



# CORPORATION OF THE TOWNSHIP OF ESQUIMALT

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

## Legislation Text

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File #: 22-496, Version: 1

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### REQUEST FOR DECISION

**DATE:** September 27, 2022

Report No. DEV-22-091

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

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

**SUBJECT:**

Development Variance Permit & Development Permit - 856 & 858 Esquimalt Road

**RECOMMENDATION:**

1. That Council approve Development Variance Permit No. DVP000115 attached as Appendix "A" to staff report DEV-22-091, to vary the CD-80 zone for a proposed mixed commercial residential development, as sited on the survey plans prepared by J.E. Anderson & Associates, stamped "Received December 23, 2021", consistent with the architectural plans provided by WA Architects, stamped "Received May 27, 2022", and the landscape plans by LADR Landscape Architects, stamped "Received August 5, 2022", for the properties located at 856 and 858 Esquimalt Road, [PID 002-925-966; Lot 2, Section 11, Esquimalt District, Plan 23904 and PID 026-691-418; Lot A, Section 11, Esquimalt District, Plan VIP80973].
2. That Council approve Development Permit No. DP000166 attached as Appendix "B" to staff report DEV-22-091, for the proposed mixed commercial residential development, as sited on the survey plans prepared by J.E. Anderson & Associates, stamped "Received December 23, 2021", consistent with the architectural plans provided by WA Architects, stamped "Received May 27, 2022", and the landscape plans by LADR Landscape Architects, stamped "Received August 5, 2022", for the properties located at 856 and 858 Esquimalt Road, [PID 002-925-966; Lot 2, Section 11, Esquimalt District, Plan 23904 and PID 026-691-418; Lot A, Section 11, Esquimalt District, Plan VIP80973].
3. That as the Section 219 Covenant, that the applicant has voluntarily agreed to register on the title of the properties located at 856 and 858 Esquimalt Road, [PID 002-925-966; Lot 2, Section 11, Esquimalt District, Plan 23904 and PID 026-691-418; Lot A, Section 11, Esquimalt District, Plan VIP80973] in favour of the Township of Esquimalt attached as Appendix "C" to staff report DEV-22-091 is not yet registered against the property title, in priority to all financial encumbrances with the Land Title and Survey Authority, that Council direct the Director of Development Services not to issue DVP00115 until covenant registration is complete, only issue DP000166 upon receipt of the landscaping security, and then register the permit notices on the titles of the properties.

## RELEVANT POLICY:

Declaration of Climate Emergency  
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  
*Local Government Act*

## 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: Development Variance Permit DVP00115 (variances to the CD-80 zone)  
Appendix B: Development Permit DP000166  
Appendix C: Section 219 Covenant terms  
Appendix D: CD-80 zone, Maps - Air photo, OCP Designations, DP Areas, Zoning  
Appendix E: Architectural Drawings, Landscape Plans, and BCLS Site Plan  
Appendix F: Bunt traffic and parking report  
Appendix G: DPA No.'s 1,4,6,7,8,11 guideline forms and Green Building Checklist  
Appendix H: DVP mail notice - mailed September 20, 2022  
Appendix I: PC Urban Open House invite  
Appendix J: Applicant's Presentation - 856 & 858 Esquimalt Road

The applicant is proposing to build 198 rental apartment dwelling units and 803 square metres of commercial space located in two buildings, over a shared underground parking structure, with a small surface parking lot, and outdoor amenity spaces.

The Comprehensive Development District No. 80 zone (CD-80) [attached in Appendix D] of Esquimalt's Zoning Bylaw 1992, No. 2050 was written to regulate a substantially different comprehensive development, therefore numerous variances including minimum commercial space requirement, lot coverage, siting, and parking space requirements are requested to accommodate the proposed buildings.

## CONTEXT:

**Applicant:** Chris Karu, PC Urban (Esquimalt Road) LP

**Owner:** 852 and 854 Esquimalt Road Ltd.,  
Shawn Smith, PC Urban (Esquimalt Road) LP

**Architect:** WA Architects

**Landscape Architect:** LADR Landscape Architects

**Property Size:** 7,028 m<sup>2</sup> (1101 m<sup>2</sup> + 5927 m<sup>2</sup>)      75648 sq ft

**OCP Land Use Designation:**

Current: Commercial/ Commercial Mixed-use

Proposed: Commercial/ Commercial Mixed-use

**Zone:** Comprehensive Development District No. 80

**Existing Land Use:** Commercial

**Proposed Land Use:** Commercial and Residential Mixed-use

**Surrounding Land Uses:**

North: Residential [RM-4] and Public/ Institutional [P-1]

South: Residential [RM-4]

East: Residential [RM-4]

West: Commercial and Public/ Institutional [P-1]

**OFFICIAL COMMUNITY PLAN ANALYSIS:**

The proposal is consistent with the OCP Land Use Designations, Current: Commercial/ Commercial Mixed-use, and the Proposed: Commercial/ Commercial Mixed-use.

