



# CORPORATION OF THE TOWNSHIP OF ESQUIMALT

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

## Legislation Text

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File #: 20-227, Version: 1

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### REQUEST FOR DECISION

**DATE:** May 20, 2020

Report No. DEV-20-024

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

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

**SUBJECT:**

Development Permit - 469 Sturdee Street

**RECOMMENDATION:**

That Council resolves that Development Permit No. DP000130 [Appendix A of staff report DEV-20-024] authorizing the design of a two-family dwelling (duplex) to be constructed in accordance with the BCLS Site Plan prepared by Brent Mayenburg, Wey Mayenburg Land Surveying Inc., stamped "Received February 10, 2020", is consistent with the architectural plans prepared by Adapt Design stamped "Received February 19, 2020", and the landscape plan prepared by Small and Rossell, Landscape Architects Inc., stamped "Received February 4, 2020" **be approved, and** (subject to receipt of the required landscape security) **staff be directed to issue the permit, and register the notice on the title of the property** located at 469 Sturdee Street [PID 008-289-123, Lot 16, Suburban Lot 48, Esquimalt District, Plan 822].

**RELEVANT POLICY:**

Declaration of Climate Emergency

*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, No. 2791, 2012

Advisory Planning Commission Bylaw, 2012, No. 2792

Subdivision and Development Control Bylaw, 1997, 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: DP000130

Appendix B: Air Photo, RD-3 zone

Appendix C: Surveyor's Site Plan, Architectural Plans, Landscape Plan, Colourboard

Appendix D: DP Guidelines - Jan 2020 - DPA 1, 3, 7, & 8

Appendix E: Green Building Checklist - Energy Modeling Report - Built Green Checklist

Appendix F: May 2020 - Applicant's Presentation - 469 Sturdee Street

### **Purpose of the Application:**

The applicant is proposing to remove the existing house and construct a new two-unit dwelling (side by side duplex) on the property. The property is located within the Two Family/Single Family residential zone [RD-3].

This site is located within Development Permit Area No. 1 - Natural Environment, Development Permit Area No. 3 - Enhanced Design Control Residential, Development Permit Area No. 7 - Energy Conservation and Greenhouse Gas Reduction, and Development Permit Area No. 8 - Water Conservation of Esquimalt Official Community Plan Bylaw, 2018, No. 2922 [OCP]. A Development Permit is required to ensure that the application is generally consistent with the Development Permit Area guidelines contained within the OCP, and is required prior to a building permit being issued for the construction of a structure.

Evaluation of this application should focus on issues respecting the form and character of the development, including landscaping, exterior design and finish of the buildings in relation to the relevant development permit area guidelines. In addition, evaluation should focus on; natural environment protection, energy conservation, greenhouse gas reduction, and water conservation, in relation to the relevant development permit area guidelines.

### **Context:**

Applicant: Larry Tschritter, Citta Construction Ltd.

Owner: Mike Dalton, Citta Construction Ltd., Inc. No. BC0212174

Designer: Josh Collins, Adapt Design

Property Size:        Metric: 759.4 m<sup>2</sup>                      Imperial: 8174 ft<sup>2</sup>

Existing Land Use: Single Family Residential

Surrounding Land Uses:

North: Two Family Residential

South: Single Family Residential

West: Single Family Residential

East: Single Family Residential

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

OCP Proposed Land Use Designation: Low Density Residential [no change required]

### **Zoning and Parking Analysis:**

The following chart summarizes many of the requirements contained within the Zoning Bylaw 1992, No. 2050 - Two Family/Single Family Residential [RD-3] zone [Appendix B]. The proposed building is in compliance with the requirements of this zone, and the parking requirements of Parking Bylaw

1992, No. 2011.

	<b>RD-3</b>
<b>Units</b>	2 units
<b>Floor Area Ratio</b>	0.40
<b>Lot Coverage</b>	30 %
<b>Setbacks</b>	
• Front	7.5 m
• Rear	7.5 m
• Interior Side [East]	1.5 m
• Interior Side [West]	3.2 m
<b>Building Height</b>	7.0 m
<b>Off Street Parking</b>	2 spaces

### **Official Community Plan [OCP] Analysis:**

This site is located within Development Permit Area No. 1 - Natural Environment, Development Permit Area No. 3 - Enhanced Design Control Residential, Development Permit Area No. 7 - Energy Conservation and Greenhouse Gas Reduction, and Development Permit Area No. 8 - Water Conservation. The guidelines of these Development Permit Areas are contained within 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 moderately sloped site currently has some of the following natural features: a large Gary Oak tree and a rock outcrop in the backyard. Much of the rock outcrop is being preserved. The Gary Oak is located within the building envelope, is in ill health and is being removed. Several new hybrid native trees are proposed.

##### **18.5.3 Biodiversity**

A mix of ornamental vegetation is being proposed, with some existing native species being preserved in the rock outcrop area.

