



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

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

Legislation Text

File #: 17-463, Version: 1

REQUEST FOR DECISION

DATE: November 22, 2017

Report No. DEV-17-066

TO: Laurie Hurst, Chief Administrative Officer

FROM: Bill Brown, Director of Development Service and

Karen Hay, Planner

SUBJECT:

Development Permit, Development Variance Permit - 429 Lampson Street
[PID 023-009-331, Lot B, Esquimalt District, Plan VIP60066]

RECOMMENDATION:

1. That Council resolves **that Development Variance Permit No. DVP00049 [Appendix A]** authorizing the development as shown on the B.C. Land Surveyor's Building Location Certificate prepared by J.E. Anderson and Associates, and the architectural drawings prepared by Merrick Architecture, both stamped 'Received October 27, 2017', and including the following relaxations to Zoning Bylaw, 1992, No. 2050 and Parking Bylaw, 1992, No. 2011, **be approved, and staff be directed to issue the permit and register the notice on the title** of the property located at PID 023-009-331, Lot B, Esquimalt District, Plan VIP60066 [429 Lampson Street];

Zoning Bylaw 1992, No. 2050, Section 67.71 B. Site A (7)(a) Siting Requirements -

Principal Building - A variance to the permitted perimeter of the existing principal building [Manor house], as shown in the Land Surveyor's Certificate prepared by McElhanney Consulting Services, stamped 'Received September 9, 2013' by allowing the new Manor house [English Inn] wing footprint as illustrated the B.C. Land Surveyor's Certificate prepared by J.E. Anderson and Associates, stamped 'Received October 27, 2017';

Zoning Bylaw 1992, No. 2050, Section 67.71 - C. Site B (17)(a) Lot Coverage -

An increase to the requirement that all Principal Buildings, Accessory Buildings and Structures combined shall not cover more than 50% of the area of Site B, allowing the building foundations and the underground parking structure to cover up to 60% of Site B;

Zoning Bylaw 1992, No. 2050, Section 67.71 - C. Site B (18)(a) Siting Requirements -

Principal Building - (ii) Eastern Lot Line setback, (iii) Northern Lot Line setback and (iv) Southern Lot Line setback - A 0.30 metre decrease to the 7.5 metre minimum setback requirement for Building Elements over 11 metres in height; allowing the edge of the

balconies on 'Level 4' to be located within the setback [i.e. from 7.5 metres to 7.2 metres];

Zoning Bylaw 1992, No. 2050 Section 67.71 - C. Site B (18)(a)(ii) Siting Requirements - Principal Building - Eastern Lot Line setback - A variance to the 3.5 metre minimum setback requirement for building elements up to 11 metres in height; allowing Building Elements (roof peaks) up to 15.0 metres in height with a minimum setback of 3.5 metres from the Eastern lot line, for 'Level 4' of the eastern most end of 'Building 3' [the Southern Building], [i.e. from 11 metres to 15.0 metres];

Zoning Bylaw 1992, No. 2050 Section 67.71 - C. Site B (18)(a)(iii) Siting Requirements - Principal Building - Northern Lot Line setback - A variance to the 4.5 metre minimum setback requirement for Building Elements up to 11 metres in height; allowing building elements up to 16.0 metres in height with a minimum setback of 4.5 metres from the Northern lot line, to allow for the 'Level 4' exterior corridor, and a portion of 'Building 1' [the Northern Building], [i.e. from 11 metres to 16.0 metres];

Zoning Bylaw 1992, No. 2050 Section 67.71 - C. Site B (18)(a)(iv) Siting Requirements - Principal Building - Southern Lot Line setback - A variance to the 4.5 metre minimum setback requirement for Building Elements up to 11 metres in height; allowing building elements up to 15.5 metres in height with a minimum setback of 4.5 metres from the Southern lot line, to allow for the 'Level 4' southern most portion of 'Building 3' [the Southern Building], [i.e. from 11 metres to 15.5 metres];

