zoning Amendment Bylaw No. 2957, mail notices and advertise for same in the local newspaper.
2. Council postpone consideration of Bylaw No. 2957 pending receipt of additional information.
3. Council deny first and second reading of Bylaw No. 2957.