



## CORPORATION OF THE TOWNSHIP OF ESQUIMALT

### ADVISORY PLANNING COMMISSION AGENDA

TUESDAY JULY 18, 2017

7:00 P.M.

### ESQUIMALT COUNCIL CHAMBERS

**MEMBERS:** David Schinbein                      Ken Armour  
Duncan Cavens                                      Christina Hamer  
Berdine Jonker                                      Graeme Dempster  
Amy Higginbotham

**COUNCIL LIAISON:** Councillor Beth Burton-Krahn  
Councillor Olga Liberchuk

**STAFF LIAISON:** Trevor Parkes, Senior Planner

**SECRETARY:** Pearl Barnard

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#### I. CALL TO ORDER

#### II. LATE ITEMS

#### III. ADOPTION OF AGENDA

#### IV. ADOPTION OF MINUTES – June 20, 2017

#### V. STAFF REPORTS

##### 1) DEVELOPMENT PERMIT and DEVELOPMENT VARIANCE PERMIT 10 Phillion Place [PID 002-540-169, Lot C, Section 2, Esquimalt District, Plan 27030]

##### **Purpose of the Application:**

The applicant is proposing to construct a new detached garage on this waterfront property. Due to the requirement that new buildings or structures not be located within 20 metres of the high water mark of the Gorge Waterway and the position of the home on the waterfront, it is unfeasible to create a detached garage or to locate the one required parking space behind the front face of the principal building. Alternatively, the applicant has proposed to site the detached garage in front of the principal building.

As the subject property is located within Development Permit Area No. 4 – Gorge Waterway, this application requires a Development Permit and foreshore rehabilitation.

##### **RECOMMENDATION:**

That the Esquimalt Advisory Planning Commission [APC] recommends to Council that the application for a Development Permit and a Development Variance Permit allowing construction of a new accessory building as illustrated in the architectural drawings prepared by Villamar Design, stamped "Received July 14, 2017", the landscape plan prepared by Studio One Creative, stamped "Received July 6, 2017",

sited as detailed on the survey plan prepared JE Anderson & Associates, stamped “Received June 27, 2017”, and including the following variances for the property located at PID 002-540-169, Lot C, Section 2, Esquimalt District, Plan 27030 [10 Phillion Place] **to either approve, or deny the application; including the reasons for the recommendation.**

**Zoning Bylaw, 1992, No. 2050, Section 36 (6)(b) – Building Height – Accessory Building:** A 0.34 metre increase to the requirement that no accessory building shall exceed a height of 3.6 metres. [i.e. from 3.6 metres to 3.94 metres]

**Zoning Bylaw, 1992, No. 2050, Section 36 (9)(b)(i) – Siting Requirements – Accessory Building – Front Setback:** Exemption from the requirement that no Accessory Building shall be located in front of the front face of the Principal Building, [i.e. one accessory building may be located in front of the front face of the Principal Building].

**Parking Bylaw No. 1992, No. 2011, Part 4 (9)(4) – Provisions and Maintenance of Off-Street Parking and Loading Areas:** Exemption to the requirement that Parking Spaces in Residential zones be located closer to the Front Lot Line than the front face of the Principal Building [i.e. the one required parking space will be located in the new accessory building].

## 2) REZONING APPLICATION

### “Super Genius Daycare”

**780 Dominion Road** [PID 006-289-100, Amended Lot I (DD 156820I), Section 10, Esquimalt District, Plan 2923]

#### **Purpose of the Application:**

The applicant is requesting a change in zoning from Multiple Family Residential [RM-3] to Comprehensive Development District to permit a Group Children’s Day Care Centre, which could accommodate up to 16 children.

#### **RECOMMENDATION:**

The Esquimalt Advisory Planning Commission recommends that the application for rezoning to facilitate the conversion of the property to a Group Children’s Day Care Centre, consistent with the plans prepared by Aspire Custom Designs, stamped “Received June 27, 2017” be forwarded to Council with a recommendation to either **approve, approve with conditions, or deny the application; including reasons for the chosen recommendation.**

## VI. PLANNER’S STATUS REPORT

## VII. COUNCIL LIAISON

## VIII. INPUT FROM APC TO STAFF

## IX. NEXT REGULAR MEETING

Tuesday, August 15, 2017

## X. ADJOURNMENT



**CORPORATION OF THE TOWNSHIP OF ESQUIMALT**  
**ADVISORY PLANNING COMMISSION MEETING MINUTES**  
**HELD ON**  
**TUESDAY, JUNE 20, 2017**  
**ESQUIMALT COUNCIL CHAMBERS**

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<b>MEMBERS PRESENT:</b>	David Schinbein (CHAIR) Amy Higginbotham	Lorne Argyle Nick Kovacs
<b>REGRETS:</b>	Christina Hamer, Berdine Jonker and Graeme Dempster	
<b>STAFF LIAISON:</b>	Bill Brown, Director of Development Services	
<b>STAFF:</b>	Karen Hay, Planner Alex Tang, Planning Technician	
<b>COUNCIL LIAISON:</b>	Councillor Beth Burton-Krahn	
<b>SECRETARY:</b>	Pearl Barnard	

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**I. CALL TO ORDER**

The meeting was called to order at 8:03 p.m. The Chair apologized for the late start.

**II. LATE ITEMS**

Pertaining to Agenda Item VI. **STAFF REPORTS 3) Interim Amendments To Zoning Bylaw 1992, No. 2050**

- Appendix A – Proposed 2017 Zoning Bylaw Revisions

**III. ADOPTION OF AGENDA**

Moved by Lorne Argyle, seconded by Nick Kovacs, that the agenda be adopted as circulated. The Motion **CARRIED UNANIMOUSLY.**

**IV. ADOPTION OF MINUTES – May 16, 2017**

Moved by Nick Kovacs, seconded by Lorne Argyle, that the minutes of the Advisory Planning Commission held May 16, 2017 be adopted as circulated. The Motion **CARRIED UNANIMOUSLY.**

**V. BUSINESS FROM MINUTES**

There was no outstanding business from the Minutes.

**VI. STAFF REPORTS**

**1) REZONING APPLICATION**

**615 Fernhill Road**

**[PID 004-757-742 Lot B Section 11 Esquimalt District Plan 12446]**

Alex Tang outlined that the applicant is requesting a change in the zoning from the current RD-1 [Two Family Residential] zoning to a Comprehensive Development Zone [CD] to accommodate a new four storey, residential building containing 10 residential units.

In attendance:

Mikael Wilkin, Owner/Applicant

Bruce Wilkin

Michel Moody, MJM Architect Inc.

Mike Moody gave a PowerPoint presentation detailing the site plan and an overview of the building design and materials, elevations, setbacks and parking for the project. Mr. Moody outlined that existing house is a Single Family Dwelling that is surrounded by Multiple Family development. The proposed new development will provide diverse unit sizes, which will allow people to get into the market at a very affordable level. The Garry Oak tree will be removed and another tree will be planted, species to be determined.

The Chair thanked the applicant for the presentation.

**Committee Members had the following questions and comments:**

- Members liked the proposal and felt the design and concept fits within the character of the neighbourhood.
- Concerns were raised that two electric vehicle charging stations are inadequate. Mr. Wilkin advised that electric vehicle plug-ins will be roughed in for every unit.
- A member asked if the applicant had considered aging in place and handicap accessibility for the units. Mr. Wilkin responded; that is good idea, something to consider.
- Members commented that 'solar ready' could be a selling point in the future.
- The existing house has quite a historical background. What is your intension for the existing house? Mr. Wilkin advised that their plan is to try and relocate the house.
- A member applauded the applicant on the skylight concept.
- A concern was raised that this would be a massive building on a small lot. Member then asked if the project would be viable without the increase in lot coverage. Mr. Wilkin advised that the shape of the building would be abnormal per the parcel.

**RECOMMENDATION:**

Moved by Nick Kovacs, seconded by Lorne Argyle: That the Esquimalt Advisory Planning Commission recommends that the application for rezoning to permit a new four storey, residential building containing 10 residential units and incorporating siting, height and massing consistent with architectural plans provided by MJM Architect Inc., stamped "Received May 30, 2017" for the property at PID 004-757-742, Lot B Section 11 Esquimalt District Plan 12446 [615 Fernhill Road], **be forwarded to Council with a recommendation of approval** as the proposed design and concept fits within the character of the neighbourhood and the needs of the community. **The Motion Carried Unanimously**

**2) DEVELOPMENT VARIANCE PERMIT**

**651 Grenville Avenue**

**PID 007-802-293, Lot 8, Block 6, Suburban Lot 42, Esquimalt District, Plan 1153 and**

**PID 007-802-323, Lot 9, Block 6, Suburban Lot 42, Esquimalt District, Plan 1153**

Karen Hay outlined that the property owners are proposing to remove the existing house, which is sited across two pre-existing lots, and build two new 3 bedroom single family homes each having a small 600 square foot secondary suite in the basement. Ms. Hay explained that due to the narrow width of the lots, meeting all the requirements of the

Single Family Residential [RS-1] zone would not allow for a sufficient building envelope for the proposed principal buildings; therefore, variances are being requested.

Bill Brown advised that the applicant was not able to attend the meeting.

**Committee Members had the following questions and comments:**

- Members liked the design; thought it was a good fit for the neighbourhood and will increase density, which is needed in Esquimalt.
- A member asked staff for clarification on the setbacks. Ms. Hay explained that the Zoning Bylaw for a single family dwelling requires a side yard setback of at least 1.5 metres from one interior side lot line and at least 3 metres from the other side lot line, where there is no rear lane. She then explained that there is no possible way that each of these small lots could provide a 3 metre setback and still have a usable building envelope for a house. The applicant has maintained one of the 1.5 metre setbacks and the other is 1.9 metre, instead of the 3 metres.
- A member asked if the house could be redesigned to achieve 88 square metres on the main floor. Ms. Hay advised that the applicant has already maxed out their allowable floor area ratio for the parcel.
- Members liked the idea of the basement suites, but had concerns with where the extra vehicles are going to park. Ms. Hay advised that the Zoning Bylaw requires only one parking space per dwelling unit.
- A member asked if the applicant had provided a 'Green Checklist'. Ms. Hay advised that a 'Green Checklist' is not required for a Development Variance Permit application.

**RECOMMENDATION:**

Moved by Amy Higginbotham, seconded by Nick Kovacs: That the Advisory Planning Commission recommends to Council that the applications for Development Variance Permits, authorizing the construction of two new principal buildings as shown on plans prepared by Ryan Hoyt Designs Inc., stamped "Received May 17, 2017", and sited as detailed on the survey plan prepared by David E. Storback, B.C.L.S., of J.E. Anderson & Associates stamped "Received May 17, 2017 and including the following relaxations to Zoning Bylaw, 1992, No. 2050, for the development located at PID 007-802-293, Lot 8, Block 6, Suburban Lot 42, Esquimalt District, Plan 1153 and PID 007-802-323, Lot 9, Block 6, Suburban Lot 42, Esquimalt District, Plan 1153 [651 Grenville Avenue], **be forwarded to Council with a recommendation of approval;**

**Zoning Bylaw, 1992, No. 2050, Section 34. (5) – Floor Area** A 15.0 square metre reduction to the requirement that the minimum first storey of a principal building shall be 88 square metres [ie. from 88.0 square metres to 73.0 square metres];

**Zoning Bylaw, 1992, No. 2050, Section 34. (7) – Building Width** A 0.5 metre reduction to the requirement that no single family dwelling shall be less than 7.0 metres in width [ie. from 7.0 metres to 6.5 metres]; and

**Zoning Bylaw, 1992, No. 2050, Section 34. (9)(a)(ii) – Siting Requirements – Principal Building – Side Setback** A 1.1 metre decrease to the requirement that no principal building shall be located within 3.0 metres of an Interior Side Lot Line, for lots not served by a rear lane [ie. from 3.0 metres to 1.9 metres], with the total setback of all side yards not to be less than 3.4 metres [ie. from 4.5 metres to 3.4 metres total].

**The reason:**

The proposal is a good design and fit for the neighbourhood and will increase density, which is needed in Esquimalt. **The Motion Carried Unanimously**

### 3) Interim Amendments To Zoning Bylaw 1992, No. 2050

Karen Hay outlined that this interim amendment bylaw (Appendix A) is intended to provide further clarification for Council, staff, residents and developers of Esquimalt's Zoning Bylaw 1992, No. 2050; and addresses issues that have arisen since the last amendments to the Zoning Bylaw.

#### Committee Members had the following questions and comments:

- Members thought the proposed amendments were well done and will provide further clarification in interpreting the Zoning Bylaw.
- A member asked if any of the proposed changes are going to make a big difference in practice or how the Zoning Bylaw is interpreted. Ms. Hay advised that the majority of the changes are reflective of the Township's current practices. She then explained that some are for clarification purposes and provided the following examples; smaller play structures and pergolas would not be considered as accessory structures, and a further clarification on what parts of a building would be included in the calculation of floor area, which could result in marginally larger buildings.
- A member commented that the proposed amendment has a minimum size (greater than 1.0 square metre) for an accessory building and asked if there was a maximum size. Ms. Hay clarified that accessory buildings cannot cover more than 10% of a lot.
- A member asked for further clarification on the height calculations. Ms. Hay explained how a roof slope is determined.
- A member asked for clarification on 'Garage Setback' and what is considered the 'Front Face'. Ms. Hay advised the front face could be the porch, the steps off the porch, or whatever piece of a structure that is located closest to the 'Front Lot Line'. Ms. Hay also clarified that Section 38, 39, & 40 are the RD-1, RD-2 & RD-3 Zones and the regulation applies to single family and two family houses in those zones.
- Member suggested that in future staff consider some height and width restrictions for hedges. Some hedges are really high and impact visibility to other people's properties and also create a safety issue when signs get buried in overgrown hedges.