Zoning Bylaw 1992, No. 2050 Section 16. (1)(b)&(e) - Siting Exceptions - A 0.3 metre increase to the exception; thereby allowing setbacks to be reduced by not more than 0.6 metres only, for certain features if projecting beyond the face of a building and into a setback; allowing portions of the gutters, sills, eaves, and ornamental features [heavy timber trellis elements] to project 0.9 metres into the required Setbacks [i.e. from 0.6 metres to 0.9 metres];

Parking Bylaw, 1992, No. 2011, Section 14. (4) Dimensions Of Off-Street Parking Spaces - An exemption to the requirement that where any Parking Space abuts any portion of a fence or Structure, the minimum stall width shall be increased by 0.3 metres for that Parking Space, for those Parking Spaces abutting a structural column within the parking garage.

2. That Council resolves that **Development Permit No. DP000072 [Appendix B]** authorizing the development as shown on the B.C. Land Surveyor's Building Location Certificate prepared by J.E. Anderson and Associates, stamped 'Received November 21, 2017'; the Architectural Drawings, Colourboard, Site Circulation Plan and Exterior Corridors Condition Perspective Views prepared by Merrick Architecture stamped 'Received October 27, 2017', and the Landscape Plans prepared by Small and Rossell, Landscape Architects, stamped 'Received November 17, 2017', **be approved, and staff be directed to issue the permit (subject to receipt of the required landscape security), and register the notice on the title** of the property located at PID 023-009-331, Lot B, Esquimalt District, Plan VIP60066 [429 Lampson Street].

RELEVANT POLICY:

Official Community Plan Bylaw, 2006, No. 2646
Zoning Bylaw, 1992, No. 2050
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

STRATEGIC RELEVANCE:

This Request for Decision does not directly relate to a specific strategic objective.

BACKGROUND:

Appendices

Appendix A - DVP00049 - English Inn - 429 Lampson Street
Appendix B - DP000072 - English Inn - 429 Lampson Street
Appendix C - Subject Property Map, Air Photo, DVP Mail Notice
Appendix D - CD No. 84 Zone, Heritage Designation Bylaw 2807, DP No. 7 Guidelines
Appendix E - Phasing Plan, Development Permit Design Rationale, and Sustainability Design Rationale
Appendix F - DVP Summary and Rationale, Balcony Cross Sections
Appendix G - BCLS Building Location Certificate - November 21, 2017
Appendix H - Landscape Plans
Appendix I - Response to Design Review Committee - Deer, Lighting, Corridors, Site Circulation
Appendix J - Parking Study, Parking Layout Review, Green Building Checklist
Appendix K - Public Comments

Purpose of the Application

The property owner is proposing a multi-phased commercial and residential development. The property's development is governed by Comprehensive Development District No. 84 of Esquimalt Zoning Bylaw 1992, No. 2050 which divides the property into Site A and Site B. The property is located within Development Permit Area No. 7 - English Inn; therefore, a Development Permit is required for the construction of any new buildings and landscaping.

Site A [the 'Manor house' site]; which contains the English Inn (a heritage designated building) is being renovated to reinstate a full service restaurant, expanded bar lounge, and new event space in the basement. A Heritage Alteration Permit was approved October 2, 2017. The non-heritage wing [annex/ tudor village] has been demolished and would be replaced with a new hotel wing including additional hotel rooms and a spa.

On Site B ['the Remainder', or the development site]; all the existing buildings have been demolished, and would be replaced with a two level subgrade parking garage with wood frame multi-unit residential [up to 6 storeys] buildings above. Six townhomes are proposed for the southwest portion of the Site B.

Context

Applicant: Merrick Architecture

Owner: Aragon (Lampson) Properties Ltd., Inc. No. BC863902

Architect: Merrick Architecture

Property Size: Metric: 17653 m²

Imperial: 4.36 acres

Existing Land Use: English Inn and Resort

Surrounding Land Uses:

North: Multi-Family, Single and Two Family Residential

South: Bed and Breakfast, Single and Two Family Residential, Hither Green Park

West: Single Family and Two Family Residential

East: DND [Public/ Institutional]

Existing Zoning: Comprehensive Development District No. 84 [CD No. 84]

Existing OCP Designation: English Inn Mixed Use

Development Variance Permit

There are a number of variances being requested with this application, most are localized to small areas of a very large site. The applicant's 'Development Permit Design Summary and Rationale' [Appendix 'E'] explains the rationale for the redevelopment proposal and the applicant's 'Development Variance Permit Summary and Rationale' [Appendix 'F'] outlines the reasons for the requested variances.