This site is located within Esquimalt Official Community Plan (OCP) Bylaw, 2018, No. 2922, Development Permit Area (DPA) No. 1 - Natural Environment, DPA No. 4 - Commercial, DPA No. 6 - Multi-Family Residential, DPA No. 7 - Energy Conservation and Greenhouse Gas Reduction, DPA No. 8 - Water Conservation, and DPA No. 11 - West Bay.

As Council is required to consider all the OCP guidelines from these Development Permit Areas in evaluating a DP application, the applicant has submitted a document addressing these guidelines [Appendix G].

**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.

**18.5.2 Natural Features**

This site is quite flat, with a gentle slope to the north-east. The site has been paved for many years. With the exception of the trees at the street frontage, the area trees belong to neighbouring properties. There are no public views identified in this location.

**18.5.3 Biodiversity**

As the site has been paved for many years the native soil will not be of value to establishment of new plantings. The proposed landscape plan provides a mix of native and drought tolerant ornamental species that would enhance the existing pedestrian realm. There are no water features proposed. Staff suggested daylighting a portion of the proposed stormwater retention system that consists of a series of retention tanks located along the south-west property boundary.

#### 18.5.4 Natural Environment

New trees and plantings will contribute to a positive urban environment, buffering noise levels and absorbing air pollution from local traffic. Applicant has indicated that lighting will be chosen to minimize light pollution levels, while still providing for safe movement on site.

#### 18.5.5 Drainage and Erosion

Existing trees mostly belong to neighbouring properties. Substantially more trees will exist within this development. The large underground parking structure limits the opportunity to create pervious surfaces. There are no water features proposed.

#### 18.5.7 Native Bird Biodiversity

The proposed mix of species types and sizes should support the goal of increasing habitat for native bird populations. The larger native tree species contribute to improved shelter for native birds.

### **OCP Section 19 - Development Permit Area No. 2 - Hazardous Conditions**

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

### **OCP Section 21 - Development Permit Area No. 4 - Commercial Guidelines**

#### 21.5 Guidelines

Proposed commercial frontage displays plenty of lighting, canopies, windows, and doors facing Esquimalt Road, and with CPTED principles in mind, potential for creation of a pleasant pedestrian environment.

Proposed buildings will cast some shadowing onto the park/ soccer field to the north-west during the mornings (Appendix B - A600).

Garbage receptacles are underground for the residential buildings and tucked into the corner of the commercial building.

### **OCP Section 23 - Development Permit Area No. 6 - Multi-Family Residential Guidelines**

The applicant has indicated that fit within the neighbourhood in terms of size and siting of buildings have been thoughtfully considered; as has residential privacy to the north and east properties, and the pedestrian environment along Esquimalt Road. The buildings along the frontage are stepped back to respect the pedestrian environment at the frontage, with no blank walls or exterior stairs.

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

#### 24.5.1 Siting of buildings and structures

The courtyard/ driveway separation between buildings should facilitate light penetration into the northern building units. Some shadowing of neighbouring residential buildings to the north and north-east is indicated in the afternoons, and on to the park playing field in the mornings (Appendix E - A600). The CD-80 zone provides for 12 storey buildings; the proposed 6 storey structures will cast shadows with less distance but with a more solid lower mass.

Unit pavers and concrete sidewalks designate pedestrian paths through the site. Resident outdoor amenities are provided in multiple locations, at ground level and on roof tops. They also are designed to accommodate a diversity of future residents with children's play areas, putting green, and a dog run.

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

Flat roof areas could accommodate solar panels. Balconies, canopies, and overhangs provide some shading of interiors with generous window sizes providing daylight to the interiors.

Durable exterior finishing materials are indicated on the “material board” (Appendix E - A302).

#### 24.5.3 Landscaping

The landscape plan appears to meet the intent of the guidelines in this section, providing shade, buffering winds, and cooling the site while balancing the needs for on-site parking. At the request of staff a few larger species coniferous trees have been incorporated into the plan in select locations.

