



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

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

Legislation Text

File #: 21-141, Version: 1

REQUEST FOR DECISION

DATE: March 2, 2021

Report No. DRC-21-004

TO: Chair and Members of the Design Review Committee

FROM: Trevor Parkes, Senior Planner and Bill Brown, Director of Development Services

SUBJECT:

Official Community Plan Amendment and Rezoning Application - 819 Esquimalt Road (including 821 and 823 Esquimalt Road)

RECOMMENDATION:

That the Esquimalt Design Review Committee [DRC] recommends that the application for an Official Community Plan amendment to change the 'Proposed Land Use Designations' map by changing the designation applied to the subject properties from 'Neighbourhood Commercial Mixed-Use' to Commercial/ Commercial Mixed-Use and change the "Development Permit Areas' map by changing the applicable Development Permit Area for the subject properties from 'Multi-Family Residential' to 'Commercial'; and the associated Zoning amendment to authorize development of ninety-two (92) seniors multi-family residential units and one commercial unit as sited on the survey plan prepared by J.E. Anderson and Associates Surveyors - Engineers, stamped "Received March 1, 2021", and incorporating the height and massing consistent with the architectural plans provided by Zeidler Architecture, stamped "Received March 1, 2021", detailing the development proposed to be located at 819 Esquimalt Road [PID 009-205-292; Lot 20, Section 11, Esquimalt District, Plan VIP265]; 821 Esquimalt Road [PID 009-205-276; Lot 19, Section 11, Esquimalt District, Plan VIP265]; and 823 Esquimalt Road [PID 006-854-940; Lot 18, Section 11, Esquimalt District, Plan VIP265], **be forwarded to Council with a recommendation to either approve, approve with conditions, or deny the application including reasons for the chosen recommendation.**

RELEVANT POLICY:

Declaration of a 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

Building Regulation Bylaw, 2017, No.2899

STRATEGIC RELEVANCE:

Healthy, Livability, and Diverse Community - Support community growth, housing, and development consistent with our Official Community Plan (OCP).

BACKGROUND:

Appendix A: Architectural Drawings, Shadow Analysis, Concept Landscape Plan, and BCLS Site Plan
Appendix B: Site Plan, Air photo, OCP Proposed Land Use Designation, OCP DP Area, Zoning map.
Appendix C: Applicant's Green Building Checklist
Appendix D: Applicant's Narrative
Appendix E: Applicant's Presentation to the DRC.

Purpose of Application:

This amendment application seeks to change the 'Proposed Land Use Designations' map by changing the designation for the subject properties from 'Neighbourhood Commercial Mixed-Use' to 'Commercial/ Commercial Mixed-Use' and change the 'Development Permit Areas' map by changing the applicable Development Permit Area for the subject properties from 'Multi-Family Residential' to 'Commercial'. These changes are required to allow Esquimalt Council to consider a concurrent application for a change in zoning of the subject properties from the current mix of RM- 4 [Multiple Family Residential] and C-1 [Convenience Commercial] zones to a Comprehensive Development District zone [CD], to accommodate the ninety-two (92) seniors oriented, multiple family residential units and one commercial unit, proposed to be constructed in an eight-storey building on the subject properties.

Evaluation of this application should focus the appropriateness of the change of Proposed Land Use Designation from Neighbourhood Commercial Mixed-Use to Commercial/ Commercial Mixed-Use and the change of Development Permit Area for the subject properties from Multi-Family Residential to Commercial for this location and on issues relevant to zoning such as the appropriateness of the proposed height, density and massing, proposed unit sizes, siting, setbacks, lot coverage, useable 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.

Specific form and character issues relating to the aesthetics of the building, such as cladding materials, window materials, railings, fencing, doorways, and detailed landscaping will be evaluated in a separate application for Development Permit should this rezoning application be approved by Council.

Context:

Applicant:

Jason Craik [Avenir Construction Inc.]