The most significant variance is a siting variance for the proposed new wing of the English Inn building on Site A; which would be taller than the former wing and closer to the north property line. Site A within Comprehensive Development District No. 84 zone [CD No. 84] allows buildings up to 37.2 metres in height; which is the height of the English Inn. The proposed building at 4 storeys does not exceed the 37.2 metre allowable height requirement. The variance is for the siting; as the proposed new building's foundation is setback 1.22 metres from the north property line (the minimum required by the BC Building Code), and CD No. 84 requires that all buildings maintain the footprint of buildings as they existed in September 2013. The former wing was 2 to 3 storeys and the closest part of foundation wall was 2.2 metres from the north property line. The placement of this building in this location will cast a shadow onto a portion of the properties to the north. (The applicant has provided 'Shadow Studies' - see Appendix B - sheet 'DP0.03') The applicant's 'Development Variance Permit Summary and Rationale' [Appendix 'F'] states that size and placement of this addition would allow for additional 'viable hotel rooms', and the 'preservation of the north, existing Wedding Garden'; while making the Inn more commercially viable.

The Site B multi-unit residential buildings will have a large shared parking garage underneath the buildings. Parts of this garage will not be covered with building but will have landscaping at the first floor level. As Esquimalt's zoning bylaw does not distinguish between a 'structure sunk into the ground' that is covered with building from that portion covered with landscaping, the applicant is asking for a Lot Coverage variance to allow for the proposed combined underground parking structure and building foundations to cover more than 50 percent of the Site B, i.e. from 50% to 60%. The size of this requested variance has decreased 5% from the August 2017 version, as the applicant has reduced the number of townhomes by one and decreased the footprint of the multiple family buildings.

The Design Guidelines for 'Development Permit [DP] Area No. 7 - English Inn' advises that new buildings should incorporate 'pitched rooves' similar to the English Inn. This makes for an interesting design, complimentary to the Inn; but has contributed to two of the requested Siting Requirements - Principal Building [Section C.18.(a)] variances. These requested variances would legitimize the high pitched rooves at 'Level 4' in two limited locations, one is within 7.5 metres of the east lot line and the

other is within 7.5 metres of the south lot line.

There is a requested siting variance from the North lot line allowing for portions of the building (exterior corridors, balconies and exterior stairs) that are over 11 metres above grade and within the 7.5 metre setback.

There are small portions of balconies (0.06 - 0.30 metres) at 'Level 4' that encroach into required upper setbacks at various locations along the North, East and South lot lines. (see 'DVP00049 - [Appendix 'A'] and 'Development Variance Permit Summary and Rationale' and Balcony Cross sections [Appendix 'F'])

The DP guidelines encourage the use of significant eaves and ornamental features as seen on the English Inn. In order to achieve this; in several locations there are larger eaves and timber trellis elements that would project further into setbacks; more than the 0.6 metres [2 feet] which is allowed as a Siting Exemption under Section 16 of Zoning Bylaw 1992, No. 2050, for features projecting into a setback. Therefore, the applicant is requesting a variance to allow eaves and ornamental features to project 0.9 metres into the required setbacks, an additional 0.3 metres. This is a request that contributes significantly to the form and character of the proposed buildings.

There is one parking related variance being requested, and it should be considered minor, as the proposed development would be supplying parking spaces numbers above Esquimalt's Parking Bylaw, 1992, No. 2011 requirements. [Appendix 'J' - 'Parking Study']. The parking bylaw requires parking spaces abutting walls and structure (columns) to have 0.3 metres of additional width. The parking variance would allow the parking spaces adjacent to columns, within the underground parking structure, to not have the additional width; which is supported by the applicant's consultant's reports, [Appendix 'J' - 'Parking Layout Review'].

Since the Council meeting in August, where Council tabled the application, the applicant and owner have responded to comments made by residents in attendance at that meeting and have worked to reduce the number of variances being requested.