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

Exterior lighting is being designed to be low impact and provide security. Applicant has indicated an intent to build to BC Energy Step Code level 3.

Short-term bike racks located adjacent to front entrance to commercial spaces with resident bike rooms in the underground parking garage.

Underground residential parking to be supplied with electrified conduit to every space as required by Parking Bylaw, 1992, No. 2011, Amendment Bylaw (No.7), 2021, No. 3014.

EV charger in commercial parking area and car share car to be provided.

#### 24.5.5 Special Features

Wood frame construction and durable exterior finishing materials are proposed.

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

#### 25.5.1 Building and Landscape Design

Underground retention tanks to capture stormwater from roofs and landscaping. As the underground parking structure is extensive and extends beyond the building walls staff have requested that it not cover more than 80 percent of the site. Current proposal covers 82.7 percent of the site. Staff have suggested that some daylighting of the stormwater system would be a benefit.

#### 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)

Underground retention tanks and landscaping proposed to help remediate stormwater. The site is currently largely paved surface or building with little vegetation.

#### 25.5.4 Landscaping - Water features and Irrigation systems

Automated irrigation system is proposed.

### **OCP Section 28 - Development Permit Area No. 11 - West Bay**

#### **Commercial and Mixed-use Buildings**

- Pedestrian orientation towards Esquimalt Road with transparent windows and weather protection.

- The lobby entrance for proposed residential building A has been recessed.
- A portion of the commercial parking is located behind the building and the landscaping at the frontage softens the effect of the surface parking area.
- No expansive walls are proposed.
- Opportunities for overlook of public spaces by building residents are provided. No residential units are accessible from the street front, but the residential lobbies are accessible and easy to locate from Esquimalt Road.

#### Visual and Physical Connections to the Harbour

- Some upper-level units should provide residents with views of the harbour, as will the Building A roof top amenity space.

#### Neighbourliness

- Neighbouring playing field was considered in the locating of the proposed resident outdoor amenity space.
- Proposing six-storey buildings adjacent to and across the street from several four-storey buildings avoids a dramatic scale difference for building height.
- Buildings oriented and setbacks proposed to limit overlook of neighbouring yards.

#### Architectural Concept: Achieving a Human Scale

- Setbacks, articulation, visual interest, placemaking, and unified design contribute to achievement of human scale guidelines.
- Commercial spaces distinguished from residential spaces by variation of architectural elements, windows, awnings, lighting, woodgrain support structure, and signage.
- Modern material palette with some woodgrain material and brick has been proposed (Appendix E- A302).

#### Green Healthy Buildings and Open Spaces

- Applicant has indicated an intent to build to BC Energy Step Code level 3.

#### **ZONING ANALYSIS:**

Comprehensive Development District No. 80 (CD-80) was written to accommodate a considerably different proposal (two 12 storey buildings) and was conceived under a previous OCP. The CD-80 zone was adopted on February 20, 2012. This predates the current Esquimalt OCP which was adopted on June 25, 2018. The current proposal complies with the permitted uses, and the density allowed in the CD-80 zone. Therefore, it is not necessary to rezone the properties, but numerous variances are being requested, including reduced commercial space, increased lot coverage, different setbacks, and specific allocation of and numbers of parking spaces.

#### **Commercial Space:**

The CD-80 zone was written to accommodate and secure the provision of 934 square metres of commercial space. The current proposal offers 802.9 square metres of commercial space in two units. Therefore, the the DVP requirements would replace the Section (5) Commercial Space requirement with the following:

The minimum Floor Area dedicated to Commercial Uses shall not be less than 802 square metres, comprising at least 2 commercial units, with the smallest commercial unit measuring not less than

115 square metres.

**Lot Coverage:**

The CD-80 zone did not recognize the lot coverage of an underground parking structure as it is a relatively new phenomenon that parking structures are built to extend to or near the parcel edges. Therefore, the DVP requirements would replace the (7) Lot Coverage section with the following:

**(7) Lot Coverage**

(a) Principal Buildings shall not cover more than 83% of the Area of the Parcel including a parking structure.

(b) Notwithstanding 7(a), that portion of the Principal Building constructed at or above the First Storey shall not cover more than 50% of the Area of the Parcel.