Owner:

Tarnjt Pannu, Gurpreet Randhawa, Avtar Randhawa, Kartar Randhawa, Sharon Chou

Designer:

Zeidler Architecture

Property Size:

Metric: 2031 m² Imperial: 21,861 ft²

OCP Land Use Designation:

Current:

Medium Density Residential/ Commercial/ Commercial Mixed-Use

Proposed:

Neighbourhood Commercial Mixed-Use [*change required to* - Commercial/ Commercial Mixed-Use

Zone:

RM-4 [Multiple Family Residential]/ C-1 [Convenience Commercial]

Existing Land Use:

Fourplex/ Single Family Dwelling/ Retail Store

Proposed Land Use:

93 Unit Commercial Mixed-Use [92 seniors residences and 1 commercial unit constructed in a 8 storey building]

Surrounding Land Uses:

North:

Four and six storey Multiple Family Residential

South:

Single Family Residential

East:

Four storey Multiple Family Residential

West:

Single Family Residential

OCP Analysis:

The proposed amendment to the OCP and Zoning bylaws envisions 92 seniors oriented, multiple family residential units and one, street front, commercial unit constructed in an 8-storey building on the consolidated parcel.

Council can only approve a rezoning that is consistent with the Official Community Plan therefore the

requested change to 'Commercial/ Commercial Mixed-Use' Proposed Land Use Designation [Appendix B] must be considered for approval concurrent to the proposed rezoning.

In addition, as there is a commercial component to the development proposal, amendment of the Development Permit Area applied to this parcel is required. Based on the proposed mixed-use proposal, 8-storeys tall with a proposed density of 2.95 FAR, Development Permit Area (DPA) No. 6: Multi-Family Residential must be amended to DPA No. 4: Commercial to ensure consistency between the OCP and the proposed zoning.

OCP Section 5 - Housing & Residential Land Use

5.1 Anticipated Housing Needs in the Next 5 Years

Objective: Support expansion of housing types within Esquimalt while addressing concerns such as tree protection, parking, traffic, noise, effects on neighbouring properties, and neighbourhood character are addressed.

- Policy - 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.
- Policy - Encourage the development of rental accommodation designed for a variety of demographic household types, including young families.

5.3 Medium and High-Density Residential Redevelopment

Objective: Support compact, efficient medium density and high-density residential development that integrates with existing and proposed adjacent uses.

- Policy - Encourage new medium density and high-density residential development with high quality design standards for building and landscaping and which enhance existing neighbourhoods.
- Policy - Prioritize medium-density and high-density residential development in proposed land use designated areas that:
 1. reduce single occupancy vehicle use;
 2. support transit service;
 3. are located within proximity to employment centres; and
 4. accommodate young families.
- Consider new medium density residential development proposals with a Floor Area Ratio of up to 2.0, and up to six storeys in height, in areas designated on the "Proposed Land Use Designation Map." *Staff note the lands are currently designated as Neighbourhood Commercial Mixed-Use supporting this form of development.*
- Policy - Consider new high density residential development proposals with a Floor Area Ratio of up to 3.0, and up to 12 storeys in height, in areas designated on the "Proposed Land Use Designation Map."
- Policy - A mix of dwelling unit sizes should be provided in medium-density and high-density

residential land use designated areas to meet the varying housing needs of Esquimalt residents.

- Policy - Buildings with shallow setbacks should step down to no more than three storeys at street level to provide an appropriate human scale along the sidewalk.
- Policy - Encourage the incorporation of spaces designed to foster social interaction.
- Policy - Encourage the installation of electric vehicle charging infrastructure in medium and high density.

5.4 Affordable Housing

Objective: To encourage a range of housing by type, tenure and price so that people of all ages, household types, abilities and incomes have a diversity of housing choice in Esquimalt.

- Policy - Encourage the placement of new rental, affordable, special needs, and seniors housing in accordance with designated residential land use areas as they are integral components of inclusive neighbourhoods.
- Avoid the spatial concentration of affordable and special needs housing in neighbourhoods.
- Consider bonus density, parking relaxations or other development variances where a development proposal includes affordable, special needs or seniors housing. This may apply to both market and non-market housing, and mixed-use proposals. A housing agreement may be entered into between the Township and the owner.

