



# CORPORATION OF THE TOWNSHIP OF ESQUIMALT

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

## Legislation Text

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**File #:** 19-256, **Version:** 1

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### REQUEST FOR DECISION

**DATE:** May 21, 2019

Report No. DEV-19-044

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

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

**SUBJECT:**

Rezoning Application - 1158 Craigflower Road

**RECOMMENDATION:**

That Council resolves that Zoning Bylaw, 1992, No. 2050, Amendment Bylaw No. 2957, attached to Staff Report DEV-19-044 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 third reading and adoption.

**RELEVANT POLICY:**

Official Community Plan Bylaw, 2018, No. 2922  
Zoning Bylaw, 1992, No. 2050  
Declaration of 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: 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 m<sup>2</sup> Imperial: 8505 ft<sup>2</sup>  
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
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<b>Parcel Size</b>	2 Parcels at 390 m <sup>2</sup> each	Minimum of 530 m <sup>2</sup>
<b>Floor Area Ratio</b>	0.36	0.35
<b>Lot Coverage</b>	30%	30%
<b>Setbacks</b>		
• <b>Front</b>	7.5 m	7.5 m
• <b>Rear</b>	7.5 m	7.5 m
• <b>Lot A Side [West]</b>	1.5 m	1.5 m
• <b>Lot A Side [East]</b>	1.8 m	3.0 m
• <b>Lot B Side [West]</b>	1.8 m	3.0 m
• <b>Lot B Side [East]</b>	1.5 m	1.5 m
<b>Building Height</b>	7.3 m	7.3 m
<b>Off Street Parking</b>	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 m<sup>2</sup> compared to 530 m<sup>2</sup>
- 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 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 for 2 parking spaces. 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 44m<sup>2</sup> [474 ft<sup>2</sup>].

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.

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, notices have been mailed to tenants and owners of properties located within 100 metres (328 feet) of the subject property. Notice of the Public Hearing has been 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 was updated to show the date, time, and location of the Public Hearing.

As required by the 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 have been two responses 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 F].

**ALTERNATIVES:**

1. Council, upon considering comments made at the Public Hearing, resolves that Zoning Bylaw, 1992, No. 2050, Amendment Bylaw No. 2957 be given third reading and adoption.
2. Council postpone consideration of Bylaw No. 2957 pending receipt of additional information.  
[Receipt of new information from the applicant or the public would require a new Public Hearing]
2. Council defeats Amendment Bylaw No. 2957.