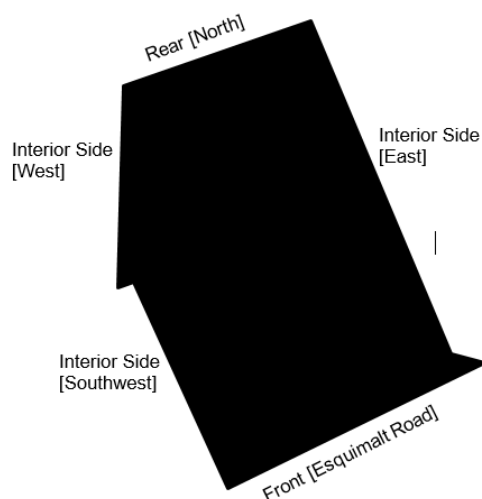
Staff did request the applicant keep the lot coverage for the parking structure to less than 80% of the parcel to improve permeability and available space for tree planting.

**Siting Requirements:**

There is a right-of-way proposed along the Esquimalt Road frontage to provide an enhanced public realm in perpetuity. The proposed buildings have considerably different shape and situation on the site than the original proposal intended by CD-80 therefore, the DVP requirements will replace the Section (8) Siting Requirements section with the following:

**(8) Siting Requirements**

Within this CD-80 Zone, lot lines and setbacks shall be determined in accordance with Figure 1 (below).



**Figure 1.**

(a) Principal Buildings

- (i) No Building shall be located within 7.1 metres of the Front [Esquimalt Road] Lot Line.
- (ii) The northwest wing of the southern Principal Building [Building A] shall not be located within 4.3 metres of the Interior Side [West] Lot Line.
- (iii) The southwest corner of the southern Principal Building [Building A] shall not be located within 3.1 metres of the Interior Side [Southwest] Lot Line.
- (iv) The western wing of the southern Principal Building [Building A] shall not be located within 11.9 metres of the Interior Side [East] Lot Line.
- (v) No Building shall be located within 7.5 metres of the Rear [North] Lot Line.
- (vi) The northern Principal Building [Building B] shall not be located within 7.7 metres of the Interior Side [East] Lot Line.
- (vii) The northern Principal Building [Building B] shall not be located within 6.4 metres of the Interior Side [West] Lot Line.
- (viii) The separation between the east wing of the southern Principal Building [Building A] and the south wing of the northern Principal Building [Building B] shall not be less than 17.5 metres.
- (ix) The separation between the northwest wing of the southern Principal Building [Building A] and the west wing of the northern Principal Building [Building B] shall not be less than 12.5 metres.
- (x) The separation between the northwestern wing of the southern Principal Building [Building A] and the south wing of the northern Principal Building [Building B] shall not be less than 20.0 metres.

(b) Principal Building Siting Exceptions

- (i) Notwithstanding Section 10 (a) within CD-80 the minimum distance to a Lot Line may be reduced by not more than the following distances to accommodate the parking structure situated below the First Storey of a Principal Building:
  - 1. Front [Esquimalt Road] Lot Line: 3.0 metres
  - 2. Rear [North Side] Lot Line: 7.0 metres
  - 3. Interior Side [East] Lot Line: 1.5 metres
  - 4. Interior Side [West] Lot Line: 5.5 metres
- (ii) Notwithstanding Section 10 (a) The minimum distance to the Front [Esquimalt Road] Lot Line may be reduced by not more 2.2 metres to accommodate a canopy attached to and forming part of the southern Principal Building [Building A].
- (iii) Notwithstanding Section 10 (a) The minimum distance to the Interior Side [East] Lot Line may be reduced by not more 1.0 metres to accommodate a covered entrance architectural feature on the second storey attached to and forming part of the northern Principal Building [Building B].



(iv) Notwithstanding Section 10 (a) The minimum distance to an Interior Side [West] Lot Line may be reduced by not more 1.0 metres to accommodate a balcony attached to and forming part of the southern Principal Building [Building A].

(v) Notwithstanding Section 10 (a) The minimum distance to a Rear [North] Lot Line may be reduced by not more 1.0 metres to accommodate a balcony attached to and forming part of the northern Principal Building [Building B].

(vi) Notwithstanding Section 10 (a) The minimum distance to an Interior Side [East] Lot Line may be reduced by not more 1.0 metres to accommodate a balcony attached to and forming part of the Principal Building [Building B].

(vii) Notwithstanding Section 10 (a) The minimum distance between two principal buildings may be reduced by not more than 3.2 metres to accommodate balconies attached to and forming part of the Principal Building.