5.5 Age-friendly Housing

Objective: To expand and protect seniors housing in Esquimalt to enable citizens to “age in place”.

- Policy - Encourage more accessible housing for people with mobility limitations on the ground floor of medium and high-density residential buildings.
- Policy - Encourage development of more assisted living residences.
- Policy - Encourage the development of seniors housing that is within proximity and accessible to services and amenities.
- Recognize that the provision of bicycle storage may be waived or varied if, in the opinion of Council, there is no demonstrated need, such as in a congregate care facility.

OCP Section 6 - Commercial & Commercial Mixed-Use

6.1 General

Objective: Esquimalt is a complete community where commercial enterprises serve the needs of area residents, local businesses, and visitors.

- Policy - Encourage a mix of uses in the commercial/commercial mixed-use areas.
- Policy - Lands outside the Commercial/Commercial Mixed-use designation on the “Proposed Land Use Designation Map” should not be considered for commercial zoning unless the following criteria are met:
 1. The project is desirable to the community and cannot be appropriately located within established commercial areas;
 2. The density and scale of the project is sensitive to the prevailing character of surrounding lands;
 3. The project, through its exterior finishes enhances the aesthetics of the neighbourhood;
 4. The project’s parking requirements can be satisfied on-site; and
 5. The project’s parking requirements should not unduly affect neighbouring land uses.
- Policy - In commercial mixed-use areas, buildings with a floor area ratio of up to 3.0 for the residential portion of the building may be acceptable.
- Policy - The majority of the frontage for commercial mixed-use buildings at the ground floor, should be commercial.
- Policy - In commercial/commercial mixed-use developments, parking should be located behind or under the building.
- Policy - The installation of electric vehicle charging infrastructure in commercial/commercial mixed-use developments is encouraged.
- Policy - Encourage the provision of amenities such as mini parks/plazas, street furniture, public art and decorative lighting on private lands in all commercial areas.

6.2 Revitalization

Objective: To encourage growth through revitalization and redevelopment of commercial areas.

- Policy - Encourage public and private sector initiatives to improve streetscapes and accessibility for pedestrians and cyclists to all commercial areas.

OCP Section 11 - Transportation

11.2 Walking

Objective: To develop the pedestrian network into the road corridor infrastructure that provides a safe, enjoyable and continuous network to promote its use.

- Policy - Improve existing sidewalks, street furniture, crosswalks and other street amenities to make walking a safer and more enjoyable choice for people of all ages and abilities.
- Policy - Plant trees along the public boulevards to reinforce the role and value of sidewalks as well as provide shade.
- Policy - Sidewalks should be well lit, free from obstructions and wide enough for their busiest

use.

11.4 Public Transit

Objective: To encourage transit orientated development that takes advantage of the transit system and increases use of the transit system.

- Policy - Consider the designation of Esquimalt Road as a future rapid bus route.
- Policy - Support densification along frequent and regional transit routes.

11.7 Public Parking

Objective: To encourage on-site parking with all land use.

- Policy - New developments should meet the needs of the land use designation and bylaws to achieve on-site parking or have variances supported by a parking study.

OCP Section 13 - Environment, Energy & Climate Change

13.3 Reduction of Greenhouse Gas Emissions

Objective: To continue to act on stabilizing GHG concentrations in the atmosphere by reducing emissions.

13.3.3 Building Energy Efficiency

Objective: To reduce building emissions by increasing energy efficiency in new buildings.

- Policy - Adopt best practices based on evolving building technologies and materials.
- Policy - Encourage the adoption of passive, efficient, and renewable energy systems in new buildings and during building retrofits.
- Policy - Pursue higher energy-efficiency performance in new developments, through the achievement of higher steps in the BC Energy Step Code as an amenity associated with rezoning.

13.3.6 Passenger Vehicle Alternatives

Objective: To reduce impact of motor vehicles that derive energy from fossil fuels by increasing capacity for alternative fueling and sharing.

