



# CORPORATION OF THE TOWNSHIP OF ESQUIMALT

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

## Legislation Text

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File #: 20-075, Version: 1

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### REQUEST FOR DECISION

**DATE:** January 29, 2020

Report No. DEV-20-010

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

**FROM:** Bill Brown, Director of Development Services

**SUBJECT:**

Exemption to Minimum Frontage Requirements for two proposed lots at 1179 Old Esquimalt Road (Appendix "A") [Strata Lot B Section 11 Esquimalt District Strata Plan VIS6695 Together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on form V] and 1181 Old Esquimalt Road (Appendix "A") [Strata Lot A Section 11 Esquimalt District Strata Plan VIS6695 together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on form V], pursuant to Section 512 (2) Local Government Act as described in Staff Report DEV-20-010.

**RECOMMENDATION:**

That Council, by the resolution of the simple majority of its members present, grant an exemption to the proposed minimum frontage on a highway pursuant to Section 512 (2) of the *Local Government Act* [RSBC 2015] Chapter 1, for:

Proposed Lot 1 from 10% to 8.62 %; and  
Proposed Lot 2 from 10% to 8.11 %

as shown on the plan attached as Appendix "B", as attached to Staff Report No. DEV-20-010. Council further acknowledges that the final approved plan of the subdivision may vary slightly from the one in Appendix "B"; however, the percentage of frontages will not change.

**RELEVANT POLICY:**

Section 512 of the Local Government Act [RSBC 2015] CHAPTER 1  
Zoning Bylaw, 1992, No. 2050  
Official Community Plan Bylaw, 2018, No. 2922

**STRATEGIC RELEVANCE:**

The proposed reductions in frontage neither support nor detract from Council's strategic priorities.

**BACKGROUND:**

The two subject strata lots along with the common property were created on October 30, 2008 with

the registration of Bare Land Strata Plan VIS6695 (Appendix “C”). Prior to the registration of the plan, the property was a single lot. The current owners wish to cancel the strata plan and create two new fee simple lots (Appendix “B”). The net effect is that the existing common property located adjacent to Old Esquimalt Road would be incorporated into the two proposed fee simple lots. A single detached dwelling is currently located on each lot. Neither of the owners of the two lots are proposing any physical changes to the properties. The proposed reduction in frontage is triggered by the new alignment of the lot lines as opposed to any proposed development of either lot. The remaining frontages after subdivision will be more than adequate to accommodate the existing driveways. Furthermore, there will be no perceivable physical impact on the neighbourhood.

## **ISSUES:**

### 1. Rationale for Selected Option

The proposed subdivision would convert the land tenure for the existing two lots from bare land strata (including common property) to fee simple. There are no physical changes proposed for either property. The impact on the physical structure of the neighbourhood will be imperceptible.

### 2. Organizational Implications

There are no organizational implications.

### 3. Financial Implications

There are no significant financial implications.

### 4. Sustainability & Environmental Implications

There are no sustainability or environmental implications.

### 5. Communication & Engagement

There are no requirements for public consultation related to exemptions to the 10 percent frontage rule pursuant to Section 512 (2) of the Local Government Act.

## **ALTERNATIVES:**

1. That Council approved, by simple majority of its members present, an exemption to the minimum frontage for proposed lot 1 from 10 percent to 8.62 percent and for proposed lot 2 from 10 percent to 8.11 percent.
2. That Council resolve, by simple majority of its members present, not to grant an exemption to the minimum frontage of either or both of proposed lots 1 and 2.