#### RECOMMENDATION:

Moved by David Schinbein, seconded by Amy Higginbotham: That the Advisory Planning Commission [APC] having considered the proposed zoning amendments [Appendix 'A'] to Zoning Bylaw 1992, No. 2050, recommends the proposed regulations; **be forwarded to Council with a recommendation of approval** as the proposed amendments provide further clarification in interpreting the Zoning Bylaw. **The Motion Carried Unanimously**

### VII. STAFF LIAISON

- The Rezoning application for the Triangle Lands south, Marina View 460/464 Head Street - The Public Hearing occurred on Monday, June 12<sup>th</sup>.
- The Rezoning application for 101 Island Highway - The Public Hearing occurred on Monday, June 12<sup>th</sup> and is scheduled to go to Council on June 26<sup>th</sup> for 3<sup>rd</sup> reading.
- The Development Variance Permit Application for 398 Constance Avenue which was presented to the APC at the May 16<sup>th</sup> meeting was approved by Council on Monday, June 12<sup>th</sup>.

- The Development Permit and Development Variance Permit applications for 1151 Colville Road which were presented to APC at the May 16<sup>th</sup> meeting were approved by Council on Monday, June 12<sup>th</sup>.

**VIII. COUNCIL LIAISON**

- Councillor Beth Burton-Krahn advised Committee members that she really appreciates their questions and feedback on the proposed projects.
- The application for 615 Fernhill Road was presented to the Design Review Committee and the applicant has addressed some of the issues that were identified; the greenery on the south facing side, as well as the softening of the concrete.
- Really happy with the size of projects that are coming forward, they are not over whelming and it feels like people understand the community.

**IX. INPUT FROM APC TO STAFF**

- A member asked for an update on the Esquimalt Town Square Project. Mr. Brown advised that the developer is waiting for a Certificate of Compliance from the Municipality.
- A Member asked staff how unsightly premises are addressed. Mr. Brown advised that there is an unsightly premises bylaw and if a complaint was received, it would be referred to the Bylaw Department to investigate.
- Bill Brown advised that it is Nick Kovacs and Lorne Argyle last meeting. On behalf of Staff, Mr. Brown thanked them both for the tremendous work they have done on behalf of the community.
- A member asked if the Community Garden is still going to be located at the old Tudor House Pub site. Mr. Brown confirmed that the Community Garden will still be there.

**X. NEW BUSINESS**

**XI. NEXT REGULAR MEETING**

Tuesday, July 18, 2017

**XII. ADJOURNMENT**

On motion the meeting adjourned at 9:10 P.M.

CERTIFIED CORRECT:

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CHAIR, ADVISORY PLANNING COMMISSION  
THIS 18<sup>th</sup> DAY OF July 2017

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ANJA NURVO, CORPORATE OFFICER



## CORPORATION OF THE TOWNSHIP OF ESQUIMALT

Municipal Hall, 1229 Esquimalt Road, Esquimalt, B.C. V9A 3P1  
Telephone (250) 414-7100 Fax (250) 414-7111

APC Meeting: July 18, 2017

### STAFF REPORT

**DATE:** July 14, 2017

**TO:** Chair and Members of the Advisory Planning Commission

**FROM:** Alex Tang, Planning Technician  
Bill Brown, Director of Development Services

**SUBJECT:** **DEVELOPMENT PERMIT and DEVELOPMENT VARIANCE PERMIT**  
**10 Phillion Place**  
**[PID 002-540-169, Lot C, Section 2, Esquimalt District, Plan 27030]**

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### RECOMMENDATION:

That the Esquimalt Advisory Planning Commission [APC] recommends to Council that the application for a Development Permit and a Development Variance Permit allowing construction of a new accessory building as illustrated in the architectural drawings prepared by Villamar Design, stamped "Received July 14, 2017", the landscape plan prepared by Studio One Creative, stamped "Received July 6, 2017", sited as detailed on the survey plan prepared JE Anderson & Associates, stamped "Received June 27, 2017", and including the following variances for the property located at PID 002-540-169, Lot C, Section 2, Esquimalt District, Plan 27030 [10 Phillion Place] **to either approve, or deny the application; including the reasons for the recommendation.**

**Zoning Bylaw, 1992, No. 2050, Section 36 (6)(b) – Building Height – Accessory Building:** A 0.34 metre increase to the requirement that no accessory building shall exceed a height of 3.6 metres. [i.e. from 3.6 metres to 3.94 metres]

**Zoning Bylaw, 1992, No. 2050, Section 36 (9)(b)(i) – Siting Requirements – Accessory Building – Front Setback:** Exemption from the requirement that no Accessory Building shall be located in front of the front face of the Principal Building, [i.e. one accessory building may be located in front of the front face of the Principal Building].

**Parking Bylaw No. 1992, No. 2011, Part 4 (9)(4) – Provisions and Maintenance of Off-Street Parking and Loading Areas:** Exemption to the requirement that Parking Spaces in Residential zones be located closer to the Front Lot Line than the front face of the Principal Building [i.e. the one required parking space will be located in the new accessory building].



**BACKGROUND:****Purpose of the Application**

The applicant is proposing to construct a new detached garage on this waterfront property. Due to the requirement that new buildings or structures not be located within 20 metres of the high water mark of the Gorge Waterway and the position of the home on the waterfront, it is unfeasible to create a detached garage or to locate the one required parking space behind the front face of the principal building. Alternatively, the applicant has proposed to site the detached garage in front of the principal building.

As the subject property is located within Development Permit Area No. 4 – Gorge Waterway, this application requires a Development Permit and foreshore rehabilitation.

**Context**

**Applicant:** David Brandon

**Owners:** David Brandon and Barbara Brandon

**Property Size:** Metric: 2023 m<sup>2</sup> Imperial: 21775 ft<sup>2</sup>

**Existing Land Use:** Single Family Dwelling

**Surrounding Land Uses:**

North: Gorge Waterway, Parks and Open Space  
South: Single Family Residential  
West: Single Family Residential  
East: Single Family Residential

**Existing Zoning:** RS-3 [Single Family Waterfront Residential]

**Development Permit Guidelines**

The Official Community Plan Development Permit Area No. 4 – Gorge Waterway Guidelines [attached] are intended to provide protection of the natural environment, for the Gorge Waterway, a sensitive, tidal influenced watercourse that connects the fish-bearing freshwater of Craigflower and Colquitz Creeks with the salt-waters of Victoria Harbour.

The applicant has met Guideline 9.6.5 a) by not siting the accessory building within 20 metres of the high water mark of the Gorge Waterway.

As per guideline 9.6.5 e), the applicant has provided a landscape plan with a rehabilitation plan that includes the planting of six different native plant species in the area located within 7.5 metres of the Gorge Waterway high water mark as a step towards protecting biodiversity in the area.

As per guideline 9.6.5 g), all exterior lighting fixtures will be designed to avoid glare spilling over onto the water's edge.

**Public Notification**

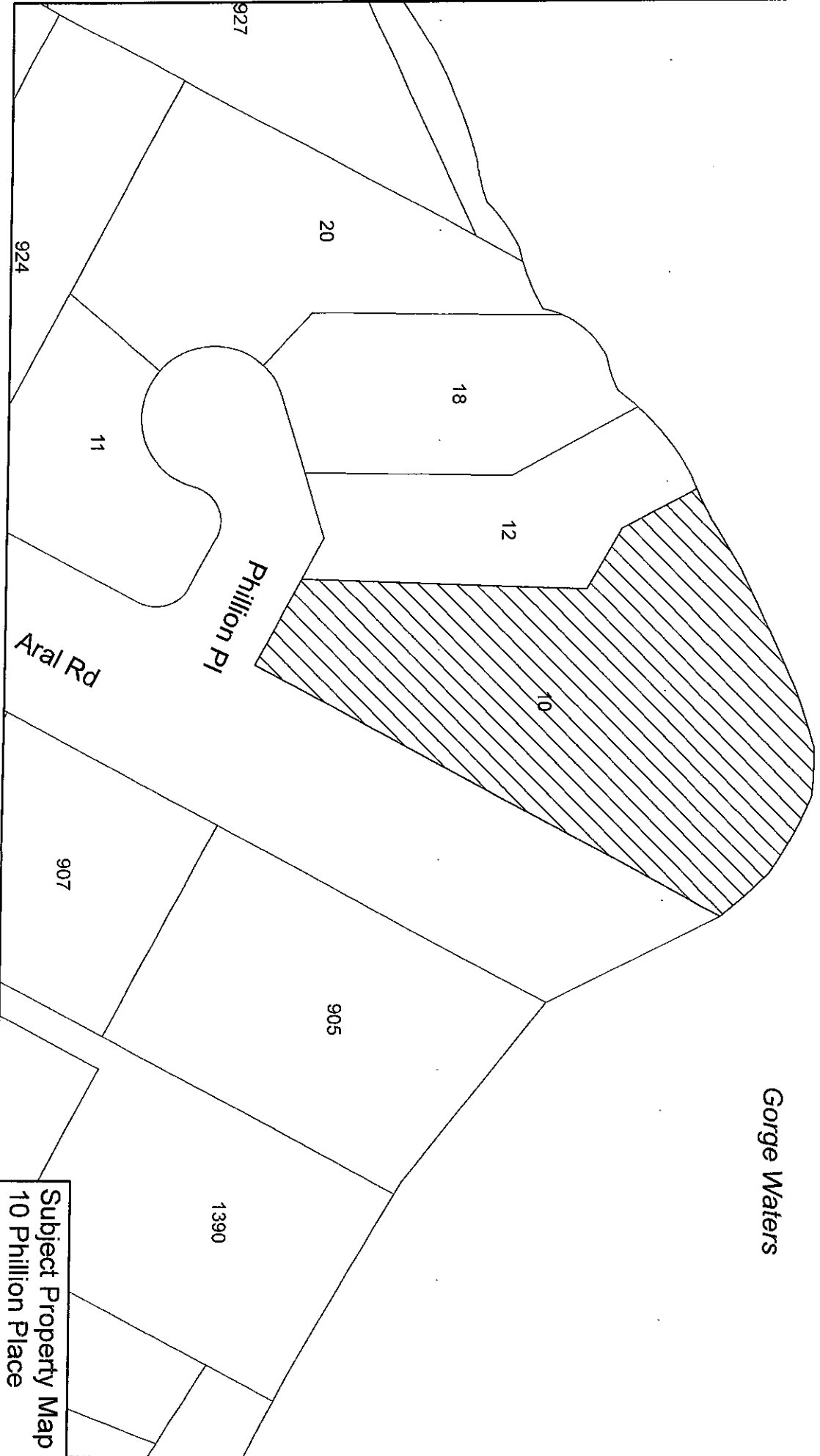
As this application includes a Development Variance Permit application, should it proceed to Council, a notice will be mailed to tenants and owners of properties within 50 metres (164 feet) of the subject property.

**ALTERNATIVES:**

1. Forward the application for a Development Permit and Development Variance Permit to Council with a **recommendation of approval**.
2. Forward the application for a Development Permit and Development Variance Permit to Council with a **recommendation of denial**.



Gorge Waters



Subject Property Map  
10 Phillion Place



## 9.6 Development Permit Area No. 4 – Gorge Waterway

### 9.6.1 Scope

All waters of the Gorge within Esquimalt and the lands within 30 meters of the natural boundary of the Gorge Waterway form DPA No. 4 and are shown on “Schedule C” of this Plan.

### 9.6.2 Category

Section 919(1)(a) of the *Local Government Act* – protection of the natural environment.

### 9.6.3 Justification

The Gorge waterway is a sensitive, tidal-influenced watercourse that connects the fish-bearing fresh water of Craigflower and Colquitz Creeks with the saltwaters of Victoria Harbour.

Over the past few decades, significant public expenditures and efforts have gone into removing sources of pollution and contamination that once plagued this waterway.

However, the removal of native shoreline vegetation and the construction of extensive sea walls has substantially diminished the quality of the shoreline as supportive habitat for fish and wildlife. Both private and public landowners are responsible for this loss of habitat, often through well meaning and beneficial projects such as shoreline walkways.

This plan, like previous plans, encourages the restoration of more natural habitat conditions on private and public land adjacent to the Gorge Waterway and the acquisition of the foreshore as parkland in all redevelopment proposals. Environmentally friendly construction methods must be utilized in redevelopment in this environmentally significant zone.

The Township encourages property owners to undertake voluntary protection of natural features and the use of stewardship tools such as conservation covenants.

### 9.6.4 Requirements of Owners of Land within the Development Permit Area

- a) Owners of land within Development Permit Area No. 4 must not do any of the following without first obtaining a development Permit in accordance with the guidelines for this Development Permit Area:
  - i) alter lands;
  - ii) subdivide lands; or
  - iii) construct or alter a building or structure;without first obtaining a Development Permit in accordance with the guidelines of this Development Permit Area.
- b) Exemptions:

The following do not require a development permit:

  - i) construction of buildings or structures less than 10 square metres in area and located more than 20 m from the high water mark;
  - ii) minor additions to existing dwellings where the floor area of the addition does not exceed 10 percent of the ground floor area of the dwelling;
  - iii) emergency repairs to existing structures and public walkways where a potential safety hazard exists;

- iv) fences constructed along a side parcel boundary (generally perpendicular to the shoreline); and
- v) the cutting of trees as permitted by the municipal tree protection bylaw.