- Policy - Encourage the installation of electric vehicle charging infrastructure in all new multi-unit developments.
- Policy - Pursue the installation of electric vehicle charging capacity in new developments during the rezoning process.
- Policy - Encourage the inclusion of car share in new multi-unit residential developments.

OCP Section 21 Development Permit Area No. 4: Commercial

DPA No. 4: Commercial establishes objectives for revitalization of an area in which commercial use is permitted and for the form and character of commercial development. As the Development Permit is

not being considered at this time it would be inappropriate to address some of the guidelines, with the following exceptions that are relevant to the discussion of zoning and parking issues:

21.5 Guidelines

1. Facades should be appropriate to a pedestrian-oriented shopping area with windows facing the street and doors opening on to the street rather than on to a courtyard or laneway.
2. Ornamental lighting that not only highlights the building but also increases the amount of light falling on to pedestrian areas should be used wherever possible. However, lighting should not create unnecessary glare or shine directly into neighbouring residential properties.
3. Buildings should be designed and sited to minimize the creation of shadows on public spaces.
4. Where possible, weather protection (i.e. awnings and canopies) should be provided above all pedestrian walkways including walkways to on-site parking areas.
5. Off-street parking areas should be located either at the rear of commercial buildings or underground. Surface parking should be screened with landscaping. Large parking areas should contain additional islands of landscaping.
6. The design of new commercial buildings, including areas used for parking, should incorporate Crime Prevention Through Environmental Design (CPTED) principles.
7. Buildings may be located at the front property line in order to create a pedestrian-oriented environment, except where vehicle visibility is affected and, on those streets, where setbacks are required for wider sidewalks, boulevard trees, bus stops and street furniture.
9. Retention and protection of trees and the natural habitat is encouraged wherever possible.

OCP Section 28 Development Permit Area No. 11: West Bay

DPA No. 11: West Bay establishes objectives for the form and character of commercial and multi-family residential development.

28.5 Guidelines

Commercial and Mixed-Use Buildings

1. Locate publicly oriented active uses at grade and at or near the sidewalk edge.
2. Incorporate transparent shop-front windows, frequent entrances, weather protection and pedestrian oriented signage into ground floor facades.
3. A signage and lighting program for any commercial development should be designed as a totality with signs, lighting, and weather protection architecturally integrated from the outset.
4. Provide pedestrian access to storefronts and businesses from the adjacent public street and orient upper storey windows and balconies to overlook adjoining public open spaces.

6. Avoid locating off-street surface or structured parking adjacent to active public streets and open spaces. Locate off-street parking behind or underneath buildings. Laminate or wrap any above ground structured parking with active (residential or commercial) uses to buffer structured parking from public open spaces.

9. Recessed entrances to buildings from the sidewalk or property line are encouraged to provide for door swings, to protect the entrance from rain or snow, and to emphasize building entrances.

10. Incorporate plantings, attractive lighting, signage, paving details, furnishings, street trees and other landscape details to create a comfortable, attractive, unique and well-defined public realm.

Neighbourliness

1. New projects should provide a sensitive transition to nearby, less intensive zones or areas with different uses. Projects on zone edges should be developed in a manner that creates a step in actual or perceived height, bulk and scale between the anticipated development potential of adjacent zones.

2. Buildings and groups of buildings should step down to be similar in height to adjacent buildings. This allows for an effective transition in scale and adequate sunlight penetration into open spaces and adjacent properties.

3. In a mixed-use project adjacent to a less intensive zone, the more compatible use and building type should be sited near the zone edge.

4. Face similar uses across the street and at compatible scales; avoid building scale differences of more than 2 storeys across streets.

5. Locate development to minimize view impacts on existing and planned future development.

6. Buildings should be positioned and scaled to minimize the impact of shadows on adjacent open spaces, buildings, and within the project.

