



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

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

Legislation Text

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REQUEST FOR DECISION

DATE: July 13, 2021

Report No. APC-21-018

TO: Chair and Members of the Advisory Planning Commission

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

SUBJECT:

Development Permit and Development Variance Permit Application - 1019 Colville Road

RECOMMENDATION:

1. That the Esquimalt Advisory Planning Commission recommends to Council that the application for a Development Permit for a new accessory building sited in accordance with the surveyor's site plan provided by James Worton, B.C.L.S., stamped "Received June 3, 2021" to either approve, approve with conditions, or deny the application including reasons for the chosen recommendation;
2. That the Esquimalt Advisory Planning Commission recommends to Council that the Development Variance Permit including the following variances to Zoning Bylaw, 1992, No. 2050 as delineated in the surveyor's site plan provided by James Worton, B.C.L.S., stamped "Received June 3, 2021" for the property located at PID 006-328-661, Amended Lot 10 (DD 114302-I) Block 20 Section 10 Esquimalt District, Plan 2546 [1019 Colville Road] to either approve, approve with conditions, or deny the application including reasons for the chosen recommendation:

Zoning Bylaw, 1992, No. 2050, 34 (9)(b)(i) - Front Setback: An exemption from the requirement that no Accessory Building shall be located in front of the front face of the Principal Building; instead, no Accessory Building shall be located within 12.4 of the Front Lot Line.

Zoning Bylaw, 1992, No. 2050, 34 (9)(b)(ii) - Side Setback: A 0.4 metre reduction to the requirement that no Accessory Building shall be located within 1.5 metres of a Interior Side Lot Line. [i.e. from 1.5 metres to 1.1 metres]

RELEVANT POLICY:

Official Community Plan Bylaw, 2018, No. 2922
Zoning Bylaw, 1992, No. 2050
Local Government Act
Declaration of Climate Emergency
Parking Bylaw, 1992, No. 2011

Development Application Procedures and Fees Bylaw, 2012, No. 2791
Advisory Planning Commission Bylaw, 2012, No. 2792
Subdivision and Development Control Bylaw, 1997, No. 2175
Green Building Checklist

STRATEGIC RELEVANCE:

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

BACKGROUND:

Appendix A: Aerial Map and RS-1 Zone
Appendix B: Structural Drawings and Surveyor's Site Plan
Appendix C: Applicant's Comments for Development Permit Area Guidelines

PURPOSE OF APPLICATION:

The applicant is proposing to build an accessory building in the form of a carport in front of the principal building.

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. 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. The development permit is required prior to a building permit being issued for the construction of a structure.

Evaluation of this development permit 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 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.

Evaluation of the development variance permit application should focus on the siting of the proposed accessory building as it does not conform to Zoning Bylaw, 1992, No. 2050.

CONTEXT:

Applicant / Owner: Andrew Akehurst

Property Size: Metric: 951 m² Imperial: 10236 ft²

OCP Land Use Designation: Low Density Residential

Zone: RS-1

Existing Land Use: Single-Family Dwelling

Surrounding Land Uses:

North: Two-Family Residential
South: Multiple Family Residential Townhouses
East: Single-Family Residential
West: Single Family Residential

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 the Official Community Plan guidelines from these Development Permit Areas in evaluating this application, the applicant has submitted a document addressing these guidelines.

Development Permit Area No.1 is designated for the purpose of establishing objectives for the protection of the natural environment, its ecosystems and biological diversity.

OCP Section 18.5.2 Natural Features

The applicant notes that all existing trees and vegetation are planned to be retained. Moreover, the proposed accessory building incorporates a green wall.

OCP Section 18.5.3 Biodiversity

No new plantings are proposed.

OCP Section 18.5.4 Natural Environment

The applicant is not proposing new vegetation nor external lighting fixtures.

OCP Section 18.5.5 Drainage and Erosion

The proposed accessory building will incorporate a barrel collection system with a slow release.

OCP Section 18.5.7 Native Bird Biodiversity

All existing trees are proposed to be retained.

Development Permit Area No. 3 is designated for the purposes of establishing objectives for the form and character of intensive residential development.

OCP Section 20.6 Single-unit Infill Housing Guidelines

The applicant states that the proposed accessory building enhances the appearance of the neighbourhood.

Development Permit Area No.7 is designated for the purposes of energy conservation and greenhouse gas reduction.

OCP Section 24.5.1 Siting of buildings and structures

The proposed accessory building is sited to minimize impacts to the trees and vegetation.

OCP Section 24.5.2 Form and exterior design of buildings and structures

The proposed accessory building does not contain any windows.

OCP Section 24.5.3 Landscaping

The applicant is not proposing any changes to the current landscaping.

OCP Section 24.5.4 Machinery, equipment and systems external to buildings and other structures

The proposed accessory building will not contain a heating system nor external lighting.

OCP Section 24.5.5. Special Features

The applicant will use durable building materials with locally sourced wood and building products when possible.

Development Permit Area No.8 is designated for the purpose of water conservation.

OCP Section 25.5.1. Building and Landscape Design

The applicant plans to incorporate a barrel catchment system in addition to the absorbent landscape already in place.

OCP Section 25.5.2. Landscaping - Select Plantings for Site and Local Conditions

The applicant states that the existing trees and vegetation are being retained.

OCP Section 25.5.3. Landscaping - Retaining Stormwater on Site

The applicant states that the existing trees and vegetation are being retained.

ZONING ANALYSIS:

The current zone for the subject properties is RS-1. The proposed accessory building does not conform to Zoning Bylaw, 1992, No. 2050. The applicant is seeking to vary the accessory building's front and side setback. In the RS-1 zone, an accessory building shall not be in front of the front face of the principal building. This proposed accessory building is 13.2 metres in front of the front face of the principal building and 12.45 metres away from the front lot line. The proposed side setback for the 1.1 metres which is 0.4 metres less than the required 1.5 metres in a RS-1 zone.

PARKING ANALYSIS:

The off-street parking requirements consist of one parking space per dwelling unit. For the subject property, this is currently provided by the garage located to the rear of the principal building.

COMMENTS FROM OTHER DEPARTMENTS:

Community Safety Services (Building Inspection):

The building is to be constructed to requirements of BC Building Code 2018 and municipal bylaws. Plans will be reviewed for compliance with BC Building Code upon submission of a building permit application.

Engineering Services:

Engineering staff has no concerns with this application.

Parks:

Parks staff has no concerns with this application.

Fire Services:

Fire Services staff has no concerns with this application.

ISSUES:

Please comment on whether the siting of the accessory building and whether the variances are appropriate.

ALTERNATIVES:

1. Forward the application for a Development Permit and a Development Variance Permit to Council with a recommendation of approval including reasons for the recommendation.
2. Forward the application for a Development Permit and a Development Variance Permit to Council with a recommendation of approval including specific conditions and including reasons for the recommendation.
3. Forward the application for a Development Permit and a Development Variance Permit to Council with a recommendation of denial including reasons for the recommendation.