



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

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

Legislation Text

File #: 20-565, Version: 1

REQUEST FOR DECISION

DATE: November 19, 2020

Report No. BOV-20-001

TO: Chair and Members of the Board of Variance

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

SUBJECT:

Board of Variance Application - 815 Elrick Place

ADDRESS:

815 Elrick Place

LEGAL DESCRIPTION:

Lot 18, Section 10, Esquimalt District, Plan VIP14024

BACKGROUND:

The applicant is proposing to construct a detached garage. The proposed accessory building is situated in front of the front face of the Principal Building as the Principal Building is sited in towards the rear of the lot. The proposed accessory building is also closer to the interior side lot line than prescribed by the RS-1 zone in the Zoning Bylaw, 1992, No. 2050.

PROPOSED VARIANCE AND APPLICANTS EXPLANATION OF HARDSHIP:

Zoning Bylaw, 1992, No. 2050, Section 34 (9)(b)(i) - Accessory Building - Front Setback: Exemption from the requirement that no accessory building shall be located in front of the front face of the Principal Building. Alternatively, no accessory building shall be located within 0.99 metres of the Front Lot Line.

Zoning Bylaw, 1992, No. 2050, Section 34 (9)(b)(ii) - Accessory Building - Side Setback: No Accessory Building shall be located within 0.83 metres (0.67 metres decrease from the currently allowed 1.5 metres) of an Interior Side Lot Line. Variance: Enter content here

Hardship:

The applicant states that she is experiencing hardship without a carport.

The siting of the house makes it difficult to locate an accessory building behind the front face of the house.

The applicant feels that the proposed siting of the accessory building is the optimal configuration considering the curve and grade of the existing driveway.

CONTEXT:

Applicant: Adriane Pollard

Owner: Adriane Pollard

Designer: Atelier Carolvs

Property Size: Metric: 816 m² Imperial: 8792 ft²

OCP Land Use Designation: Low Density Residential

Zone: RS-1

Existing Land Use: Single Family Residential

Surrounding Land Uses:

North: Single Family Residential

South: Single Family Residential

East: Single Family Residential

West: Single Family Residential

ZONING ANALYSIS:

Siting Requirements: The proposed accessory building is sited in front of the front face of the Principal Building. Moreover, it is sited 0.99 metres from the Front Lot Line and 0.83 metres from the western Interior Side Lot Line. Within the RS-1 zone, no accessory buildings are allowed to be located in front of the front face of the Principal Building. The required side setback is 1.5 metres from an Interior Side Lot Line.

COMMENTS FROM OTHER DEPARTMENTS:

Community Safety Services (Building Inspection): Building to be constructed to requirements of BC Building Code 2018 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. The Building Official initially had concerns with as the design was not compliant with the limiting distance requirements of the BC Building Code. Subsequently, the applicant provided amended drawings that are compliant with the limiting distance requirements.

Engineering Services: Engineering staff has no concerns with this application.

Parks Services: Parks Services staff has no concerns with this application.

Fire Services: Fire Services staff has no concerns with this application.

PUBLIC NOTIFICATION:

As this is a Board of Variance application, notices have been mailed to tenants and owners of properties that are adjacent to the subject property.