



# CORPORATION OF THE TOWNSHIP OF ESQUIMALT

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

## Legislation Text

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File #: 21-242, Version: 1

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### REQUEST FOR DECISION

**DATE:** April 21, 2021

Report No. DEV-21-031

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

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

**SUBJECT:**

Development Permit Application - 1048 Tillicum Road

**RECOMMENDATION:**

That Council resolve that Development Permit No. DP000161, attached as "Appendix A" of staff report DEV-21-031, authorizing the form and character of the proposed development of a 5-unit townhouse (in a duplex and triplex configuration), as sited on the survey plan prepared by Glen Mitchell, BCLS, representing Glen Mitchell Land Surveying Inc., stamped "Received March 16, 2021", consistent with the architectural plans provided by Zebra Design, stamped "Received April 20, 2021", and with the landscape plan by Greenspace Designs - Sustainable Landscape Design, stamped "Received April 20, 2021", be approved, and staff be directed to issue the permit, and register the notice on the title of 1048 Tillicum Road [PID 005-010-390; Lot D, Section 10, Esquimalt District, Plan 11683].

**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:**

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

**BACKGROUND:**

Appendix A: Development Permit No. DP000161

Appendix B: Subject Property Map, Air Photo, OCP Land Use Designation Maps

Appendix C: DP Guidelines Questionnaires - DP Areas No. 1, 6, 7 and 8

Appendix D: Bylaw No. 2994 - 1048 Tillicum Road - CD 132

Appendix E: Applicant's Council Presentation

### **Timeline:**

March 16, 2021 - Development Permit Application received

April 14, 2021 - Design Review Committee provides comments

April 20, 2021 - Amended drawing package received addressing DRC comments

April 26, 2021 - Council consideration of approval of Development Permit No. DP000161

### **Purpose of Application:**

The applicant is proposing to build a 5-unit townhouse (one duplex - one triplex configuration) on a 998.9 m<sup>2</sup> lot. The proposed development features contemporary design with a mix of exterior materials and colours. The building design is fortified by robust landscaping which functions both to enhance biodiversity and natural systems as well as to enhance privacy using trees to screen sightlines onto and from adjacent properties as well as to frame views. In addition, the placement of a Garry Oak tree and a Pacific Crabapple tree in the landscape area adjacent to Tillicum Road will help establish an eventual tree canopy along the road. Trees are known to enhance human health and reduce crime as well as filter pollutants from the air and sequester carbon dioxide.

Comprehensive Development District No. 132 of Esquimalt Zoning Bylaw 1992, No. 2050 [Appendix D] has been written to regulate this development.

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 and other structures in relation to the relevant development permit area design 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/ Owner:** Andrew Mills [1175902 B.C. Ltd., Inc. No. BC1175902]

**Designer:** David Yamamoto, Zebra Design

### **Surrounding Land Uses:**

North: 5 Townhouses/ Esquimalt Gorge Park

South: Two Family Residential

West: Single Family Residential

East: Single Family Residential/ Two Family Residential

**Zoning:** Comprehensive Development District No. 132 [CD No. 132]

**OCP Designation:** Townhouse Residential

### **OCP Analysis:**

This site is located within Development Permit Area No. 1 - Natural Environment, Development

Permit Area No. 6 - Multi-Family Residential, Development Permit Area No. 7 - Energy Conservation and Greenhouse Gas Reduction, and Development Permit Area No. 8 - Water Conservation.

A Development Permit is required to ensure that the application is generally consistent with the Development Permit Area guidelines contained within the Esquimalt Official Community Plan Bylaw, 2018, No. 2922 and this permit must be approved by Council and issued by staff prior to a Building Permit being approved for the construction of the building.

As Council is required to consider all the Official Community Plan guidelines from these Development Permit Areas in evaluating this application, the applicant has submitted a document addressing the relevant OCP Design Guidelines. In the attached document, the applicant has responded to every applicable design guideline noting how the proposed design responds to each of the guidelines (Appendix C).

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

The following chart summarizes many of the requirements contained within Comprehensive Development District No. 132 (Appendix D), which was created for this proposal.

	CD-132 Zone	Development Permit Application
Minimum Unit Size	130 m <sup>2</sup>	
Floor Area Ratio	0.7	0.66
Lot Coverage	35 %	34.54 %
Setbacks		
• Front	6.8 m	6.8 m
• Front Deck	4.7 m	4.78 m
• Rear	7.7 m	7.75 m
• Rear Stairs	4.7 m	5.31
• Side		
○ 2-Unit Building (Northeast)	3.0 m	3.11 m
▪ Cantilever	2.64 m	2.75 m
○ 2-Unit Building (Southwest)	7.7 m	8.13 m
▪ Cantilever	7.34 m	7.77 m
○ 3-Unit Building (Northeast)	3.0 m	3.1 m
▪ Cantilever	2.64 m	2.75 m
○ 3-Unit Building (Southwest)	2.9 m	2.95 m
▪ Cantilever	2.54 m	2.59 m
• Building Separation	7.6 m	7.6 m
• Building Separation – Cantilever	6.2 m	6.27 m
Building Height		
• 2-unit building	9.9 m	9.78 m
• 3-unit building	8.5 m	8.42 m
Off Street Parking		
• Resident Stalls	1 per dwelling unit	5
• Visitor Parking Stalls	3	3

Floor Area Ratio: The combined FAR of this proposal is 0.66 which is less than the 0.70 in the CD No. 132 Zone. It is consistent with the maximum FAR of 0.70 identified within the OCP in areas designated for Townhouse Residential. This proposed density delivers five units, four 3-bedroom and den units and one 2-bedroom and den unit.