#### **9.6.5 Guidelines for Owners of Land within the Development Permit Area**

- a) New buildings or structures, other than lawfully established boat moorage facilities, will not be located within 20 metres of the high water mark of the Gorge Waters.
- b) Where shoring methods are required to prevent erosion or sloughing of the shoreline, bio-engineering methods are preferred rather than the use of sea-walls or retaining walls.
- c) Where sea-walls or retaining walls are the only means of effectively preventing erosion, they should be designed in consultation with qualified environmental professionals as well as engineering professionals.
- d) The preservation and enhancement of native trees and shrub clusters that overhang the waters edge will be strongly encouraged as these provide shade, protection and feeding habitat for fish and wildlife.
- e) In the design of new developments or re-developments, lands within 7.5 metres (25 ft) of the high water mark of the Gorge will be retained in a natural state. In the event that the area has been previously cleared or altered, it should be rehabilitated with native plant species suitable to the site conditions. Rehabilitation may be a requirement of the Development Permit.
- f) Any new public pathways along the Gorge waterway will be designed and constructed in consultation with qualified environmental professionals and the Township of Esquimalt Parks Department.
- g) Lighting fixtures within 30 metres of the Gorge Waters will be designed to avoid glare spill over onto the water's surface.
- h) In the design of new developments or re-development, the use of soft engineered and innovative alternatives to stabilizing shorelines and preventing erosion, such as bioengineering rather than traditional hard engineered solutions should be considered.

36. **SINGLE FAMILY WATERFRONT RESIDENTIAL [RS-3]**

The intent of this Zone is to accommodate Single Family Dwellings on properties that abut the Sea.

(1) **Permitted Uses**

The following Uses and no others are permitted:

- (a) Single Family Residential
- (b) Home Occupation
- (c) Secondary Suite: subject to the requirements of Section 30.6
- (d) Boarding: subject to the requirements of Section 30.3
- (e) Urban Hens: subject to the requirements of Section 30.4 of this bylaw.

(2) **Parcel Size**

The minimum Parcel Size for Parcels created by subdivision shall be 530 square metres.

(3) **Minimum Lot Width**

The minimum width of a Parcel created by subdivision shall be 16 metres, measured at the Front Building line.

(4) **Floor Area Ratio**

The Floor Area Ratio shall not exceed 0.35.

(5) **Floor Area**

The minimum Floor Area for the First Storey of a Principal Building shall be 88 square metres.

(6) **Building Height**

- (a) No Principal Building shall exceed a Height of 7.3 metres
- (b) No Accessory Building shall exceed a Height of 3.6 metres

(7) **Building Width**

The minimum width for any Single Family Dwelling shall be 7 metres.

(8) **Lot Coverage**

- (a) All Principal Buildings, Accessory Buildings and Structures combined shall not cover more than 30% of the Area of a Parcel.
- (b) All Accessory Buildings and Structures combined shall not exceed 10% of the Area of a Parcel.

(9) **Siting Requirements**

(a) **Principal Building**

- (i) **Front Setback:** No Principal Building shall be located within 7.5 metres of the Front Lot Line.
- (ii) **Side Setback:** No Principal Building shall be located within 1.5 metres of an Interior Side Lot Line, with the total Setback of all Side Yards not to be less than 4.5 metres. In the case where a Parcel is not served by a rear lane, one (1) Side Yard shall not be less than 3 metres. In the case of a Corner Lot, no Principal Building shall be located within 3.6 metres of an Exterior Side Lot Line.
- (iii) **Rear Setback:** No Principal Building shall be located within 7.5 metres of a Rear Lot Line.
- (iv) **Waterfront Setback:** No Principal Building shall be located within 7.5 metres of the High Water Mark. The Setback shall follow a line drawn parallel to the indentations and sinuosities of the High Water Mark.

(b) **Accessory Building**

- (i) **Front Setback:** No Accessory Building shall be located in front of the front face of the Principal Building.
- (ii) **Side Setback:** No Accessory Building shall be located within 1.5 metres of an Interior Side Lot Line nor 3.6 metres of an Exterior Side Lot Line.
- (iii) **Rear Setback:** No Accessory Building shall be located within 1.5 metres of a Rear Lot Line.
- (iv) **Waterfront Setback:** No Accessory Building shall be located within 4.5 metres of the High Water Mark. The Setback shall follow a line drawn parallel to the indentations and sinuosities of the High Water Mark.
- (v) **Building Separation:** No Accessory Building shall be located within 2.5 metres of a Principal Building.

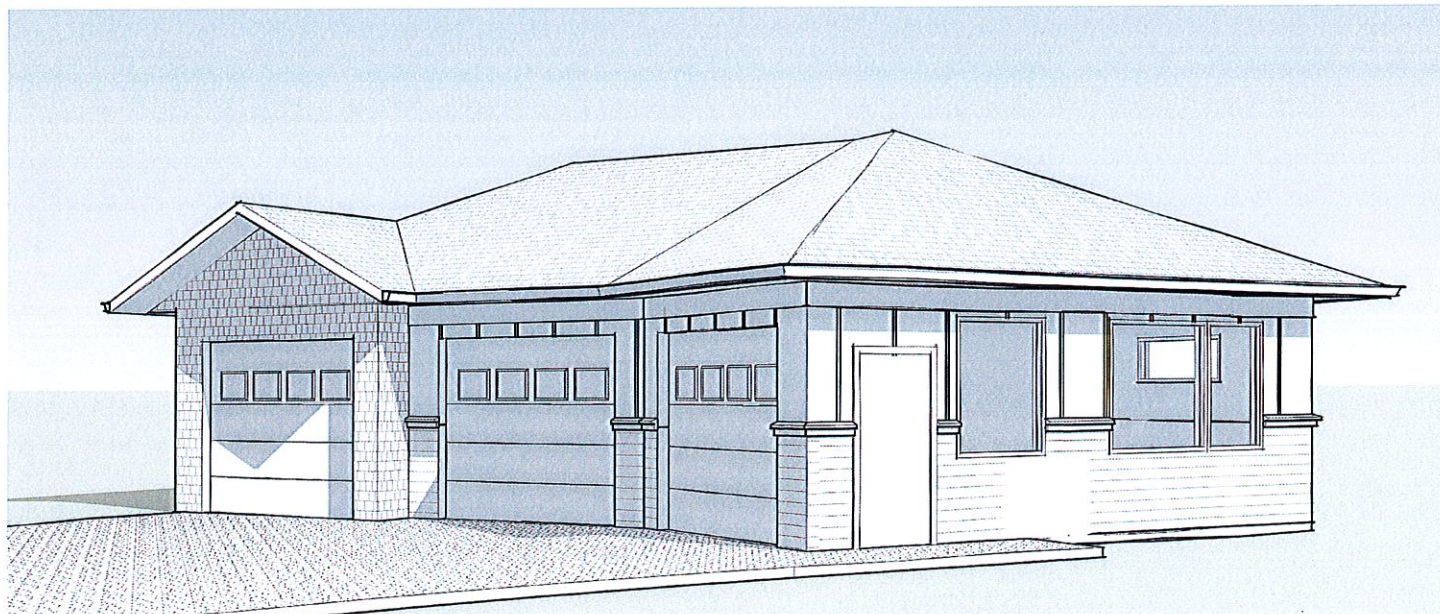
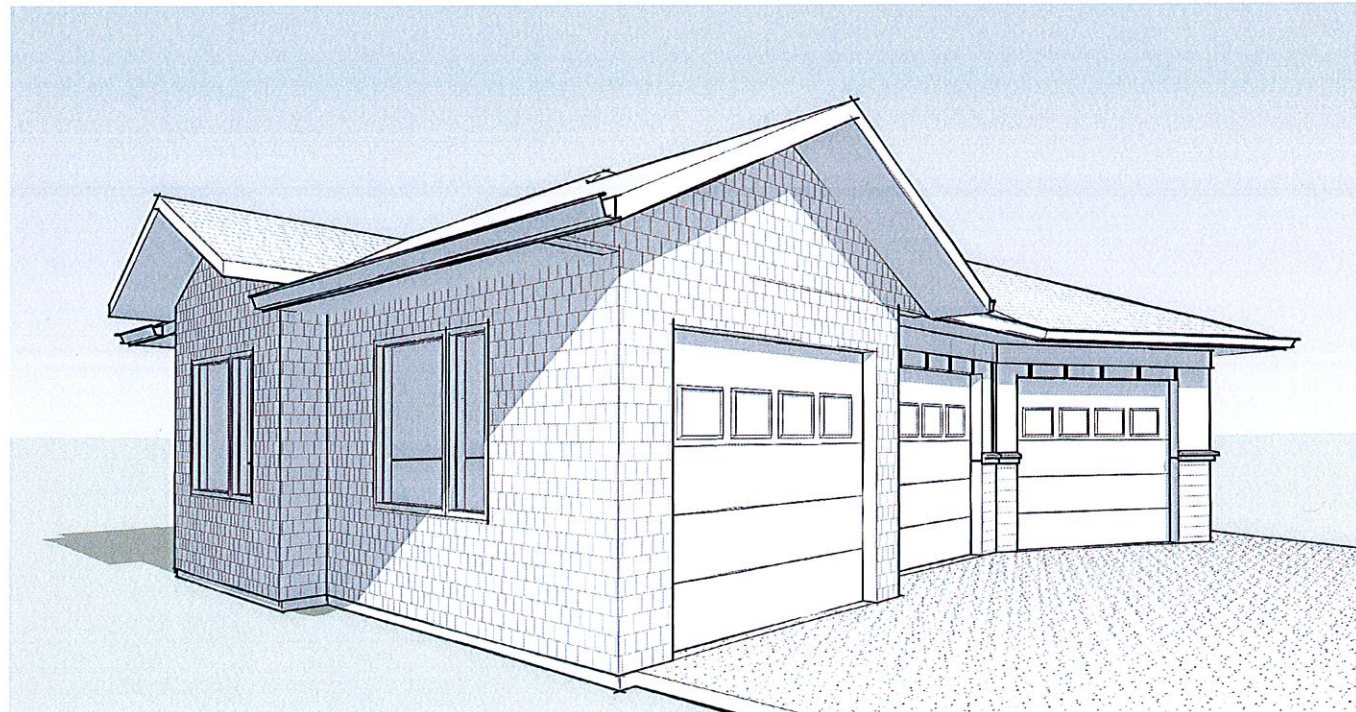
(10) **Fencing**

Subject to Section 22, no fence shall exceed a Height of 2 metres except that the Height of a Fence within 7.5 metres of a Highway adjoining the front yard shall not exceed 1.2 metres.

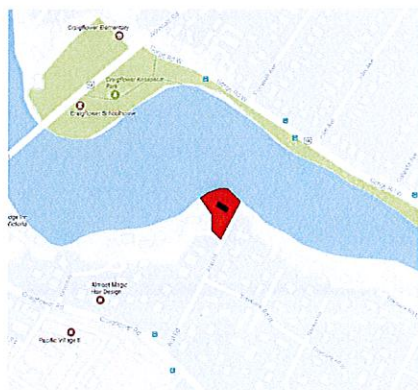
(11) **Off Street Parking**

Off street parking shall be provided in accordance with the requirements of Parking Bylaw, 1992, No. 2011 (as amended).





VICINITY MAP



**GENERAL NOTES:**

- 1) DIMENSIONS PROVIDED SHALL TAKE PRECEDENCE OVER SCALE. CONTRACTOR TO VERIFY ALL DIMENSIONS OF BUILDING DESIGNER AND CONSULTANT'S DRAWINGS PRIOR TO WORK COMMENCEMENT. ANY DISCREPANCIES ARE TO BE REPORTED IMMEDIATELY. ANY NOTES ELSEWHERE ON THE PLANS THAT EXCEED THE REQUIREMENTS STATED IN THE GENERAL NOTES TAKE PRECEDENCE.
- 2) PRIOR TO ANY ALTERATION OR MODIFICATION OF PLANS OR DETAILS ON SITE, CONTRACTOR(S), TRADEPERSONS AND/OR HOMEOWNER(S) MUST CONTACT BUILDING DESIGNER TO CONFIRM BUILDING CODE AND/OR STRUCTURAL ENGINEERING REQUIREMENTS AND TO MAINTAIN ACCURACY AND COMPLETENESS OF PLANS.
- 3) ALL NEW CONSTRUCTION TO MEET CURRENT BC BUILDING CODE 2012.
- 4) VENTILATION INTAKE AND EXHAUST TO MEET ALL BCBC REGULATIONS.
- 5) VENTILATION CHECKLIST TO BE COMPLETED PRIOR TO FRAMING INSPECTION.
- 6) CARBON MONOXIDE ALARM LOCATIONS TO BE DETERMINED, AS PER BCBC.
- 7) PHOTO-ELECTRIC/INTERCONNECTED SMOKE DETECTORS LOCATED AS PER BCBC.