##### **18.5.4 Natural Environment**

Outdoor lighting is proposed to be 'shielded'. This is a quiet area of Esquimalt where street noise is minimal.

##### **18.5.5 Drainage and Erosion**

Driveway rainwater is being directed to the swales. Rock outcrop area with existing native plants should not require irrigation, and where new native plants are added irrigation should only be

necessary for the first couple of years.

#### *18.5.7 Native Bird Biodiversity*

A proposed mix of species types and sizes should help support the goal of increasing habitat for native bird populations. Further use of larger native trees could add to vertical habitat availability for local birds.

#### OCP Section 19 - Development Permit Area No. 2 - Hazardous Conditions [Tsunami]

This site appears to not be included within the latest identified tsunami inundation area.

#### OCP Section 20 - Development Permit Area No. 3 - Enhanced Design Control

##### *Residential Guidelines - 20.5 Duplex Housing*

Some articulation of the front of the building has reduced the visible massing of the second storey from the street, as has the staggered layout. Driveways, patios and pathways are all proposed as poured concrete. A variation of materials could enhance the visual aesthetics, and improved permeability through use of pavers could be considered. There is a good variety in the siding materials proposed which would be complementary to other buildings on the street.

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

##### *24.5.1 Siting of buildings and structures*

Site layout options are limited. Shading of neighbouring outdoor areas should be minimal.

##### *24.5.2 Form and exterior design of buildings and structures.*

Site layout options are limited, the shared wall between the units does provide for enhanced energy efficiency.

##### *24.5.3 Landscaping*

Landscaping plan appears to largely meet the intent of the majority of the guidelines in this section while balancing the needs for on-site parking. The addition of some larger trees could be a benefit to residents and the neighbourhood.

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

Heat pumps are being proposed, and the building would meet a 'Built Green Certification' standard and BC Step Code level 1.

##### *24.5.5 Special Features*

The Hardi shingle and plank materials that are being proposed for the exterior of the new building are considered durable materials. Heat recovery equipment is proposed.

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

##### *25.5.1 Building and Landscape Design*

The landscape plan indicates that stormwater from the driveways will be captured in swales next to each driveway. A narrowing of the driveway width provides for improved permeable area. Improved permeability through use of pavers could be considered.

##### *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 several trees. Plantings will help water absorb into the soils and it appears native soils will be preserved where feasible.

### 25.5.4 Landscaping - Water features and Irrigation systems

Canadian Landscape Standard and BCSLA Landscape Standard are equivalent. Applicant has indicated that this proposal would meet the standards.

### Comments from Advisory Planning Commission:

This application was considered at the regular meeting of the Advisory Planning Commission [APC] held on April 21, 2020. The APC members supported this application and recommended the following:

*“That the application for a Development Permit be forwarded to Council with a recommendation to approve; as the form fits in the neighbourhood and is consistent with the Official Community Plan.”*

### Comments from Other Departments:

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

Community Safety Services (Building Inspection): Project will be subject to review for current BC Building Code and municipal bylaw compliance at the time of a Building Permit application.

Engineering Services: Engineering staff have completed a preliminary evaluation of Works and Services that would be required for the proposed development. According to Subdivision and Development Control Bylaw, 1997, No. 2175, including all schedules, the developer may be required to provide all works and services up to the road centre line. Staff confirms that the design appears achievable on the site and that appropriate works and services are available in the immediate area. The applicant is responsible for retaining the services of a qualified professional for the design and construction supervision of all works and services, including construction costs, engineering fees, administrative costs and contingency allowance, as indicated in Bylaw 2175. Additional comments provided when detailed engineering drawings submitted.

Parks Services: Tree protection fencing will need to be erected at the dripline for all trees, including the boulevard tree and possibly the neighbour's trees. Tree cutting permits are required for all trees that may be removed.

Fire Services: Has no concerns with this proposal.

### ISSUES:

#### 1. Rationale for Selected Option

The Advisory Planning Commission has recommended approval. This proposal has the potential to add two very livable new housing units on an existing lot that currently has one older home and is zoned to permit a two family dwelling.

**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. [Appendix E]

**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. DP000130 [Appendix A] be approved, and subject to receipt of the required landscape security staff be directed to issue the permit and register the notice on the title of the property located at 469 Sturdee Street [PID 008-289-123, Lot 16, Suburban Lot 48, Esquimalt District, Plan 822].
2. That Council resolves that Development Permit No. DP000130 [Appendix A] be updated as directed, and subject to receipt of the required landscape security staff be directed to issue the permit and register the notice on the title of the property located at 469 Sturdee Street [PID 008-289-123, Lot 16, Suburban Lot 48, Esquimalt District, Plan 822].
2. That Council deny Development Permit No. DP000130 [Appendix A], with reasons.