10. Views from upper stories of new buildings should minimize overlook into adjacent private yards, especially in less intensive areas. Following are some strategies which can be used to achieve this guideline:

1. Increase building separation so that the face of the building and hence the windows are setback farther from the property line.
2. Take advantage of site design that reduces impacts by using, for example, an adjacent ground floor area for an entry court.
3. Stagger windows to not align with adjacent, facing windows.
4. Primary windows into habitable spaces should not face interior side-yards.

Green Healthy Buildings and Open Spaces

1. Building design and site planning should reduce the overall “ecological footprint” (energy use, waste, and pollution) of new development while also maximizing livability. This can be achieved by maximizing passive lighting, heating and cooling, providing usable outdoor amenity spaces and being responsive to the existing ecosystems and natural context.

2. Design residential buildings to receive daylight and natural ventilation from at least two sides of the building, or from one side and a roof. Where possible, dwellings should have a choice of aspect: front and back, or on two sides (for corner units).

3. Dwelling units with exterior access on only one side should always face a good view or the direction of the sun (ideally both) and are most suitable as wide frontages with shallow floor plans to allow adequate penetration of daylight.

4. New buildings should not block significant views or solar access to adjacent buildings and open spaces.

5. Incorporate courtyards, greenways, gardens and other common areas as defining elements of projects.

6. Where at-grade space is limited, rooftop patios, gardens and courtyards are encouraged.

7. Retention and infiltration best management practices for rainwater should be used as appropriate.

8. Residential buildings should incorporate direct access to a usable private outdoor space such as a patio, balcony, or upper-level terrace.

The subject properties are also included in the following OCP Development Permit Areas:

- Development Permit Area No. 1 - Natural Environment,
- Development Permit Area No. 7 - Energy Conservation and Greenhouse Gas Reduction,
- Development Permit Area No. 8 - Water Conservation.

Many of these guidelines would be addressed at the Development Permit stage but the following are relevant to the discussion of zoning and parking areas, including the siting of proposed buildings.

OCP Section 18 Development Permit Area No. 1 - Natural Environment is designated for the purpose of establishing objectives for the protection of the natural environment, its ecosystems and biological diversity.

18.5.2 Natural Features - Natural features and areas to be preserved, protected, restored, and enhanced where feasible:

5. Design new development and landscaping to frame rather than block public views.

18.5.4 Natural Environment - Measures to protect, restore and enhance the natural environment (limit noise, light, and air pollution).

Where it is reasonable:

1. Strategically locate leafy trees/ hedges and water features to mask urban noises such as traffic, garbage collection and delivery locations. Consider that leafy rough barked trees, vine covered walls

and natural ground cover materials (mulch, soil) will help dampen urban noise.

4. Place trees and vegetation near sources of air pollution including busy roadways, to assist in reduction of air pollution through the collection of particulate matter on leaves and needles, and absorption of toxic gases, including but not limited to: ozone, nitrogen dioxide, sulfur dioxide, carbon monoxide, carbon dioxide, cadmium, chromium, nickel and lead.

18.5.5 Drainage and Erosion - Measures to control drainage and shoreline erosion.

Where it is reasonable:

4. Maximize the ratio of planted and pervious surfaces to unplanted surfaces, and design paved areas to direct water towards vegetated areas, to help reduce surface run off. Where paved surfaces are needed, intersperse with drought resistant vegetation and trees, to help absorb stormwater, provide shade and reduce the local heat island effect.

OCP Section 24 - Development Permit Area No. 7 - Energy Conservation and Greenhouse Gas Reduction - is designated for the purposes of energy conservation and greenhouse gas reduction.

24.5.1 Siting of Buildings and Structures.

Where it is feasible:

1. Orient buildings to take advantage of site-specific climate conditions, in terms of solar access and wind flow; design massing and solar orientation for optimum passive performance.

2. Build new developments compactly, considering the solar penetration and passive performance provided for neighbouring sites, and avoid shading adjacent to usable outdoor open spaces.

3. In commercial, residential, or commercial mixed-use designated areas with taller developments vary building heights to strategically reduce the shading on to adjacent buildings.