Development Permit

The property is within the Official Community Plan, Development Permit Area No. 7 - English Inn [DP Area No. 7] [Appendix 'D']. The development guidelines in this DP area were developed to 'encourage new development to be sympathetic with, and a good neighbour to both the existing heritage house and the surrounding neighbourhood context; while providing the opportunity for alternative massing solutions to accommodate market and various building programs. The key objective of DP Area No. 7 is a harmonious and sensitive development respectful of the Protected Property (the manor house) under Heritage Designation Bylaw 2807 [Appendix 'D'].

The design guidelines were written based on a concept plan proposed by a former owner, who was also working with Merrick Architecture at the time of the rezoning of the property in 2013. The current proposal appears to largely comply with the design guidelines. The applicant's 'Development Permit Design Summary and Rationale', and 'Sustainability Design Rationale' [Appendix 'E'] explain the rationale for the redevelopment proposal.

Staff are of the opinion that the Site Circulation Plan presented with this Development Permit [DP000072] achieves general and substantial compliance with the intent of the DP Guidelines. Note that, in approving the Site Circulation Plan presented, the Township would not be requiring strict

compliance with Guideline 9.9.7 regarding the widening of the north driveway and elimination of the south driveway. The Site Circulation Plan shows a one-way north driveway, removal of the existing south driveway and the inclusion of a new 2-lane south driveway. This approach was necessitated by the requirement for a fire truck/ emergency access lane, the lack of alternative locations for such a lane, and a balancing of other DP Guidelines, particularly those that promote landscape tree retention. Council has the flexibility to balance these guidelines and approve the current proposal, in part, because of Sections 9.1.2(d) - "Although compliance with any specific guideline may not necessarily be required, general and substantial compliance with the intent of all guidelines is expected by the Township.", and 9.9.5 which indicate that not all guidelines may be required and the guidelines are descriptive not restrictive. In Staff's opinion, the Site Circulation Plan addresses the difficult issue of emergency access without the significant tree removal (and therefore the compromise of Guidelines 9.9.6 and others) that other development options would result in. If Council does not agree, and prefers to reject the current Site Circulation Plan and Development Permit application, then Council would need to advise the owner specifically of how the Site Circulation Plan would need to be changed to satisfy the DP Guidelines (and thereby, ultimately be accepting that widening the north driveway for two lane and emergency access would require tree removal and possibly landscape reconfiguration); if Council is considering such a decision, staff recommend the matter be deferred until alternatives, and their full impact on the other DP Guidelines, can be more fully considered.

Landscaping:

Full detailed landscaping plans have been provided [Appendix 'H']. The landscaping plans provide for retention of many existing trees and the addition of numerous new and replacement trees. Native species of trees, shrubs and grasses are proposed, as recommended by the DP Area No. 7 Design Guidelines. A nursery has been set up to retain and replant some of the existing trees.

The large underground garage would have sections ['Sunken Lawn'] with landscaping ovetop, with minimal capacity for trees. There is a restored Garry Oak meadow garden proposed for the southeast section of the property.

There would be permeable paving, rain gardens, bioswales and ornamental pools, designed to help manage a proportion of stormwater on the site. Raingardens and bioswales are generally designed to manage stormwater for the majority of precipitation events, in larger storm events there would be connections to the municipal system that would take care of the excess precipitation.

Movement of vehicles through the site was highlighted as a concern by the Design Review Committee; as a result a 'Site Circulation Plan' was developed showing where and how; Inn guests, site residents, and emergency vehicles would access different areas of the site [Appendix 'I'].

The Design Review Committee also had concerns about the lighting of the exterior corridors; in response the applicant has provided 'Exterior Corridor' plans that show lighting being directed down and towards the building; thereby minimizing light spill to neighbouring properties.

Comments from the Advisory Design Review Committee [DRC]

This Development Permit application was considered at the regular meeting of the DRC held on July 20, 2016. The DRC members were supportive of the design, the phasing plan proposed, the many different suite types provided in the buildings and the ability to save trees given the density proposed. The committee expressed some concerns which are captured in the motion conditions, below.