**PROJECT DATA**

Property Owner: Dave Brandon  
 Civic Address: 10 Phillion Place, Esquimalt, BC  
 Legal Description: Lot C, Section 2, Esquimalt District, Plan 27030  
 Zone: RS-3  
 Project Description: New Accessory Building - Garage  
 Site Area: 1907 SqM (20,529 SF)  
 Average Grade: 5.64 M  
 (see Sheet A001 for calculations)  
 Building Height: 

ALLOWED	PROPOSED
3.6M (11' 10")	3.9M (12' 11")

  
 Proposed Variance: - Building Location - Front Yard  
 - Building Height

**SETBACKS**

	REQD		PROPOSED	
	M	Ft.	M	Ft.
FRONT:	0	0	13.5	44' 3"
WATERFRONT (Rear):	4.5	5' 0"	26.5	87' 0"
SIDELOT (West):	1.5	5' 0"	2.5	8' 3"
SIDELOT (East):	1.5	5' 0"	8.84	29' 0"
BUILDING SEPERATION:	2.5	8' 3"	13.0	42' 10"

**FLOOR AREAS**

	EXISTING		PROPOSED	
	Sq. M	Sq. FT	Sq. M	Sq. FT
Existing Residence:	226	2436	--	--
Garage:	--	--	97.8	1053
<b>TOTAL:</b>			924.1	9489
Lot Coverage (30% Allwd):	11.96		16.96	
Floor-Area Ratio:	0.11		0.16	



**LEGEND**

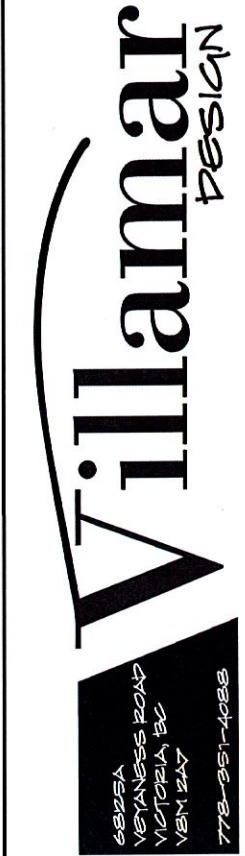
- ☐ CARBON MONOXIDE ALARM AS PER BCBC 432.4.2
- ☐ INTERCONNECTED SMOKE DETECTOR AS PER BCBC 4.10.14
- ☐ EXHAUST FANS CONNECTED TO A PRINCIPAL EXHAUST VENTILATION SYSTEM AS PER BCBC 432.35
- ☐ WINDOW TAG
- ☐ DOOR TAG
- ☐ BATT INSULATION
- ☐ RIGID INSULATION

**PROJECT TEAM:**

**SURVEYOR:**  
 J.E. Anderson & Assoc.  
 4212 Sigford Ave.  
 Victoria, BC V8Z 4B7  
 250-727-2214

**STRUCTURAL ENGINEER:**

Sheet List	
Sheet Number	Sheet Name
A1	Cover
A2	Site
A3	Elevations
A4	Foundation & Floor Plan
A5	Roof Plan, Section & Details
A6	Notes & RSI

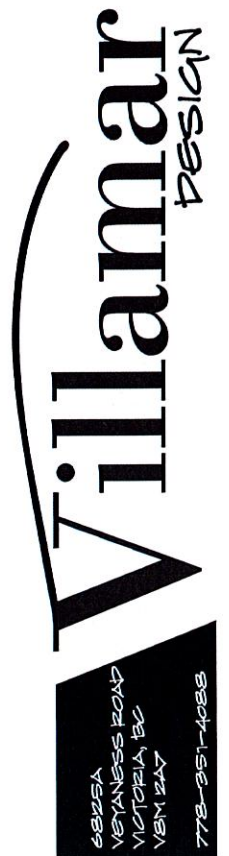
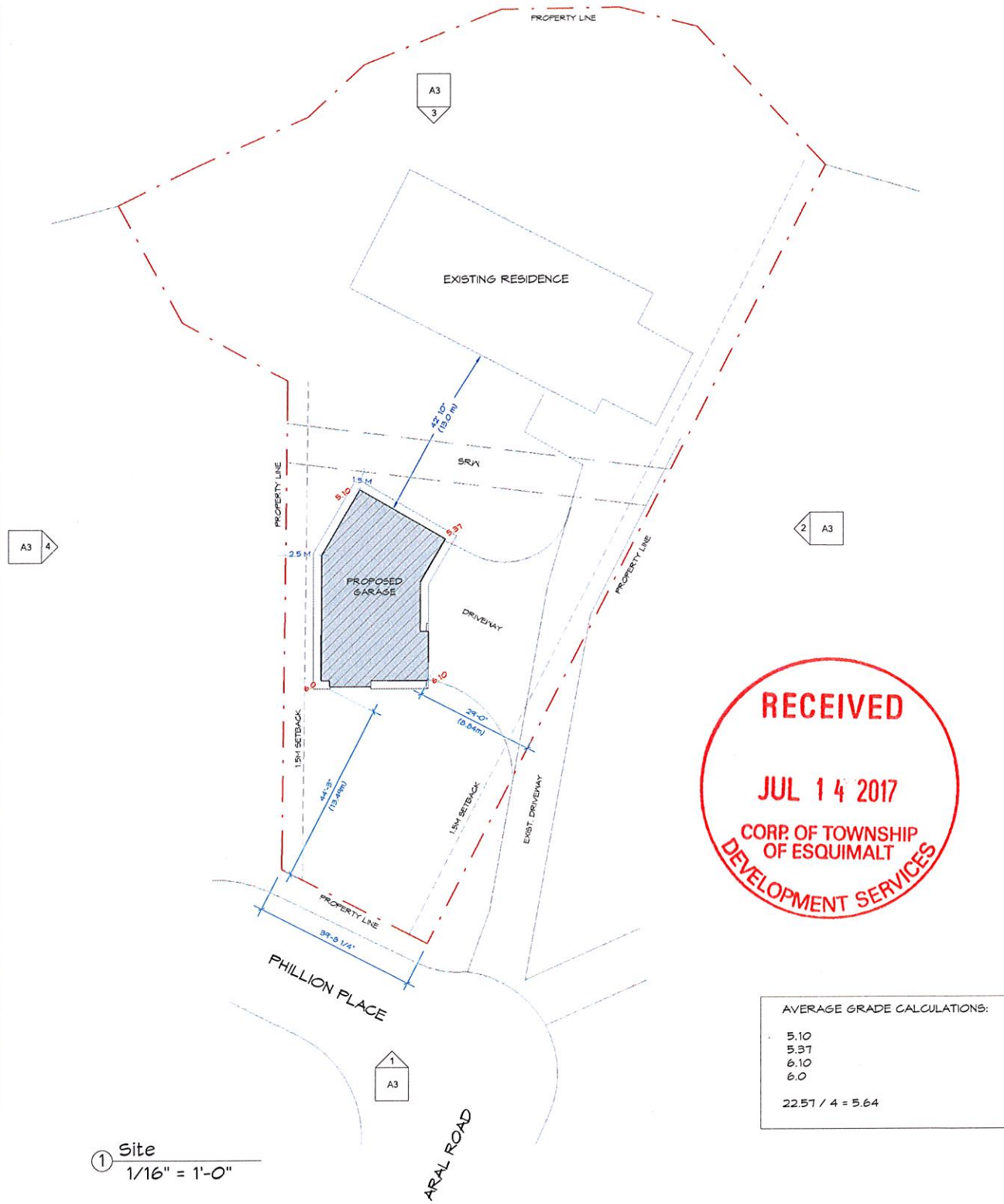
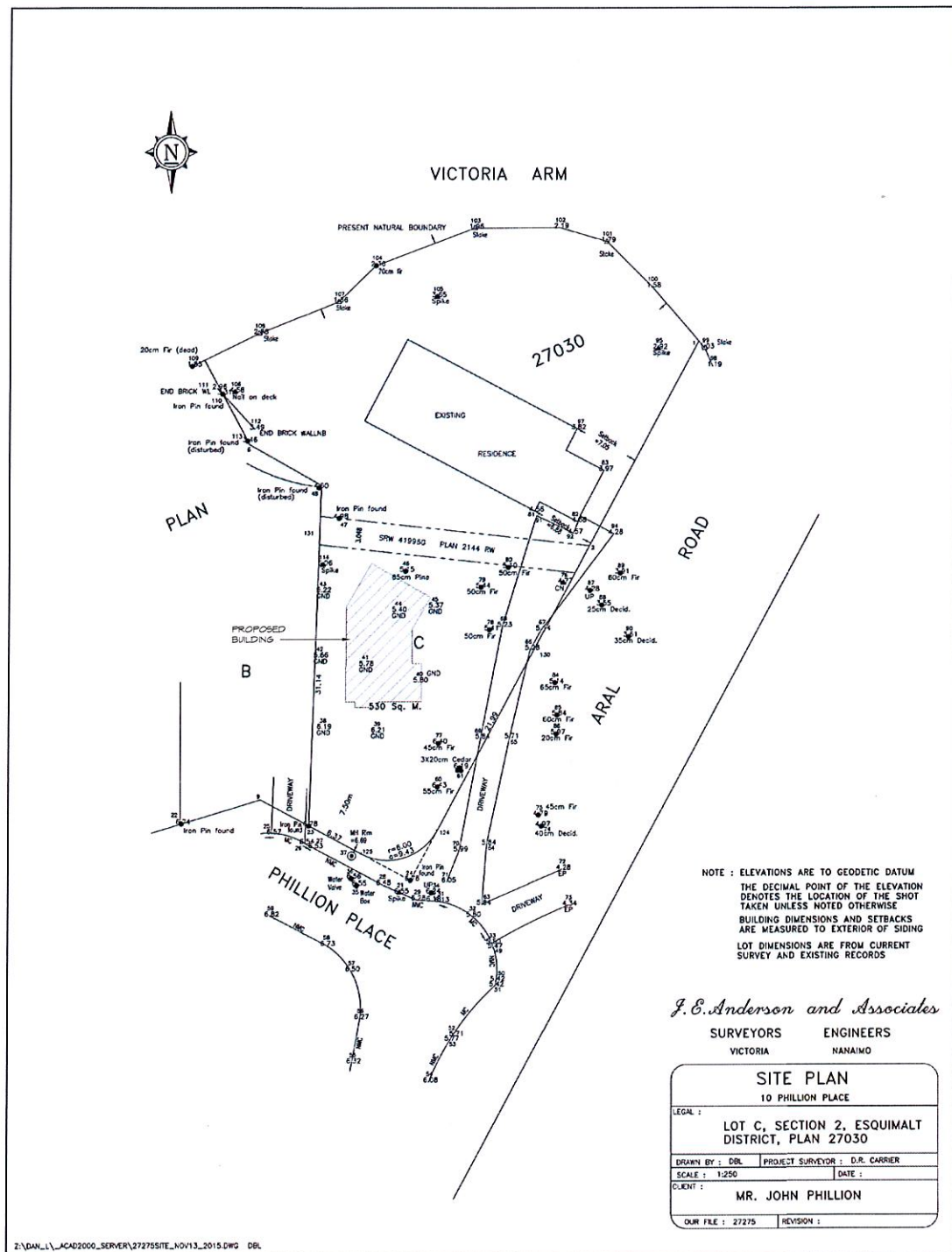


10 Phillion Pl.  
 Esquimalt, BC

Client:  
 Dave Brandon

DATE:	ISSUED FOR:
	Review
Development Permit	
Cover	
SHEET ISSUE DATE	May 30, 2016
PROJECT NUMBER	1710
DRAWN BY	AJM
CHECKED BY	DE
A1	
SCALE	1/4" = 1'-0"

C:\Users\Caleb\Desktop\Work\10 Phillion - July 10.rvt

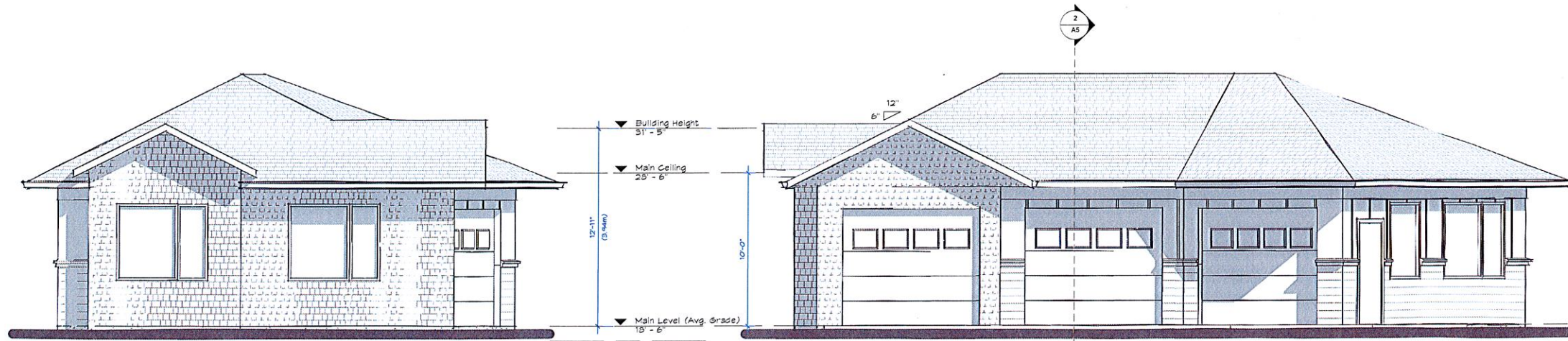


10 Phillion Pl.  
Esquimalt, BC

Client:  
Dave Brandon

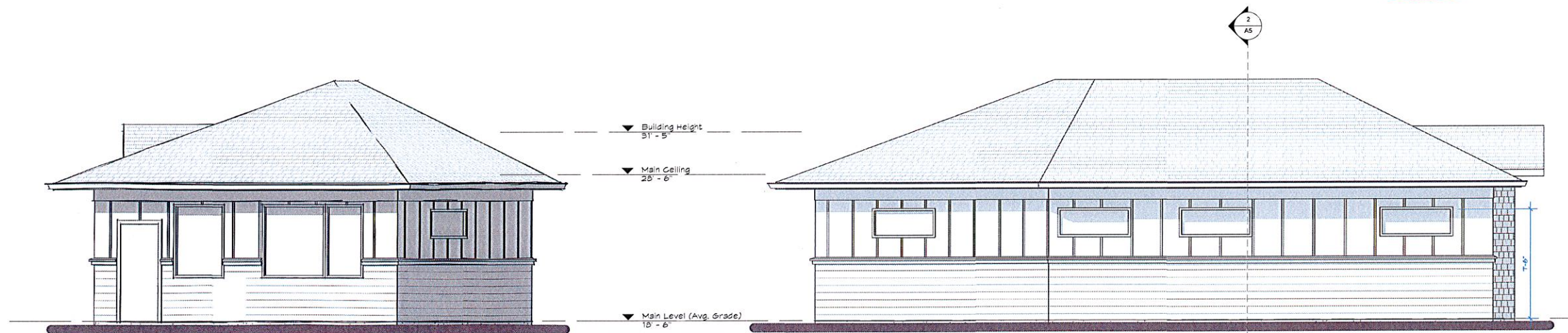
DATE:	ISSUED FOR:
Development Permit	
Site	
SHEET ISSUE DATE	May 30, 2016
PROJECT NUMBER	1710
DRAWN BY	AJA
CHECKED BY	DE
<b>A2</b>	
SCALE	1/16" = 1'-0"