5. Strategically site buildings to sustain and increase the community's urban forest tree canopy cover.

6. Provide space for significant landscaping including varying heights of trees, shrubs and ground covers.

7. Provide intuitive pedestrian access to storefronts and businesses with site connectivity to nearby amenities and services to help promote walking and the use of other active transportation modes.

8. Provide usable outdoor amenities such as seating, food gardens, mini-libraries, and play spaces in semi-public areas to enhance the experience of walking and recreating in the neighbourhood.

24.5.2 Form and exterior design of buildings and structures.

Where it is feasible:

1. Orient larger roof surfaces to the south for potential use of solar panels or photo-voltaic roofing.

2. Use roof designs that reduce heat transfer into neighbouring buildings, helping reduce the local heat island effect and the need for cooling of buildings in warmer months.

3. Place more windows on the south side of buildings to increase solar gain, and fewer/ smaller windows on the north side to minimize heat loss.

8. Add rooftop patios and gardens, particularly food producing gardens, as they can contribute to local resilience, livability, and reduction in greenhouse gas production by reducing food transportation costs.

24.5.3 Landscaping.

Where it is feasible:

2. Choose open space and landscaping over dedicating space to the parking and manoeuvring of private motor vehicles.

4. Use deciduous trees for landscaping along southern exposures, as they provide shade in the summer and allow more sunlight through in the winter.

5. Strategically place taller trees and vegetation on the south and west sides of buildings where there is more direct sun exposure.

6. Strategically place coniferous trees such that they can buffer winter winds.

7. As context and space allow, plant trees that will attain a greater mature size, for greater carbon storage; removal of healthy trees is discouraged as the loss of the ecosystem services provided by larger trees will take many years to recover.

8. Plant trees with a larger canopy cover along roadways and sidewalks, thereby providing shading of paved areas, lowering the heating of paved surfaces and reducing the wind velocities in these pedestrian areas.

9. Plant shorter and sturdier vegetation closer to buildings and other structures, and taller vegetation further away to avoid potential damage from strong winds blowing vegetation against buildings.

11. For parking areas and along boulevard/ sidewalk edges; plant trees to provide shade, store carbon and reduce the heat island effect.

OCP Section 25 - Development Permit Area No. 8 - Water Conservation - is designated for the purpose of water conservation.

25.5.1 Building and Landscape Design.

Where it is feasible:

1. Reduce the burden on built stormwater infrastructure by designing on-site retention systems to retain the first 3 centimetres (1.25") of stormwater on site, per precipitation event.

2. Provide space for absorbent landscaping, including significantly sized trees on the site and by not allowing underground parking structures to extend beyond building walls.

4. Incorporate rain gardens into landscaping and direct rainwater towards vegetated areas.

Zoning Analysis:

As a commercial mixed-use project, the proposed Comprehensive Development District zone would contain the following uses: restaurant, apartment residential and home occupation.

The following chart compares the floor area ratios, lot coverage, setbacks, height, parking and usable open space of this proposal. Zoning Bylaw, 1992, No. 2050 does not currently contain a zone that can accommodate this proposed development.

	Comprehensive Development District [CD]
Commercial Units	1 unit [80sqm]
Residential Units	92 units
Residential Floor Area Ratio	2.95
Lot Coverage	87%
Lot Coverage above Parking Level	50%
Parking Structure Setbacks	
• Front [North – Esquimalt Road]	0.0 m
• Eastern Side	0.0 m
• Western Side	2.0 m
• Rear [South]	0.0 m
Building Setbacks	
• Front [Esquimalt Road]	6.0 m
• Eastern Side	5.0 m [3.0m to Decks]
• Western Side	5.0 m [3.0m to Decks]
• Rear [South]	7.0 m
Building Height	30.0 m [8 storeys plus Rooftop Pergola]
Off Street Parking	41 spaces [No Commercial spaces]
Usable Open Space	15% [Plus Rooftop Patio]

Floor Area Ratio: FAR measures livable space in ratio to the size of the lot on which a building sits. The combined F.A.R of this proposal is 2.95 which is consistent with the maximum FAR of 3.0 identified within the OCP in areas designated for Commercial/ Commercial Mixed-Use. This proposed density delivers 92 seniors housing units and one commercial unit intended to accommodate a coffee shop. Staff note that the current OCP designation for the lands is Neighbourhood Commercial Mixed-Use which has a maximum of 1.5 FAR or 2.0 FAR if the project is exclusively residential use. This translates to an almost 50% increase in density over the current highest potential for the lands.