(viii) Notwithstanding Section 10 (a) stairs to the underground parkade located between the Principal Buildings shall be except from a building separation setback.

## **PARKING ANALYSIS:**

The Comprehensive Development District No. 80 (CD-80) zone has very specific parking requirements that replace the Parking Bylaw, 1992, No. 2011 requirements.

The parking for this proposal would be provided in a two-level underground parking structure with a surface lot for commercial and loading use. There are no townhouses with this proposal. There is a lower total number of parking spaces proposed than the total number listed in CD-80. There are however numerous bicycle parking spaces proposed and the applicant has indicated they would have a car share program at this site. The applicant has provided a report by Bunt & associates, that supports the proposed parking with transportation demand management measures as proposed (Appendix F).

The DVP would replace the above Section 10 requirements with the following:

### **(10) Off Street Parking**

Notwithstanding Section 13 of Parking Bylaw, 1992, No. 2011 (as amended), the minimum number of required off street parking spaces shall be provided as follows:

(a) Commercial Use = 29 spaces for 802 m<sup>2</sup> of commercial space (i.e., 1 space per 28 m<sup>2</sup> of commercial space).

### **(b) Dwelling Apartment Use:**

- (i) 211 spaces shall be provided,
- (ii) with a minimum ratio of 1.065 spaces per dwelling unit,
- (iii) including a minimum of 6 persons with disabilities spaces,
- (iv) including a minimum of 19 spaces designated for and marked "Visitor", and
- (v) including 1 (one) space designated for a car share vehicle and marked "Car

Share

Space”.

- (c) Two loading spaces shall be provided in the surface parking area having dimensions of not less than 3 metres in width and 7.5 metres in length and shall be clearly designated for and marked as a “Loading” area.
- (d) Bicycle parking stalls for at least 240 bicycles with a minimum 234 long-term stalls inside the building, and a minimum 10 short-term stalls at the surface level in at least three bike racks.

#### **SUMMARY OF SECTION 219 COVENANT TERMS:**

As the applicant wishes to assure Council that uses and development will be restricted and amenities provided as identified, the applicant has voluntarily agreed to register a Section 219 Covenant on the title of the subject properties’ (Appendix C). Summarized here for convenience as:

- Lot consolidation of 856 Esquimalt Road [PID 002-925-966; Lot 2, Section 11, Esquimalt District, Plan 23904] and 858 Esquimalt Road [PID 026-691-418; Lot A, Section 11, Esquimalt District, Plan VIP80973] prior to development, as the proposed CD No. 80 Zone (and requested variances) does not work unless the parcels are consolidated,
- The number of residential dwelling units in the new development will remain at not more than 198,
- Build both buildings to achieve BC Energy Step Code, Step Level 3 for the residential portions of the buildings,
- Provision of at least one electric carshare vehicle onsite for the use of the public and residents with charger, and 63 memberships for residents (number of memberships supported by Modo)
- Provide at least 2 publicly accessible electric vehicle chargers in the commercial parking area
- 20 Visitor parking spaces to be secured in the underground parking garage for use of non-residents
- Bicycle parking - 3 indoor bicycle storage rooms with at least 234 long-term parking stalls -with electric charging infrastructure for E-bikes.
- Provision of 3 outdoor racks for bikes, near the large commercial unit front doors and the main entrances to the residential buildings (Building A and Building B) for at least 6 bicycles
- Play space investment in structures worth at least \$20,000
- Public art worth at least \$50,000 (inclusive of all materials, design fees, consultant fees, etc.) Not restricted to local artists but preference will be given to BC artists
- Stormwater retention tank(s) as shown in the Westbrook preliminary plan, or as approved by Township’s Director or Manager of Engineering, and
- Provision of a conduit to facilitate the possible future burying of the utility lines along the street frontage. (Though staff requested that the utility lines along Esquimalt Road be buried, the applicant has found considerable resistance from the utility companies making this not feasible at this time.)
- Replacement of the median in front of the properties on Esquimalt Road that will temporarily be removed to facilitate building construction.

#### **COMMENTS FROM OTHER DEPARTMENTS:**

Community Safety Services (Building Inspection): This project requires the services of an architect.

Retaining walls and accessory structures may require a separate Building Permit. Subject to review for Building Code and Bylaw compliance at time of Building Permit application.