C:\Users\Caleb\Desktop\Work\10 Phillion\10 Phillion - July 10.rvt



① South - Left Side  
1/4" = 1'-0"

② East - Front  
1/4" = 1'-0"



③ North - Right Side  
1/4" = 1'-0"

④ West - Rear  
1/4" = 1'-0"

**Villamar**  
DESIGN

6825A  
VENANCE ROAD  
VICTORIA, BC  
V8N 2A7  
778-951-4088

10 Phillion Pl.  
Esquimalt, BC

Client:  
Dave Brandon

DATE: ISSUED FOR:

Development Permit

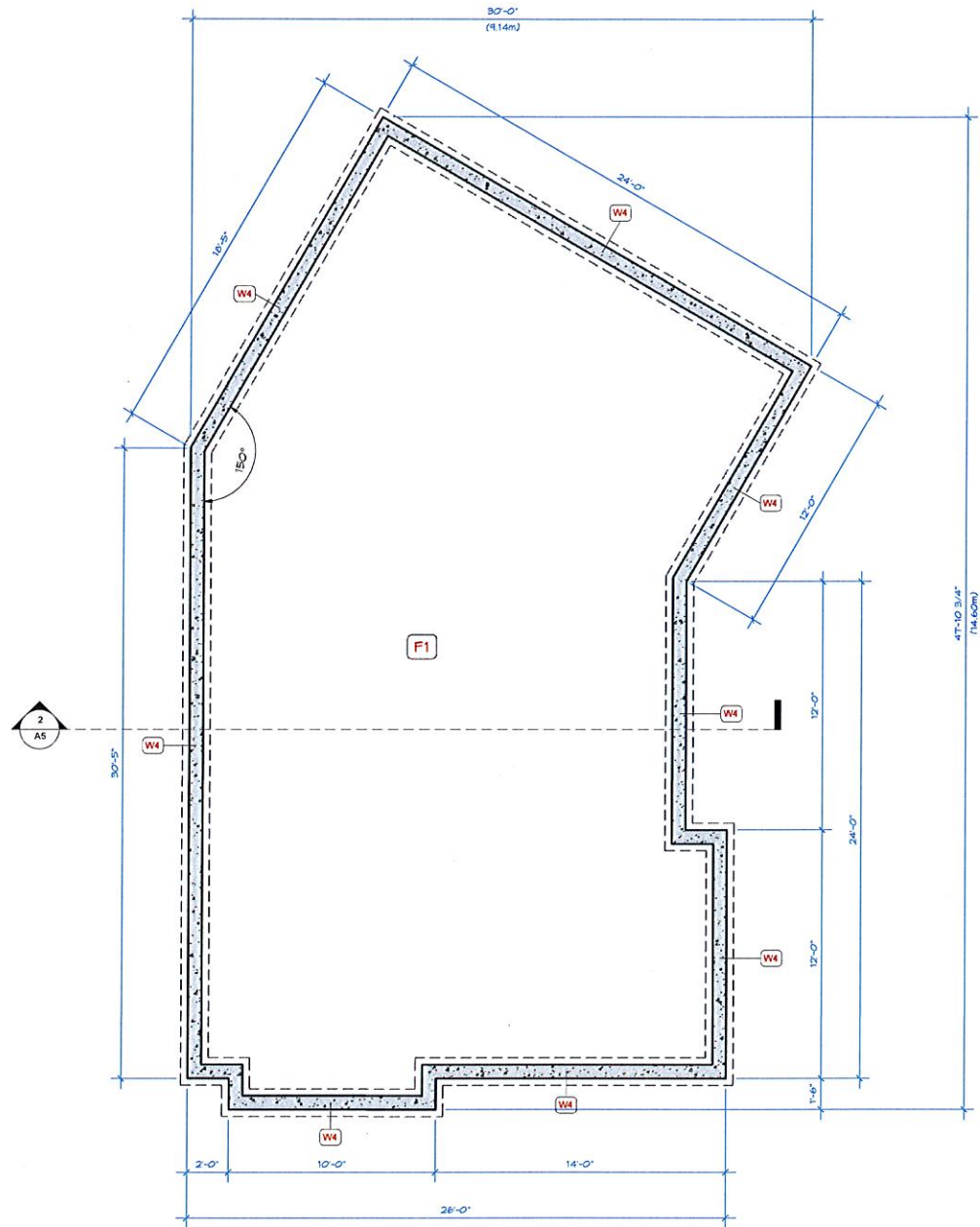
Elevations

SHEET ISSUE DATE  
May 30, 2016

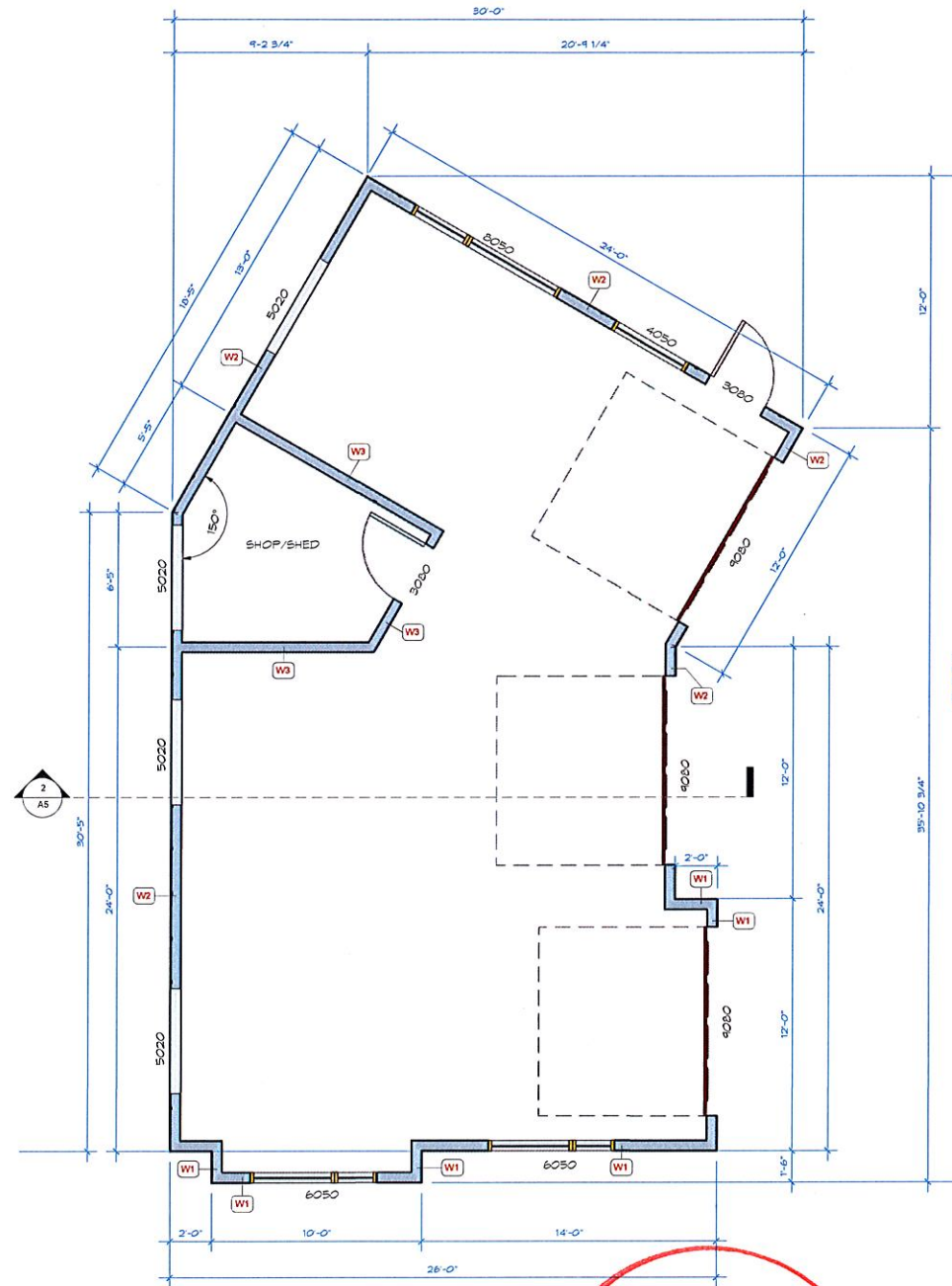
PROJECT NUMBER 1110  
DRAWN BY AJN  
CHECKED BY DE

A3

SCALE 1/4" = 1'-0"

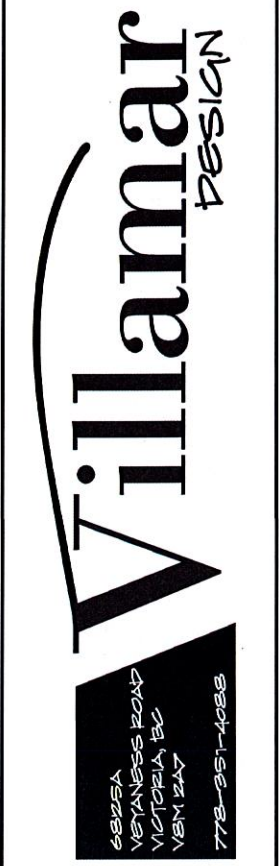


① Foundation Plan  
1/4" = 1'-0"



② Main Level  
1/4" = 1'-0"

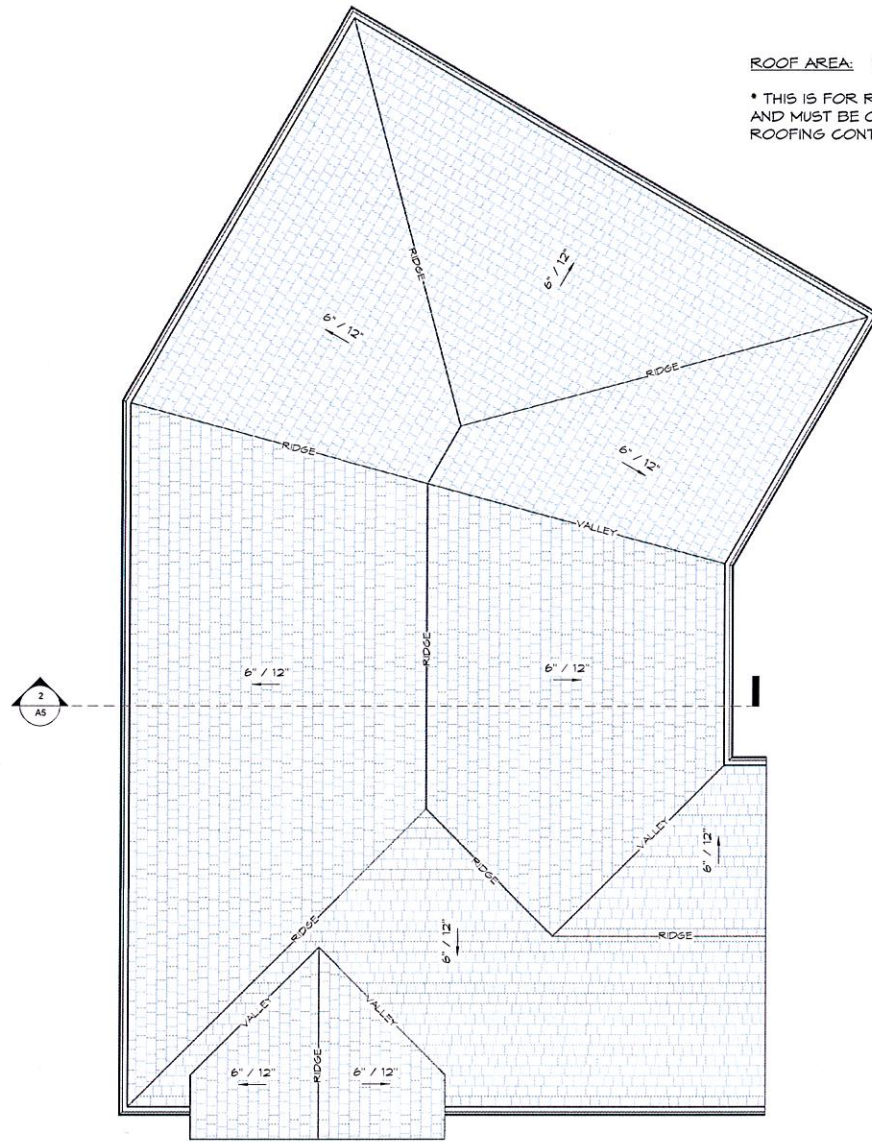
- BUILDING ASSEMBLIES**
- ROOF:**
- R1 - ASPHALT ROOFING SHINGLES
  - ROOFING PAPER
  - 3/4" PLYWOOD SHEATHING
  - ENS. TRUSSES @ 2'-0" O.C.
  - BATT/BLOWN-IN INSULATION
  - 6" VAPOUR BARRIER
  - 1/2" GYPSUM WALL BOARD
  - VENTED SOFFIT AT PERIMETER
- WALLS:**
- W1 - SHAKE SIDING, AS PER OWNER
  - 3/4" AIR SPACE
  - PRESSURE TREATED STRAPPING
  - 2 LAYERS 30 MIN. BUILDING PAPER
  - 1/2" SHEATHING
  - 2x6 STUDS @ 16" O.C.
  - R-20 BATT INSULATION
  - 6 ML POLY V.B.
  - 1/2" DRYWALL
  - W2 - LAP SIDING - TO 4' 0" HIGH
  - CONC. FIBRE PANEL IV VERT. BATONS @ 24"
  - 3/4" AIR SPACE
  - PRESSURE TREATED STRAPPING
  - 2 LAYERS 30 MIN. BUILDING PAPER
  - 1/2" SHEATHING
  - 2x6 STUDS @ 16" O.C.
  - R-20 BATT INSULATION
  - 6 ML POLY V.B.
  - 1/2" DRYWALL
  - W3 - 2x4 FRAMING @ 16" O.C. (TYP.)
  - 1/2" DRYWALL THROUGHOUT
  - W4 - 8" CONCRETE FOUNDATION WALL
  - IV JOIST LEDGE
  - 1 #4 REBAR @ TOP OF WALL
  - #4 @ 48" O.C. VERTICALS
  - 18" W X 8" H CONCRETE FOOTINGS
  - 2 - #4 @ N FOOTING
- FLOORS:**
- F1 - POLISHED CONCRETE SLAB
  - 4" CONCRETE SLAB
  - 2" POLY V.B.
  - 6" COMPACTED GRAVEL OR SAND
  - SLOPE SLAB MIN. 1" TO DOOR
- LEGEND:**
- 5-C2 CARBON MONOXIDE ALARM AS PER BCBC 932.4.2
  - INTERCONNECTED SMOKE DETECTOR AS PER BCBC 910.14
  - 6-F EXHAUST FANS CONNECTED TO A PRINCIPAL EXHAUST VENTILATION SYSTEM AS PER BCBC 932.35
  - 7-W WINDOW TAGS
  - 8-D DOOR TAGS
  - 9-B BATT INSULATION
  - 10-R RIGID INSULATION
- ROOF VENTILATION:**
- SUGGESTED INTAKE TO BE 3" CONTINUOUS SOFFIT SLOT, AS PER INTAKE RATE OF 1/300.
  - SUGGESTED EXHAUST TO BE 1 BUR FLAT TOP VENTS, AS PER EXHAUST RATE OF 1/300.
- FLOOR PLAN KEYNOTES:**
- FOUNDATION DIMENSIONS ARE TO FACE OF CONCRETE OR CENTER OF COLUMNS
  - EXTERIOR WALL DIMENSIONS ARE TO FACE OF SHEATHING
  - INTERIOR WALL DIMENSIONS ARE TO CENTER OF STUDS
  - ALL FOOTINGS TO BE ON SOLID BEARINGS AND TO BE VERIFIED BY ENGINEER FOR POINT LOADS
  - EGRESS: EACH BEDROOM SHALL HAVE AT LEAST ONE OPENABLE WINDOW THAT CONFORMS TO BCBC 4.9.10