Lot Coverage: The proposed Lot Coverage is 50% of the site for the visible portion of the building. The proposed Lot Coverage of the underground parkade represents 87% of the site leaving limited opportunities for natural permeability and planting areas.

Setbacks: Staff note that when considering infill development proposals on specific sites, setbacks are often reduced to allow densification, but these reductions must be very carefully considered to ensure the project sensitively integrates into the existing neighbourhood.

The proposed front setback of 6.0 m to the building is modestly shorter than established building setbacks along this portion of Esquimalt Road leaving opportunity for realignment of the sidewalk into the frontage of the site to allow space for the needed vehicle laybys. The parking garage is set virtually to the front lot line leaving limited planting areas on the north face of the building except for the three tree wells designed into the north wall of the parkade.

The proposed rear setback is consistent with the established zoning requirements achieving 7.0 m, however, staff note that the parking area extends hardscape to the rear lot line with the exception of two tree wells designed into the parkade south wall.

The west interior side setback is 5.0m abutting the access driveway to the underground parking area. This setback is intruded upon by proposed decks that extend 2.0 m over the side yard reducing the functional setback to 3.0m for the lower 4 floors.

The east side setback is the same with a 5.0m setback to the building face, reduced to only 3.0m by the decks of units on floors two through four.

Height: Neighbourhood Commercial Mixed-Use developments can be considered up to a height of six storeys measured to the top of the roof from average grade for flat roof buildings. It is, in part, for this reason that an OCP amendment is required as the proposed development achieves a total height of 30.0 m, 26.5 m at the edge of the 8th storey roofline.

The Commercial/ Commercial Mixed-Use land use designation allows for consideration of proposals up to 12 storeys in height.

Staff note that the height of the building is unexpectedly high due to the design choice of including a covered pergola on the roof which must be accommodated in the height calculation (Appendix A, sheet A0.7).

Parking Analysis:

Parking Bylaw, 1992, No. 2011 requires 0.5 parking spaces per unit be provided “behind the front face of the principal building” for seniors oriented multiple family developments and 1 space for every 14 square metres of gross commercial restaurant space. The bylaw would therefore require 52 spaces [46 residential and 6 commercial] be provided to satisfy the parking demand for this proposal.

The applicant proposes to provide only 41 underground parking spaces to service this proposal. Of those spaces, it remains undetermined how many dedicated Visitor Spaces will be provided.

The applicant has committed to commissioning a Parking Study, prepared by a qualified professional, to clarify the parking demand associated with the proposed development and to provide recommendations regarding the number of Visitor spaces and on measures that might be implemented to address the shortfall of parking provided. It is the applicant’s position that none of the on-site parking will be dedicated to the Commercial Retail Unit (CRU).

Staff worked with the applicant to ensure that some on-street parking will be created by the streetscape design on Esquimalt Road. Parking spaces have been created abutting the residential entrance to the building and the coffee shop frontage respectively. It is expected that these spaces would be designated as short-term parking allowing taxi and courier service providers to attend the site and to accommodate moving trucks and larger deliveries, as well as coffee shop patrons, all without impacting the eastbound travel lane.

Staff do not support the proposed design of the Parking Area as presented. It is the opinion of staff that underground parking garages should not exceed 80% of the site to allow for some natural permeability and opportunities for appropriately selected medium and large tree species to root and grow without conflicting with the underground structure or the building. Furthermore the proposed parking area fails to meet the design requirements outlined in Parking Bylaw No. 2011 that ensure spaces can be safely accessed from the manoeuvring aisle, detailing a 6.4m aisle where 6.75m is required. The applicant is aware of staff's concerns and has indicated a willingness to consider amending the underground parkade design subject to the conclusions contained in the parking study.

