



# CORPORATION OF THE TOWNSHIP OF ESQUIMALT

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

## Legislation Text

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File #: 22-497, Version: 1

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### REQUEST FOR DECISION

**DATE:** September 27, 2022

Report No. DEV-22-092

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

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

**SUBJECT:**

Development Permit - 1223 Colville Road

**RECOMMENDATION:**

That Council approve Development Permit No. DP000187 [Appendix A of staff report DEV-21-092] authorizing the design of a two-family dwelling (duplex) to be constructed at 1223 Colville Road [PID 004-085-710; Lot 12, Block 16, Section 10, Esquimalt District, Plan 2546] in accordance with the BCLS Site Plan prepared by Summit Land Surveying, Received August 9, 2022", the construction drawings by Adapt Designs, Received August 9, 2022", the landscape plan by Greenspace Designs, all stamped "Received April 27, 2021", 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.

**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:

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

**BACKGROUND:**

Appendix A: DP000187

Appendix B: RD-3 zone

Appendix C: Maps (ortho, zoning, OCP present and proposed designation, DP areas)

Appendix D: BC Land Surveyor's site plan, Architectural plans, and Colourboard

Appendix E: Landscape plan

Appendix F: Arborist's report

Appendix G: DP Guidelines - DPA No. 1, 3, 7, and 8 and Green Building Checklist

Appendix H: Applicant's presentation

### **PURPOSE OF APPLICATION:**

The applicant is proposing to remove the existing house and construct a new two-unit dwelling (side by side duplex) on the property. The property is in the Two Family/ Single Family Residential zone [RD-3].

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, of the Esquimalt Official Community Plan Bylaw, 2018, No. 2922.

A Development Permit is required, to ensure that the application is generally consistent with the Development Permit Area guidelines contained within the OCP. And is required prior to a building permit being issued for the construction of a structure.

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 in relation to the relevant development permit area 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:** Mehdi Khataw, Khataw Development

**Owner:** 1348151 B.C.LTD, INC.NO. BC1348151, Surrey, BC

**Designer:** Josh Collins, Adapt Designs

**Property Size:** 665 m2

### **OCP Land Use Designation:**

Current: Low Density Residential [no change required]

Proposed: Low Density Residential [no change required]

**Zone:** Two Family/ Single Family Residential [RD-3]

**Existing Land Use:** Single Family Residential

**Proposed Land Use:** Two Family Residential

### **Surrounding Land Uses:**

**North:** Department of National Defense [DND]

**South:** E and N Rail Trail

**East:** Two Family Residential

**West:** Single Family Residential

### **OFFICIAL COMMUNITY PLAN ANALYSIS:**

As Council is required to consider all the Official Community Plan Development Permit Area guidelines in evaluating a DP application, the applicant has submitted a document addressing the 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 (NA).

##### **18.5.2 Natural Features**

This is a relatively flat site. One tree in the backyard is being preserved.

##### **18.5.3 Biodiversity**

A mix of ornamental and native species are being proposed.

##### **18.5.4 Natural Environment**

Outdoor lighting is proposed to be directed downward and to serve pedestrian needs. This is a fairly quiet area of Esquimalt where street noise is intermittent. Privacy screening is proposed between the units.

##### **18.5.5 Drainage and Erosion**

Driveway and roof rainwater is proposed to be directed into a bio-swale located between the driveways.

##### **18.5.7 Native Bird Biodiversity**

A proposed mix of species types and sizes should help support the goal of increasing habitat for native bird populations. The addition of a larger native tree (Gary Oak) will add to vertical habitat availability for local birds.

#### **OCP Section 20 - Development Permit Area No. 3 - Enhanced Design Control**

##### **Residential Guidelines - 20.5 Duplex Housing**

Some articulation of the front of the building has reduced the visible massing of the second storey from the street, as has the front entries. Driveways, patios, and pathways are a variety of concrete, permeable pavers, and crushed gravel. The proposed variety of siding materials with a traditional look would be complementary to other buildings in the area.

#### **OCP Section 24 - DPA No. 7 - Energy Conservation and Greenhouse Gas Reduction**

##### **24.5.1 Siting of buildings and structures**

Shading and overlook of neighbouring outdoor areas should be minimal.