The DRC passed the following motion:

Moved by Paul De Greeff, seconded by Richard Iredale: That the Esquimalt Design Review Committee [DRC] provide Council and the Director of Development Services with comments on the Development Permit for the new development proposed for 429 Lampson Street as illustrated in the architectural drawings prepared by Merrick Architecture, stamped "Received July 15, 2016", for the property at PID 023-009-331, Lot B, Esquimalt District, Plan VIP60066 [429 Lampson Street] and make a recommendation for approval with the following conditions:

That the applicant:

- 1. Include on the landscape plan a one to one replacement tree for any failed salvaged trees*
- 2. Include a replacement plan for overgrown Cypress trees that cannot be retained (various hedges and screens)*
- 3. Include a deer management plan*
- 4. Provide clarification on the management of light spillage to the adjacent properties*
- 5. Provide clarification on hard and softscape treatment for the Hither Green Park*
- 6. Provide additional details on the exterior corridor treatment; such as railings and lighting*
- 7. Provide clarification on approaches; drop off zones and general circulation to the east portion of the site.*

The Motion Carried Unanimously

Note: The applicant has responded to the DRC 'recommendation with conditions' with revised landscape plans, a deer management plan, lighting and corridor plans and a site circulation plan, see Appendix 'I'.

Comments from the Advisory Planning Commission [APC]

The Development Variance Permit application was considered at the regular meeting of the APC held on August 16, 2016. The APC members were supportive of the application, expressing the importance of making the English Inn economically viable in the future as it is a real asset to Esquimalt, and that overall the design is successful for the property with minimal impact on the surrounding area. The APC passed the following motion:

RECOMMENDATION 1 - Development Variance Permit:

Moved by Berdine Jonker, seconded by Lorne Argyle that the Advisory Planning Commission recommends to Council that the application for a Development Variance Permit for the proposed new development as illustrated in the architectural drawings prepared by Merrick Architecture, stamped "Received August 9, 2016", and including the following relaxations to Zoning Bylaw 1992, No. 2050 and Parking Bylaw, 1992, No. 2011, for the property at PID 023-009-331, Lot B, Esquimalt District, Plan VIP60066 [429 Lampson Street]; be forwarded to Council with a recommendation of approval;

Zoning Bylaw 1992, No. 2050 Section 67.71 A. Site A (7) Siting Requirements (a) Principal Building - A variation to the perimeter of the existing principal building as shown in the Land Surveyor's Certificate prepared by McElhanney Consulting Services, stamped 'Received September 9, 2013' by substituting the B.C. Land Surveyor's Certificate prepared by McElhanney Consulting Services, stamped 'Received June 30, 2016'.

Zoning Bylaw 1992, No. 2050 Section 67.71 - B. Site B (15) Unit Size - A decrease to the minimum Floor Area required for each Multiple Family dwelling unit, allowing up to 8% of dwelling

units to have less than 60 square metres of floor area

Zoning Bylaw 1992, No. 2050 Section 67.71 - B. Site B (17) Lot Coverage (a) - An increase to the requirement that all Principal Buildings, Accessory Buildings and Structures combined shall not cover more than 50 % of the Area of Site B for the building foundations and underground parking structure, allowing those structures that are sunk into land to cover 65 % of Site B

Zoning Bylaw 1992, No. 2050 Section 67.71 - B. Site B (18) Siting Requirements (c) - (iv) Eastern Lot Line setback - A decrease to the 3.5 metre minimum setback requirement for Building elements up to 11 metres in height; allowing building elements up to 14.8 metres in height with a minimum setback of 3.5 metres from the Eastern lot line for the eastern most end of the 'South Building'. [i.e. from 11 metres to 14.8 metres]

Zoning Bylaw 1992, No. 2050 Section 67.71 - B. Site B (18) Siting Requirements (c) - (iii) Northern Lot Line setback - A decrease to the 4.5 metre minimum setback requirement for Building elements up to 11 metres in height; allowing building elements up to 16.0 metres in height with a minimum setback of 4.5 metres from the Northern lot line to allow for the exterior corridor, balcony and stairs along the 'North Building'. [i.e. from 11 metres to 16.0 metres]