10 Phillion Pl.  
Esquimalt, BC

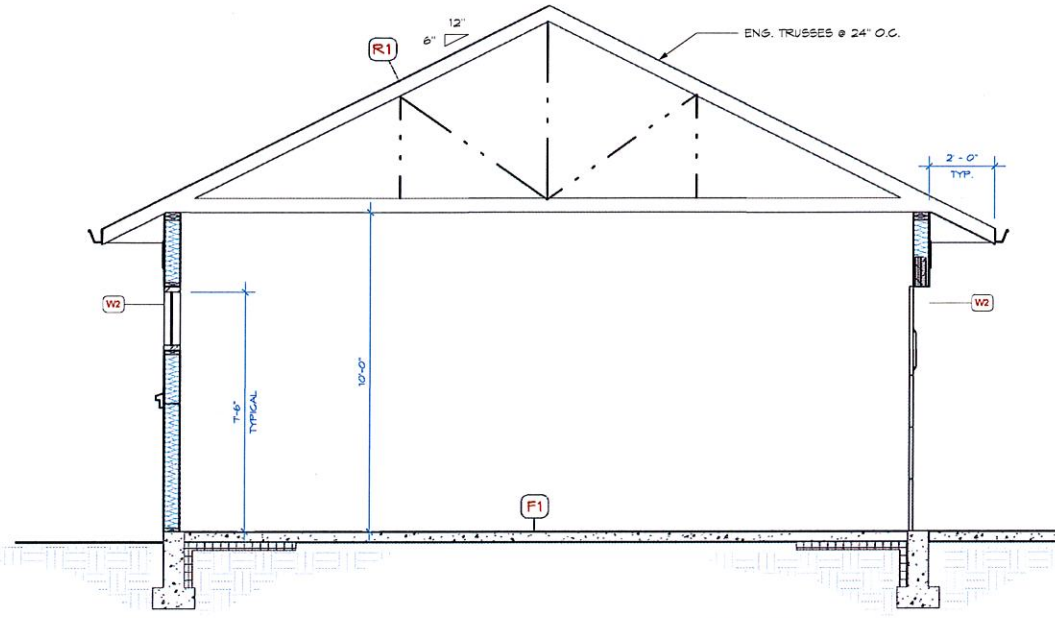
Client:  
Dave Brandon

DATE:	ISSUED FOR:
Development Permit	
Foundation & Floor Plan	
SHEET ISSUE DATE	May 30, 2016
PROJECT NUMBER	1710
DRAWN BY	AJN
CHECKED BY	DE
<b>A4</b>	
SCALE	As indicated



ROOF AREA: 1558 SF

\* THIS IS FOR REFERENCE ONLY AND MUST BE CONFIRMED BY ROOFING CONTRACTOR



Section 1  
3/8" = 1'-0"



**BUILDING ASSEMBLIES**

**FLOORS:**

**F1** FLOORED CONCRETE SLAB  
 - 4" CONCRETE SLAB  
 - 6M POLY VB  
 - 6" COMPACTED GRAVEL OR SAND  
 - SLOPE SLAB MIN. 1" TO DOOR

**WALLS:**

**W1** SHAKE SIDING AS PER OWNER  
 - 3/4" AIR SPACE  
 - PRESSURE TREATED STRAPPING  
 - 2 LAYERS 30 MN. BUILDING PAPER  
 - 1/2" SHEATHING  
 - 2x6 STUDS @ 16" O.C.  
 - R-20 BATT INSULATION  
 - 6MIL POLY VB  
 - 1/2" DRYWALL

**W2** LAP SIDING - TO 4' 0" HIGH  
 - CONC. FIBRE PANEL IV VERT. BATONS @ 24"  
 - 3/4" AIR SPACE  
 - PRESSURE TREATED STRAPPING  
 - 2 LAYERS 30 MN. BUILDING PAPER  
 - 1/2" SHEATHING  
 - 2x6 STUDS @ 16" O.C.  
 - R-20 BATT INSULATION  
 - 6MIL POLY VB  
 - 1/2" DRYWALL

**W3** 2x4 FRAMING @ 16" O.C. (TYP)  
 - 1/2" DRYWALL THROUGHOUT

**W4** 8" CONCRETE FOUNDATION WALL  
 IV JOIST LEDGE  
 - 1 #4 REBAR @ TOP OF WALL  
 - #4 @ 48" O.C. VERTICALS  
 - 18" X 8" H CONCRETE FOOTINGS  
 - 2 - #4 @ N FOOTING

**ROOF:**

**R1** ASPHALT ROOFING SHINGLES  
 - ROOFING PAPER  
 - 3/4" PLYWOOD SHEATHING  
 - ENS. TRUSSES @ 24" O.C.  
 - BATT/BLOWN-IN INSULATION  
 - 6M VAPOUR BARRIER  
 - 1/2" GYP. WALL BOARD  
 - VENTED SOFFIT AT PERIMETER

**LEGEND**

**6-02** CARBON MONOXIDE ALARM AS PER BCGC 432.4.2  
 INTERCONNECTED SMOKE DETECTOR AS PER BCGC 410.14

**6-04** EXHAUST FANS CONNECTED TO A PRINCIPAL EXHAUST VENTILATION SYSTEM AS PER BCGC 432.55

**11** WINDOW T&S

**3** DOOR T&S

**INS** BATT INSULATION

**RI** RIGID INSULATION

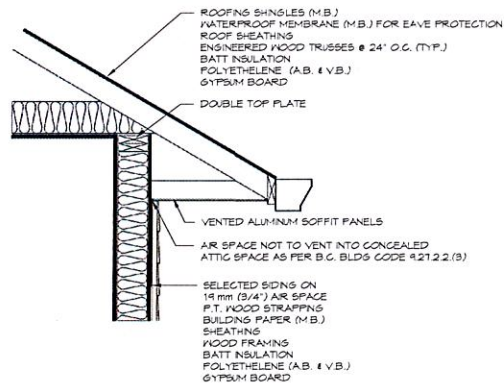
**Villamar**  
DESIGN

6825A  
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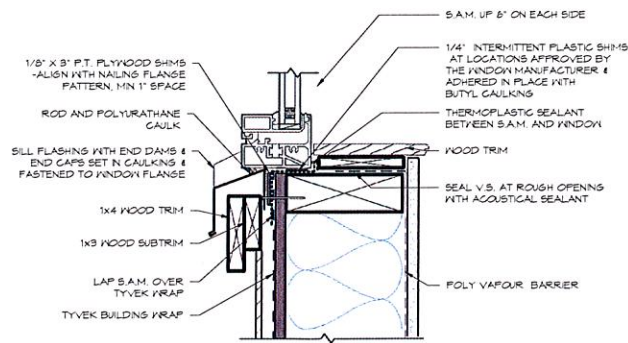
10 Phillion Pl.  
Esquimalt, BC

Client:  
Dave Brandon

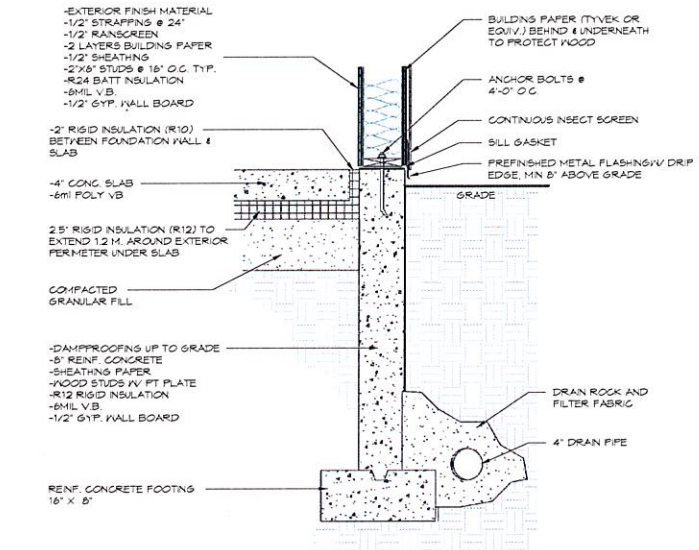
1 Roof Plan  
1/4" = 1'-0"



3 Water Shedding Roof/Wall  
3/4" = 1'-0"



4 Window Sill  
1" = 0'-3"



5 Fdn Wall - Slab @ Grade  
3/4" = 1'-0"

DATE:	ISSUED FOR:
	Review

Development Permit

Roof Plan, Section  
& Details

SHEET ISSUE DATE  
May 30, 2016

PROJECT NUMBER 1110  
DRAWN BY AJN  
CHECKED BY DE

A5

SCALE As indicated

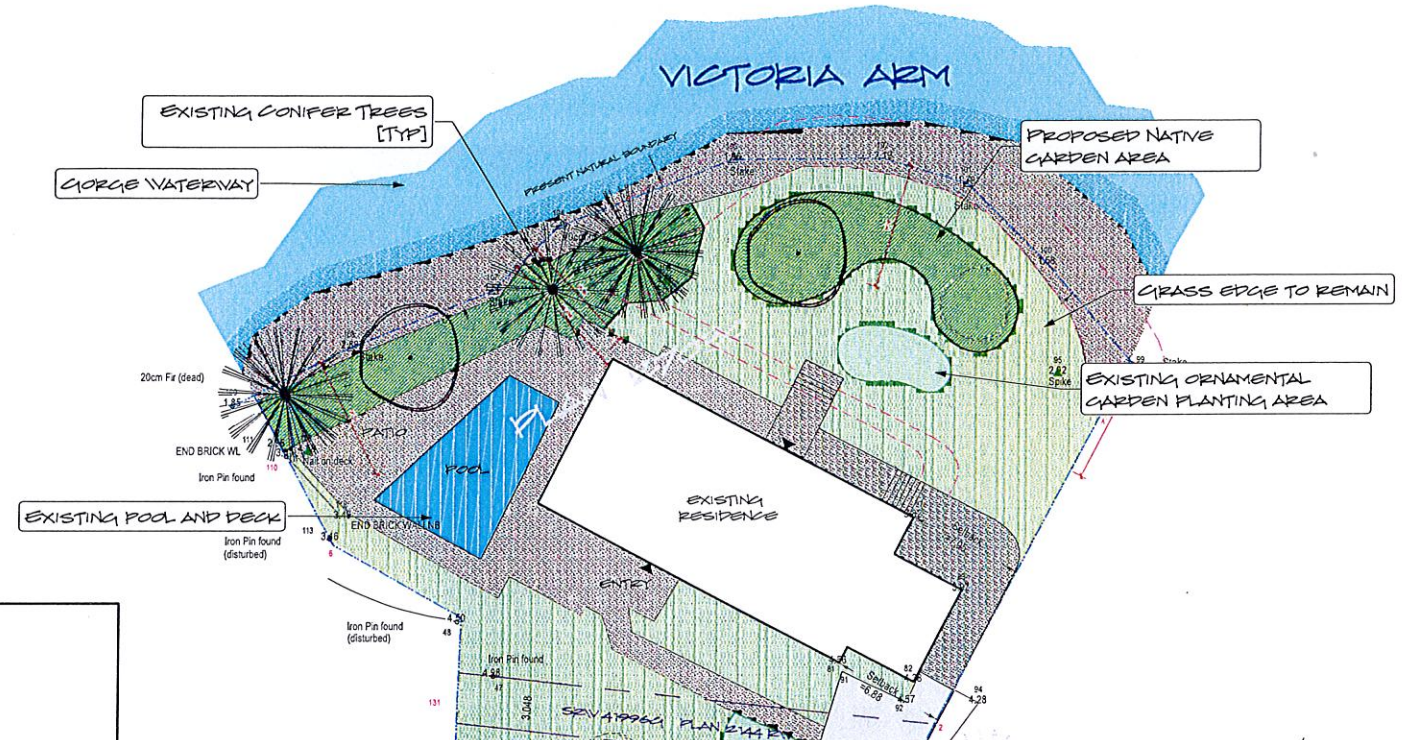




RECOMMENDED PLANT LIST

BOTANICAL NAME	COMMON NAME	SIZE
TREES		
3 Row deciduous**	Wine Maple	2.0M Ht.
SHRUBS & PERENNIALS		
Malvastrum coccineum**	Dragon Grape	#5 Pot
Ribes Variety	Rhododendron	#5 Pot
Ribes Song King Edward**	Ornamental Currant	#5 Pot
VIKES & GROUNDCOVER		
Antiscorpius urea and**	Kentucky Bluegrass	SP3
Sanicula oleracea**	Orange Honeycreeper	#1 Pot

- NOTES
- 1) Plant material, installation and maintenance to conform to BCSPA/BCMA standards (current edition).
  - 2) All growing medium to comply to BCSPA/BCMA standard designation "1P, Level 1 Well Drained Area".
  - 3) All planting areas to be covered with weed fabric with application of 75 mm mulch.
  - 4) Contractor to confirm locations and elevations of all existing services and utilities prior to commencing construction.
  - 5) All existing trees located on plan are approximately 50m and 100m in size and depth of roots are not shown, and should be verified by a surveyor prior to any construction. No work to be done around any trees without consultation of a qualified arborist. Any and all crown and roots to be fenced off in consultation with a consulting arborist.
  - 6) Invasive species in the 7.5m setback to be removed (Scotch Broom and Himalayan Blackberry). Trees to be shown removed shall be removed prior to commencement of construction.