**Lot Coverage:** The combined Lot Coverage is 34.5% which is consistent with the 35% lot coverage in the CD No. 132. Recent Townhouse Residential projects considered by Council have Lot Coverage more than 30%.

**Setbacks:** The proposed front setback is 4.78 m to the front deck and 6.8 m to the front face of the principal building. The northeastern side setback is 2.75 m to the overhang of the principal building while the southwestern side setback is 2.59 m to the overhang of the principal building. In addition, the rear setback is 5.3 m to the base of the closest stairs accessing the second storey decks but exceeds the 7.5m setback to the foundation of the building. The separation between the buildings is maintained at 7.6 metres on the ground floor but reduces to 6.3 m when the cantilevered portions of the upper floor of both buildings is considered.

**Height:** The proposed building heights are consistent with the Comprehensive Development No. 132 Zone.

**Parking:** Parking spaces are located away from the street frontage therefore would appear as a minor use on this site.

The proposed number and location of parking stalls complies with the requirement of the Comprehensive Development No. 132 Zone.

The maneuvering aisle meets the required minimum width of 7.6 metres serving two rows of parking and has been graded to ensure adequate access is provided to allow the Esquimalt Fire Department to park their apparatus on the property, off Tillicum Road.

There is regular transit service in the area, on Tillicum Road with route #26, and approximately 300 metres away on Craigflower Road with route #14.

### **Comments From Other Departments:**

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

**Building Inspection:** No concerns. Construct to current BC Building Code and Municipal Building Regulation Bylaw, 2017, No. 2899. Subject to code and bylaw review at time of building permit application.

**Engineering Services:** Engineering has completed a preliminary review of the proposed development at 1048 Tillicum Road. The developer should be aware that they may be required to provide Works and Services up to the road centre line. At a minimum new curb and gutter along the frontage of the proposed development may be required. The development is to have sewer, drain, catch basin and water service connections, as well as underground hydro, telephone, and cable. New gutter, curb and sidewalk along the Tillicum Road frontage may also be required. Additional review and comments will be provided upon receipt of detailed engineering drawings. All proposed Works and Services shall be as per Bylaw No. 2175. The applicant is responsible for retaining the services of qualified professional for the design and construction supervision of all Works and Services, including construction costs, engineering fees, administrative fees and as indicated in Bylaw No. 2175.

**Parks Services:** Tree protection must be erected as needed in an effort to protect the trees located on the neighbouring properties. Apply for all tree removals through Parks Services.

**Comments from the Design Review Committee [DRC]:**

This application was considered at the regular meeting of the DRC held on April 14, 2021.

The DRC made the following motion: The Design Review Committee recommends the application be forwarded to Council with recommendation to approve as the development would be an attractive addition to the streetscape with the condition that the applicant ensures that appropriate soil volume is provided for each tree in the Landscape Plan.

Reason: The design is consistent with the relevant Development Permit Guidelines.

In response to the feedback from the DRC the applicant revised the proposal in the following ways:

- Added a notation to the Site Plan (SK-1) confirming the inclusion of a compact tool shed located under the rear deck of Unit 4 to ensure adequate storage is available for tools and a mower to facilitate maintenance of the rear yard by residents of this unit.
- Amended the notation on the Landscape Plan “Planting and Irrigation Notes” to include 12 cubic metres of soil per tree detailed in the plan as requested by the DRC members.

It is the opinion of staff that these changes address the comments provided by the DRC and improve the project.

**ISSUES:**

1. Rationale for Selected Option

The five townhouses, which represent ‘missing middle’ family housing have been designed in a form and character that would be complimentary to the neighbourhood and would offer multiple sustainability benefits. The Design Review Committee has 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

Increasing residential density in existing neighbourhoods is believed to make a community more sustainable. The applicant has committed to installing Level 2 electric vehicle charging stations at all eight parking spaces, providing secure storage for bicycles in each unit, as well as lockups just off Tillicum Road frontage offering opportunities for visitors to choose to cycle to the site, all of which serve to encourage alternative transportation.

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 resolve that Development Permit No. DP000161 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.
2. That Council resolve that Development Permit No. DP000161 be amended 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 subject property.
3. That Council deny Development Permit No. DP000161 with reasons.