Zoning Bylaw 1992, No. 2050 Section 67.71 - B. Site B (18) Siting Requirements (c) - (iv) Southern Lot Line setback - A decrease to the 4.5 metre minimum setback requirement for Building elements up to 11 metres in height; allowing building elements up to 15.4 metres in height with a minimum setback of 4.5 metres from the Southern lot line to allow for the southern most portion of the 'South Building'. [i.e. from 11 metres to 15.4 metres]

Zoning Bylaw 1992, No. 2050 Section 67.71 - B. Site B (18) Siting Requirements (c) - (iv) Southern Lot Line setback - A decrease to the 4.5 metre minimum setback requirement for Building elements up to 11 metres in height; allowing building elements up to 11 metres in height with a minimum setback of 3.0 metres from the Southern lot line, to allow for the south end of the southwestern 'Townhouse' building. [i.e. from 4.5 metres to 3.0 metres]

Zoning Bylaw 1992, No. 2050 Section 67.71 - B. Site B, (20) Fencing - A reduction to the requirement that fencing is prohibited within 36.7 metres of the Front Lot Line to allow a fence within 0.3 metres of the southern most property line. For certainty, within this area and subject to Section 22, no fence shall exceed a Height of 1.2 metres in front of the front face of a Principal Building and no fence shall exceed a Height of 2 metres behind the front face of the Principal Building.

Zoning Bylaw 1992, No. 2050 Section 16. SITING EXCEPTIONS (1) - A 0.3 metre increase to the siting exception allowing setbacks to be reduced by not more than 0.6 metres for certain features to project into a Setback, allowing portions of the gutters, sills and eaves of buildings, and ornamental features [heavy timber trellis elements] to project 0.9 metres into the required Setbacks. [i.e. from 0.6 metres to 0.9 metres].

Parking Bylaw, 1992, No. 2011, Section 14. (4) DIMENSIONS OF OFF-STREET PARKING SPACES - An exemption to the requirement that where any Parking Space abuts any portion of a fence or Structure, the minimum stall width shall be increased by 0.3 metres for that Parking Space for those Parking Spaces abutting a structural column.

*Parking Bylaw, 1992, No. 2011, Section 14. - DIMENSIONS OF OFF-STREET PARKING SPACES
- TABLE 2 - A 0.65 metre reduction to the width of the maneuvering isle adjacent to 90° angle
parking from 6.75 metres to 6.1 metres for the maneuvering isle adjacent to the 'Townhouse'
garages.*

*For the following reason: The variances will have minimal impact on the surrounding area and
overall it is a successful design for the property.*

Comments from other Departments

The development proposal package was made available to the following departments for comment:

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. All Works and Services are required to be constructed and installed at the expense of the Owner shall be constructed before the Approving Officer approves the subdivision unless the Owner:

- Deposits with the Municipality a Security Deposit in the amount of 120% of the estimated construction cost, and
- Enters into a Servicing Agreement with the Municipality

A preliminary review revealed that the subject property was connected to both the Municipal Sewer System and Drainage System, but no information regarding age or condition could be found. The proposed development is required to have Services as per Bylaw 2175 (Subdivision and Development Control Bylaw), including, but not limited to, new sewer and drain connections and underground H/T/C.

The Applicant is responsible for retaining the services of a qualified professional for the design of all Works and Services, including a Services Agreement (F1) between the developer and Engineer, and a cost estimate for the proposed off-site Works and Services.

The Township's Engineering department has reviewed the most recent drawings from McElhanney, labelled "October 26, 2017 Issued for Development Permit" and have the following comments:

- A new sewer manhole is required for the proposed sewer connection on Lampson Street. Previous submission (July 13, 2017) identified this as a 150mm. and a manhole was not required. Since the proposed sewer is 200mm connecting to a 200mm main, a manhole is required.
- Show the interceptor drain tie in points along the southern property line.
- Catch basins at driveway entrances to have sumps and trap hoods
- Show depth of sewer and drain mains on Section B
- Boulevard Alteration Permit required for all proposed works on Municipal Boulevard

A Schedule F-1 services agreement and cost estimate are outstanding.