**LEGEND**

**HARDSCAPE FINISHES:**

- PP1 Existing asphalt driveway
- PP2 New asphalt driveway addition
- PP3 Concrete (broom or exposed aggregate finish)

**SOFTSCAPE:**

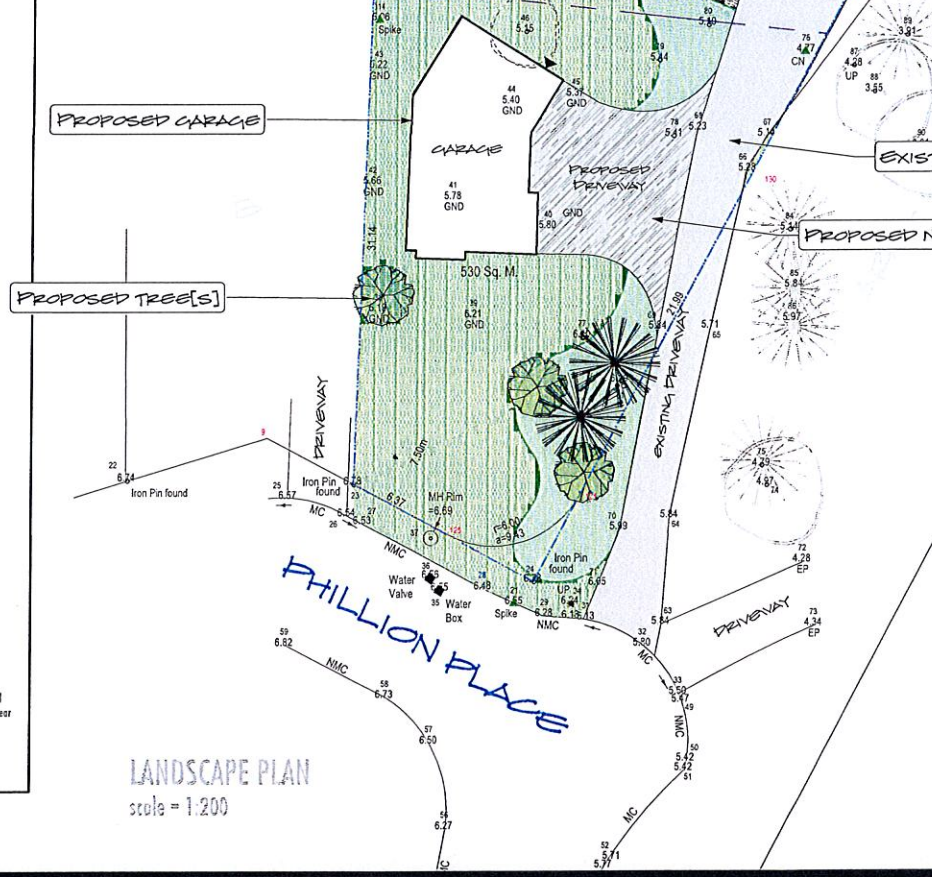
- Lawn
- Planting area
- Naturalized area

**MISCELLANEOUS:**

- Large rock boulders approx 4' x 5' dia.
- Concrete or mortared rock retaining/upstand walls, Heights vary.

**NOTES:**

- 1) All building layout information and setback dimensions supplied by JE Anderson surveyors.
- 2) All survey information supplied by JE Anderson surveyors.
- 3) This drawing must not be scaled. The General Contractor shall verify all dimensions, distances and levels prior to commencement of work.
- 4) All errors and omissions must be reported immediately to the Designer.
- 5) This drawing is the exclusive property of the Designer and can be reproduced only with the permission of the designer, in which case the reproduction must bear the designer's name.



SKL.01  
05.JULY.2017  
1:250  
LATEST REVISION:

# 10 PHILLION PLACE LANDSCAPE LAYOUT

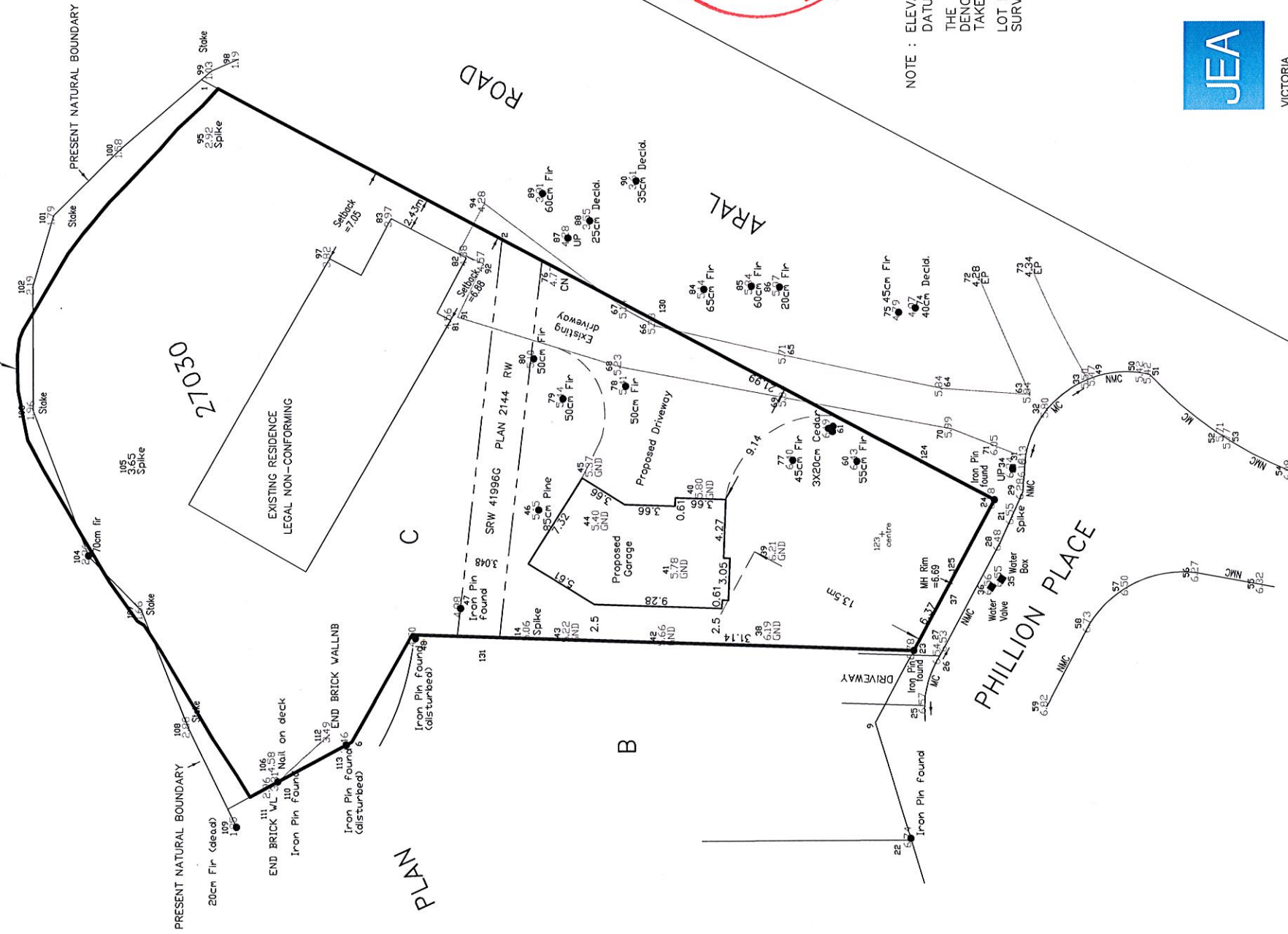
**STUDIO ONE CREATIVE**  
PHONE: 250-881-0706  
EMAIL: DENSING@MAC.COM

PERSONAL RESIDENCE :: 10 PHILLION PLACE :: SKL.01 :: Waterway Frontage :: landscape layout ::



VICTORIA ARM

Natural Boundary as per Plan 27030



27030

PLAN

B

C

EXISTING RESIDENCE  
LEGAL NON-CONFORMING

ROAD

ARAL

PHILLION PLACE



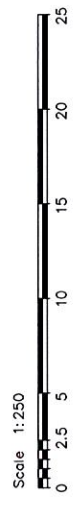
NOTE : ELEVATIONS ARE REFERENCED TO GEODETIC DATUM  
 THE DECIMAL POINT OF THE ELEVATION DENOTES THE LOCATION OF THE SHOT TAKEN UNLESS NOTED OTHERWISE  
 LOT DIMENSIONS ARE FROM CURRENT SURVEY AND EXISTING RECORDS



**J E ANDERSON &  
 ASSOCIATES**

SURVEYORS - ENGINEERS  
 NANAIMO PARKSVILLE  
 VICTORIA  
 PHONE: 250-727-2214 FAX: 250-727-3395

<b>Sketch Plan of Proposed Garage</b>	
10 PHILLION PLACE	
Mr. David Brandon	
DRAWN BY : DBL/PJW	PROJECT SURVEYOR : P.J. Wittstock, BCLS
SCALE : 1 : 250	DATE : June 27, 2017.
LOT C, SECTION 2, ESQUIMALT DISTRICT, PLAN 27030	
OUR FILE : 27275/30601	REVISION :
z:\_Projects\30601...\_30601.dwg (Sketch)	







# CORPORATION OF THE TOWNSHIP OF ESQUIMALT

Municipal Hall, 1229 Esquimalt Road, Esquimalt, B.C. V9A 3P1  
Telephone (250) 414-7100 Fax (250) 414-7111

APC Meeting: July 18, 2017

## STAFF REPORT

**DATE:** July 14, 2017

**TO:** Chair and Members of the Advisory Planning Commission

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

**SUBJECT: REZONING APPLICATION**  
"Super Genius Daycare"  
**780 Dominion Road** [PID 006-289-100, Amended Lot I (DD 156820I), Section 10, Esquimalt District, Plan 2923]

---

### RECOMMENDATION:

The Esquimalt Advisory Planning Commission recommends that the application for rezoning to facilitate the conversion of the property to a Group Children's Day Care Centre, consistent with the plans prepared by Aspire Custom Designs, stamped "Received June 27, 2017" be forwarded to Council with a recommendation to either **approve, approve with conditions, or deny the application; including reasons for the chosen recommendation.**

### BACKGROUND:

#### Purpose of the Application

The applicant is requesting a change in zoning from Multiple Family Residential [RM-3] to Comprehensive Development District to permit a Group Children's Day Care Centre, which could accommodate up to 16 children.

**Evaluation of this application should focus on issues relevant to a change in zoning; such as the appropriateness of the proposed uses, the fit with the neighbourhood, parking, pedestrian and vehicle traffic levels, and consistency with the overall direction contained within the Official Community Plan.**

#### Context

**Applicants:** Luz Mary Calderon, Lindsay Justin Baker

**Owners:** Luis Sanchez, Sonia Nieto, Luz Mary Calderon, Ivan Ramirez

**Designer:** Lindsay Justin Baker [Aspire Custom Design]

**Property Size:** Metric: 658 m<sup>2</sup> Imperial: 7087 ft<sup>2</sup>

**Existing Land Use:** Single Family Residential and Multi-age child care [up to 8 children]

**Surrounding Land Uses:**

North: Multiple Family Residential

South: Single Family Residential

West: Light Industrial

East: Single Family Residential and Daycare for 16 children [City of Victoria]

**Existing Zoning:** Multiple Family Residential [RM-3]

**Proposed Zoning:** CD [Comprehensive Development District]

**Existing OCP Designation:** Multi-unit, Low-Rise Residential [No change proposed]

**Official Community Plan [OCP]**

Within the Esquimalt Official Community Plan 'Child Care Facilities' ['Daycares'] can be defined as an 'institutional land use', and as such are considered appropriate within any OCP land use designation, and the land where they are located need not be specifically designated for institutional. Therefore, the property will remain designated for multi-unit, low-rise residential development and the new comprehensive development district zone would accommodate either, or possibly both, uses on the site in the future.