It is notable that there is regular bus service to this area with transit buses passing both eastbound and westbound past the site regularly on Esquimalt Road.

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 must be supervised by a BC registered architect. No concerns. Construct to current BC Building Code and Building Regulation Bylaw 2017, No. 2899. Subject to code and bylaw review at time of Building Permit application.

Engineering Services:

Engineering staff have completed a preliminary evaluation of Works and Services that would be required for the 93 unit building proposed to be located at 819 Esquimalt 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 and underground hydro, telephone and cable services. New gutter, and curb along the Esquimalt Road frontage may also be required. Should the application be approved, additional comments will be provided when detailed civil engineering drawings are submitted as part of a Building Permit application.

Staff note that the proposed sidewalk location will require the registration of a Statutory Right of Way on the consolidated property title granting rights to the Township and the public to access and repair infrastructure within the private property boundary.

Parks:

Tree protection is required for trees on neighbouring properties as per Tree Protection Bylaw. Should they be needed, the applicant must apply for tree removals through Parks Services and tree replacement requirements will be reviewed at that time.

Fire Services:

Esquimalt Fire Department [EFD] staff note that the applicant must confirm there is adequate water supply for fire protection systems. Sprinklers will be required for this building as per Building Regulation Bylaw 2017, No. 2899. EFD Staff request that any trees proposed for the frontage of the building not impede access to the building via EFD Aerial Apparatus. EFD requests notification when demolition of existing buildings is approved so that Firefighting training may be scheduled. EFD note that a new fire hydrant may be required to ensure adequate access to water in proximity to the proposed building.

ISSUES:

1. Rationale for Selected Option

Approval of this development application would add density along a major road and potentially spark further revitalization of this block of Esquimalt Road. The addition of desirable, seniors-oriented housing close to transit services, and a commercial node offer a variety of services would improve housing choice for seniors currently residing in the area as well as drawing new residents to Esquimalt. Notwithstanding these positives, staff have concerns regarding, shadowing, site impermeability and parking associated with this proposal.

2. Organizational Implications

This Request for Recommendation has no significant organizational implications.

3. Financial Implications

This Request for Recommendation has no significant financial implications.

4. Sustainability & Environmental Implications

The applicant has provided the Township Green Building Checklist identifying features this application intends to include. [Appendix C].

5. Communication & Engagement

As this is a rezoning application, should it proceed to a Public Hearing, a notice would be mailed to tenants and owners of properties within 100m (328 ft) of the subject properties. Signs indicating that the property is under consideration for a change in OCP Designation and zoning have been placed on the Esquimalt Road frontage of the properties and would be updated to reflect the date, time and location of the Public Hearing. Additionally, notice of the Public Hearing would be placed in two editions of the Victoria News.

Applicant Community Open House

The applicant engaged via letter with the local community, particularly owners and occupiers within 100 m of the parcels seeking feedback on the proposed development to comply with the public consultation procedures of Development Application Procedures and Fees Bylaw, 2012, No. 2791. Notice letters were sent to residents requesting feedback on the proposed design on October 19, 2020. Responses to this consultation contributed to a reduction in the size of

the building, increasing setbacks, and a reduction in the number of units to 92 from the originally proposed 110 units. Normally a Community Open House would occur however this mail and website solicitation for feedback was actioned in lieu of that meeting due to the current Public Health Emergency.

ALTERNATIVES:

1. That DRC recommends to Council the application for OCP Amendment and Rezoning be approved including reasons for this recommendation.
2. That DRC recommends to Council the application for OCP Amendment and Rezoning be approved subject to conditions being satisfied, including reasons for this recommendation.
3. That DRC recommends the application for OCP Amendment and Rezoning be denied including reasons for this recommendation.