Note: At the time of writing this report the applicant has been working with engineering to address these concerns that will be satisfied before a building permit is issued.

Building Services:

Each building is to have a separate building permit application, and all are subject to review for building code and bylaw compliance at time of building permit application.

Fire Services:

The Fire Services staff have indicated they are supportive of the development of the English Inn, based on the resubmitted design and access points.

Parks Services:

The parks department staff encourage the owner to continue to protect trees on site during the development phase and if a tree requires removal, to please complete a tree cutting application.

Note: All projects are subject to compliance with the BC Building Code, Esquimalt Subdivision and Servicing Bylaw, Esquimalt Zoning Bylaw and other Regulations and Policies set by Council.

Time Line

- 2013: At the request of a previous owner the property is rezoned, creating Comprehensive Development District No. 84 [CD No. 84] and an OCP amendment is approved, creating Development Permit Area No. 7 - English Inn;
- July 20, 2016: Design Review Committee considered the Development Permit for Form and Character, water conservation and storm-water management;
- August 2016: The applicant decided to pursue a Zoning Text Amendment, as the permitted density for Site A will not accommodate the renovation of the Inn that they have planned;
- August 16, 2016: Advisory Planning Commission considered the Zoning Text Amendment, Heritage Alteration Permit, Development Variance Permit, Covenant Amendment [tree protection];
- September 12, 2016: Council granted 1st and 2nd reading to Zoning Text Amendment Bylaw No. 2880, and instructed staff to schedule the Public Hearing for the Bylaw;
- September 12, 2016: Council approved the proposed alterations to the Restrictive Covenant Amendment [tree protection] and authorized staff to allow alterations to the property's landscaping prior to issuance of the Development Permit [allowing staff to issue tree cutting permits];
- October 24, 2016: Public Hearing for Zoning Text Amendment Bylaw No. 2880 is held;
- October 24, 2016: upon considering comments and all information provided leading up to the Public Hearing, Council adopted Zoning Text Amendment Bylaw No. 2880;
- November 2016 to August 2017: applicant and owner work with staff to clarify access, and servicing issues including the use of Hither Green Park as an emergency access.
- August 21, 2017: Council did not consider the Heritage Alteration Permit, Development Variance Permit and Development Permit and advised the applicant to return with a revised fire access plan.
- October 2, 2017: Council approved Heritage Alteration Permit No: HAP0002.

ISSUES:

1. Rationale for Selected Option

This project would bring housing options to Esquimalt and would revitalize and improve the commercial viability of The English Inn, an important heritage asset within Esquimalt. The DRC and APC have both unanimously recommended approval of the application. In addition, the proposed development would significantly increase the supply of housing in Esquimalt.

2. Organizational Implications

This Request for Decision has no organizational implications.

3. Financial Implications

This Request for Decision has no significant financial implications. Once occupied, the property will be a significant generator of property tax revenue and discretionary spending in the community.

4. Sustainability & Environmental Implications

Increasing residential density in existing neighbourhoods is believed to make a community more sustainable. Increase density also decreases the per capita cost of providing services such as transit and utilities.

5. Communication & Engagement

As this application includes a Development Variance Permit, notices were mailed to owners and occupiers of parcels within 50 metres [164 ft.] of the subject property. Notices were mailed on November 10, 2017 [Appendix 'C'] indicating that Council would be considering the requested Development Variance Permit on November 27, 2017. To date, the Development Services Department has received several comments from local residents as a result of the notification. See Appendix 'K'.

ALTERNATIVES:

1. That Council resolves that Development Variance Permit No. DVP00049 [Appendix 'A'] and Development Permit No. DP000072 [Appendix 'B'] **be approved, and staff be directed to issue the permit and register the notice on the title** of the property located at PID 023-009-331, Lot B, Esquimalt District, Plan VIP60066 [429 Lampson Street] *(As in the RECOMMENDATION section.)*.
2. That Council deny Development Variance Permit No. DVP00049 [Appendix A], and Development Permit No. DP000072 [Appendix B], with reasons provided.