Engineering Services: The proposed development is to have Services as per Bylaw 2175 (Subdivision and Development Control Bylaw) including, but not limited to new sewer and drain service connections, new curb/gutter/sidewalk along the frontage, repaving up to the road center line and underground H/T/C to the proposed development.

It is the responsibility of the applicant to hire a qualified professional for the design and construction supervision of all Works and Services, including construction costs, engineering fees, administrative fees, as indicated in Bylaw No. 2175. Additional comments will be provided when a Civil Engineering drawing has been received.

A Traffic Impact Assessment and a Sewer Impact Assessment should also be completed.

Parks: A tree cutting permit application must be submitted for all trees requested to be removed. All trees and landscaping must be watered by the irrigation system. (Note: The proposed street trees will be the private property owners' responsibility, as they will be on the private property.)

Fire Services: Hydro lines along Esquimalt Road frontage should be undergrounded. (*Only utility lines, applicant will install a conduit for future undergrounding.*) New hydrant required to be within 45 metres of the Fire Department Connection. Fire Department Response Point is required to be within 3 -15 metres of the curbside. Residential Lobby for Building B will need to include a Fire Lane to get the apparatus to correct distance-also ensure that the parkade is weighted to have multiple apparatus including the aerial above it in the drive path. An auto-turn drawing will need to be provided to demonstrate that the aerial apparatus can access Building B. Columnar trees should be considered on the Esquimalt Road frontage to ensure overhead clearance for fire department apparatus.

### **RECOMMENDATION FROM DESIGN REVIEW COMMITTEE (DRC)**

The development permit application was considered at the regular meeting of the DRC held on November 10, 2021. The committee made a recommendation to approve for the reasons that the proposal has presented carefully considered massing, appropriate density for the site, and a good street-facing pedestrian experience, with the condition that a possible apiary on the rooftop is properly supported with the necessary amenities.

### **RECOMMENDATION FROM ADVISORY PLANNING COMMISSION (APC)**

This development variance permit application was considered at the regular meeting of the DRC held on November 16, 2021. The committee made a recommendation to approve for the reasons that the proposal meets the OCP goals, the increased density fits the context well, and would be a great addition to this area of Esquimalt Road, given the design.

### **ISSUES:**

#### **1. Rationale for Selected Option**

The Ministry of Environment contaminated site investigation has now concluded with the Director of Development Services having received a copy of the Certificate of Compliance.

The proposed development does not increase the density over the permitted within the current CD

-80 zone, and the uses proposed are permitted within the CD-80 zone, therefore, a rezoning application is not necessary for this proposal. As the CD-80 zone was written for a very different proposal there are a considerable number of variances requested. As the applicant wishes to assure Council that the parcel will be used as presented, they have offered to place a Section 219 covenant on the subject properties.

The proposal would bring 198 new rental homes to Esquimalt and two new commercial spaces, with beneficial frontage improvements along Esquimalt Road, on a site that has been underutilized for years.

The Advisory Planning Commission has recommended approval of the development variances, and the Design Review Committee was satisfied with the form and character of the proposed development and recommended approval.

2. Organizational Implications

This Request for Decision has no significant organizational implications.

3. Financial Implications

This Request for Decision has no significant financial implications.

4. Sustainability & Environmental Implications

The applicant has completed the Esquimalt Green Building Checklist.

5. Communication & Engagement

As this proposal includes a Development Variance Permit application, notices were mailed to property owners and occupants within 50 metres of the subject property on September 20, 2022 (Appendix H). The applicant held a courtesy open house for residents on September 16, 2021 (Appendix I).

**ALTERNATIVES:**

1. That Council approve Development Variance Permit No. DVP000115 and Development Permit No. DP000166, and subject to registration of the Section 219 covenant and 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 856 and 858 Esquimalt Road, [PID 002-925-966; Lot 2, Section 11, Esquimalt District, Plan 23904 and PID 026-691-418; Lot A, Section 11, Esquimalt District, Plan VIP80973],
2. That Council resolves that Development Variance Permit No. DVP000115 and Development Permit No. DP000166 be updated as directed, and subject to registration of the Section 219 covenant and 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 856 and 858 Esquimalt Road, [PID 002-925-966; Lot 2, Section 11, Esquimalt District, Plan 23904 and PID 026-691-418; Lot A, Section 11, Esquimalt District, Plan VIP80973],
3. That Council deny Development Variance Permit No. DVP000115 and Development Permit No. DP000166, with reasons.