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

Site layout options are limited, the shared wall between the units does provide for enhanced energy efficiency.

#### *24.5.3 Landscaping*

The landscaping plan appears to meet the intent of most of the guidelines in this section while balancing the needs for on-site parking. The addition of three trees and preservation of an existing tree will be a benefit to residents and the neighbourhood.

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

Heat pumps are being proposed. Roof designed with future solar panel installation in mind and rough in for panels proposed.

#### *24.5.5 Special Features*

The Hardie shingle and plank materials that are being proposed for the exterior of the new building are considered durable materials.

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

#### *25.5.1 Building and Landscape Design*

The landscape plan indicates that stormwater from the driveways will be captured in vegetation next to each driveway.

#### *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)*

Proposed landscaping includes one large tree, several smaller trees, and numerous shrubs. Plantings will help water absorb into the soils and it appears some native soils will be preserved where feasible.

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

Canadian Landscape Standard and BCSLA Landscape Standard are equivalent. Applicant has indicated that this proposal would meet the standards.

### **ZONING AND PARKING ANALYSIS:**

The following chart summarizes many of the requirements contained within the Zoning Bylaw 1992, No. 2050 - Two Family/ Single Family Residential [RD-3] [Appendix B]. The proposed building complies with the requirements of this zone, and the parking requirements of Parking Bylaw 1992, No. 2011.

	<b>RD-3</b> [Two Family/Single Family Residential]	<b>1223 Colville Road</b>
<b>Floor Area Ratio [F.A.R.]</b>	0.40	0.40
<b>Lot Coverage</b>	30%	30 %
<b>Setbacks</b> <ul style="list-style-type: none"> <li>• <b>Front</b></li> <li>• <b>Rear</b></li> <li>• <b>Side (South)</b></li> <li>• <b>Side (North)</b></li> </ul>	7.5 m 7.5 m 1.5 m 3.0 m	7.5 m 12.5 m 1.8 3.3
<b>Building Height</b>	7.3 m	7.3 m
<b>Off Street Parking</b>	1 spaces/ dwelling unit	1 space/ dwelling unit
<b>Driveway Width</b>	5.5 m (2.25 m each)	5.5 m (2.25 m each)

**COMMENTS FROM OTHER DEPARTMENTS:****Community Safety Services (Building Inspection):**

No concerns. Subject to review for Building Code and Bylaw compliance at time of Building Permit application.

**Engineering Services:**

According to Bylaw 2175, including all Schedules, the developer may be required to provide all Works and Services up to the road centerline.

A preliminary review reveals that the subject property is connected to both the Municipal Sewer System and Drain Systems. 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 connections, new curb, gutter, and sidewalk along the frontage, and underground H/T/C.

The applicant is responsible for retaining the services of a qualified professional for the design and construction supervision of all Works and Services, including construction cost, engineering fees, administrative fees, and as indicated in Bylaw 2175.

**Parks:**

A tree cutting permit application must be submitted for all trees requested to be removed. No trees are to be removed without an approved tree cutting permit. All trees in the construction area must be protected by tree protection fencing, erected at the dripline, prior to any work commencing.

**ADVISORY PLANNING COMMISSION:**

This application was considered at the meeting of the Advisory Planning Commission held on September 21, 2022. The recommendation was to forward to Council for approval for the reasons that the development is a good fit with the neighbourhood and meets the criteria in the Official Community Plan".

## ISSUES:

### 1. Rationale for Selected Option

The Advisory Planning Commission has recommended approval. This proposal has the potential to add two very livable new housing units on a lot that currently has one older home and is zoned to permit a two-family dwelling.

### 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. [Appendix G]

### 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 approve Development Permit No. DP000187 [Appendix A], and that 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 located at 1223 Colville Road [PID 004-085-710; Lot 12, Block 16, Section 10, Esquimalt District, Plan 2546].
2. That Council resolves that Development Permit No. DP000187 [Appendix A] be updated 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 property located at 1223 Colville Road [PID 004-085-710; Lot 12, Block 16, Section 10, Esquimalt District, Plan 2546].
3. That Council deny Development Permit No. DP000187 [Appendix A], with reasons.