The OCP encourages Council to review any new Institutional land use proposals in detail and assess each proposal on its own merits. Within the OCP, child care facilities are categorized as 'public service-oriented institutional facilities that contribute to the amenities and social fabric of the community'. A map showing the location of the child care facilities currently operating in Esquimalt is provided for information [attached] [source: Island Health, July 2017].

**Zoning**

The proposed Comprehensive Development District would include the existing uses permitted in the RM-3 zone and the new 'Group Children's Day Care Centre' use.

**Permitted Uses:** Group Children's Day Care Centre is a use that is currently permitted in the Public/Institutional, the Neighbourhood Commercial, Core Commercial, and Town Centre zones within Zoning Bylaw 1992 No. 2050. This use allows for facilities that provide for the care of more than 8 children at a time when licensed under the *Community Care and Assisted Living Act*, which is administered by Island Health. Daycares providing care for less than 8 children are exempt from municipal regulations that might limit the numbers of children.

Under provincial *Child Care Licensing Regulations* the numbers of children in a facility is regulated by the amount of space available per child, the ages of the children in care and the number of staff being provided. This proposal is for the care of children from 30 months to school age, with two staff members. The area dedicated to the proposed Group Children's Day Care Centre would be up to 60 square metres [3.7m<sup>2</sup> per child x 16 children].

**Traffic [automobile and pedestrian]:** With the significant number of multiple family residential buildings and the light industrial land uses in this area the increase in children attending this home is not expected to have a noticeable impact on traffic levels. With the two daycare centres located immediately across the road from each other there are concerns with the impact on the neighbourhood at pick up and drop off times and with the movement of children and caregivers across Dominion Road; as the two daycares are located mid-block.

**Fit with the Neighbourhood:** The house is currently being used as a daycare for up to 8 children. The area has various land uses in the vicinity; including single family, multiple family residential and light industrial on the Esquimalt side of Dominion Road. Across Dominion Road in the City of Victoria there is a mix of single and two family residential buildings, a daycare for up to 16 children and a convenience store.

### **Parking**

The applicants are proposing to provide one parking space for employees located next to the building, and two others for daycare drop off and pick up located in the front yard. The daycare across the road provides one employee parking space. There is street parking available in the area.

### **Comments from Other Departments**

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

**Community Safety Services:** Staff have completed a preliminary evaluation of the proposed use and recommend the applicant provide assurance from a B.C. architect that the structure complies with BC Building Code 2012, for the proposed use.

**Engineering Services:** Engineering staff have completed a preliminary evaluation of the proposed development and have stated that the proposed rezoning of this property will not have and impact on the Engineering aspects of this property. However, Engineering records do not show a drain service connection for the subject property. A new drain service connection could be provided at a fixed fee cost of \$5000.00 (Bylaw No. 2801). It is the responsibility of the property owner to hire a professional to determine if the subject property can be gravity serviced, or if pumping is required.

**Fire Services:** Should the application be approved; if the building has and occupant load of more than 40 persons, a fire alarm system is required. If any storage is in the basement, fire separation is required between basement and upper floors.

### **Public Notification**

As this is a rezoning application, should it proceed to a Public Hearing, notice would be mailed to tenants and owners of properties within 100m (328 ft) of the subject property. A signs indicating that the property is under consideration for a change in zoning have been placed on the Dominion Road frontage of the property and would be updated to reflect the date, time and location of the Public Hearing. Additionally, notice of the Public Hearing would be placed in two editions of the Victoria News.

### **Applicant's submission**

The applicant's have indicated that they held their neighbourhood meeting at the subject property on June 2, 2017. They have also indicated they have 21 children on a waiting list for intake in 2017 and 2018.

The only change to the building proposed at this time is the reconfiguration of the front steps. There may be some interior safety upgrades to the building required prior to licensing for the larger daycare facility operation. See comments from Community Safety Services and Fire Services, above.

**ALTERNATIVES:**

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



790

788

780

778

776

772

806

808

Belton Ave

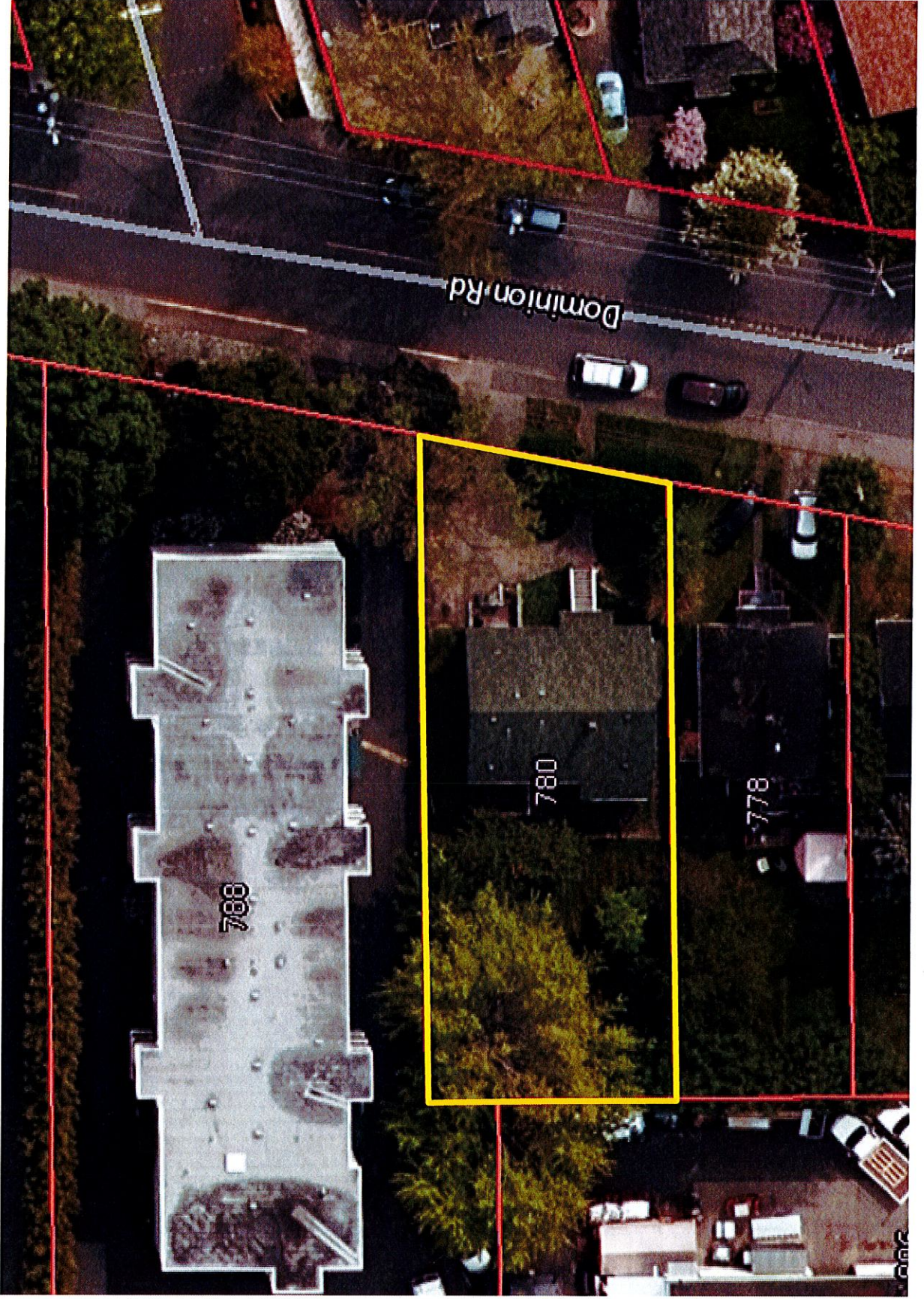
Pine St

Dominion Rd

Devonshire Rd

Subject Property Map  
780 Dominion Road

780 Dominion Road



780 Dominion Road – New daycare in relation to existing daycare



Daycare for 16 children  
- 1 onsite parking space  
- In Victoria

Daycare for 8 children  
- proposed for up to 16 children  
- 3 onsite parking spaces  
- In Esquimalt

43. **MULTIPLE FAMILY RESIDENTIAL [RM-3]**

The intent of this Zone is to accommodate high density Townhouse or low density Apartment development.

(1) **Permitted Uses**

The following Uses and no others shall be permitted:

- (a) Townhouse Residential
- (b) Apartment Residential
- (c) Home Occupation

(2) **Floor Area Ratio**

The Floor Area Ratio shall not exceed 0.60.

(3) **Building Height**

- (a) No Principal Building shall exceed a Height of 9 metres.
- (b) No Accessory Building shall exceed a Height of 4 metres.

(4) **Lot Coverage**

- (a) All Principal Buildings, Accessory Buildings and Structures combined shall not cover more than 25% of the Area of a Parcel.
- (b) All Accessory Buildings and Structures combined shall not exceed 10% of the Area of a Parcel.

(5) **Siting Requirements**

(a) **Principal Building**

- (i) Front Setback: No Building shall be located within 7.5 metres of the Front Lot Line.
- (ii) Side Setback: No Building shall be located within 4.5 metres of an Interior Side Lot Line nor 3.6 metres of an Exterior Side Lot Line.
- (iii) Rear Setback: No Building shall be located within 7.5 metres of a Rear Lot Line.

(b) **Accessory Building**

- (i) Front Setback: No Accessory Building shall be located in front of the front face of the Principal Building.



- (ii) Side Setback: No Accessory Building shall be located within 1.5 metres of an Interior Side Lot Line nor 3.6 metres of an Exterior Side Lot Line.
- (iii) Rear Setback: No Accessory Building shall be located within 1.5 metres of a Rear Lot Line.
- (iv) Building Separation: No Accessory Building shall be located within 2.5 metres of a Principal Building.

(6) **Usable Open Space**

Usable Open Space shall be provided in an amount of not less than 7.5% of the Area of the Parcel.

(7) **Fencing**

Subject to Section 22, no fence shall exceed a Height of 1.2 metres in front of the front face of the Principal Building and 2 metres behind the front face of the Principal Building.

(8) **Off Street Parking**

Off street parking shall be provided in accordance with the requirements of Parking Bylaw, 1992, No. 2011 (as amended).

Township of Esquimalt Mayor and Council  
c/o 1229 Esquimalt Road  
Esquimalt, BC  
V9A 3P1



June 26, 2017

**Re: Parking Plan for Super Genius Daycare**

We are a family owned, licensed, Spanish immersion group daycare located at 780 Dominion Road. We are writing to you to address questions around parent and employee parking at Super Genius Daycare. The daycare capacity is currently at eight spaces with preschoolers aged 30 months to five years. We employ one full-time staff in accordance with staff-to-child ratio required by BC's Ministry of Health *Child Care Licensing Regulations*. We are applying for a rezoning that would allow us to have up to 16 children of the same age group in the daycare.

We are redoing our private driveway to allow for a turnaround area for drop off vehicles to reduce vehicles from backing onto Dominion Road. We are also increasing the number of onsite parking stalls to a total of three (please see drawing for measurements). One parking space will be designated for an additional full time employee and two spots will be marked for visitor parking for parents when they drop off or pick up their children. When parking in tandem, there are two reasonably sized parking stalls for drop off and these spots will have a sign with maximum amount of time allowed to park. Our parking area has privacy hedging to reduce headlight pollution to adjacent properties.

**Staff Parking**

We currently employ one person full time. This employee is also the co-owner of the daycare and is dropped off and picked up daily so she does not use the existing parking space. She is currently managing the daycare and is expected to stay as employee in the long term.

We will hire another full time employee and increase the total number of staff to two. We provide free bus passes to all of our employees and encourage them to use public transportation or cycle to work. We have secure bike storage onsite that all employees have access to. The employee can park in the designated employee parking spot if s/he chooses to drive to work.

**Parent Drop Off and Pick Up**

With an increase of the number of children, we expect a twofold increase in traffic during parents' drop off and pick up times. Drop off and pick up times are Monday to Friday 7-8:30am and 4-5:30pm. Our observation is that parents drop off and pick up children at different times and consequently there is no overwhelming demand for parking. Parents usually take 5-10 minutes when they park and not all parents come at the same time. The designated drop off area will have a sign to limit the amount of time allowed to park.

Transportation to the daycare varies among parents and currently half of the parents drive to the daycare. The rest either walk or cycle because they live in the neighbourhood. Parents who drive use our driveway or the parking space in front of the house.

Occasionally some parents use public transportation to get to the daycare. Those who use public transit have a number of bus routes that are available to them. These include: bus #14, located 370 meters from the daycare; bus #24 located 600 meters from the daycare; bus #15, located 750 meters from the daycare; and bus #26 located 800 meters from the daycare.

### **Street Parking**

Beyond our property we have one parking stall immediately in front of the house that is usually vacant and can be used by parents to drop off and pick up their children. Residents rarely use street parking because most of our neighbouring houses have private driveways and the adjacent apartment buildings have adequate parking onsite for their renters.

We currently have a waiting list of 15 children and when we have an open spot, we give priority to people who live in the neighbourhood. We are happy to have the support of our neighbours and we are looking forward to increasing the number of spaces in our daycare to provide more families with licenced and quality childcare in Esquimalt.

Please do not hesitate to contact me if you have any questions.

Sincerely,  
Luz Mary Calderon



Co-owner  
Super Genius Daycare  
(250) 384-2806



Victoria, May 16, 2017

Neighborhood Meeting Notice Letter

Dear Neighbor,

We have been operating a licensed childcare with eight children since October 2015. Currently, we are applying for a rezoning in order to have eight children more.

We are pleased to invite you to join a neighborhood meeting and have the opportunity to explain you in more detail about our future project.

Project Name: Super Genius Daycare

Meeting Date: Friday June 2, 2017

Meeting Time: 7 p.m.

Meeting Location: 780 Dominion Rd, Victoria BC. V9A 4E6

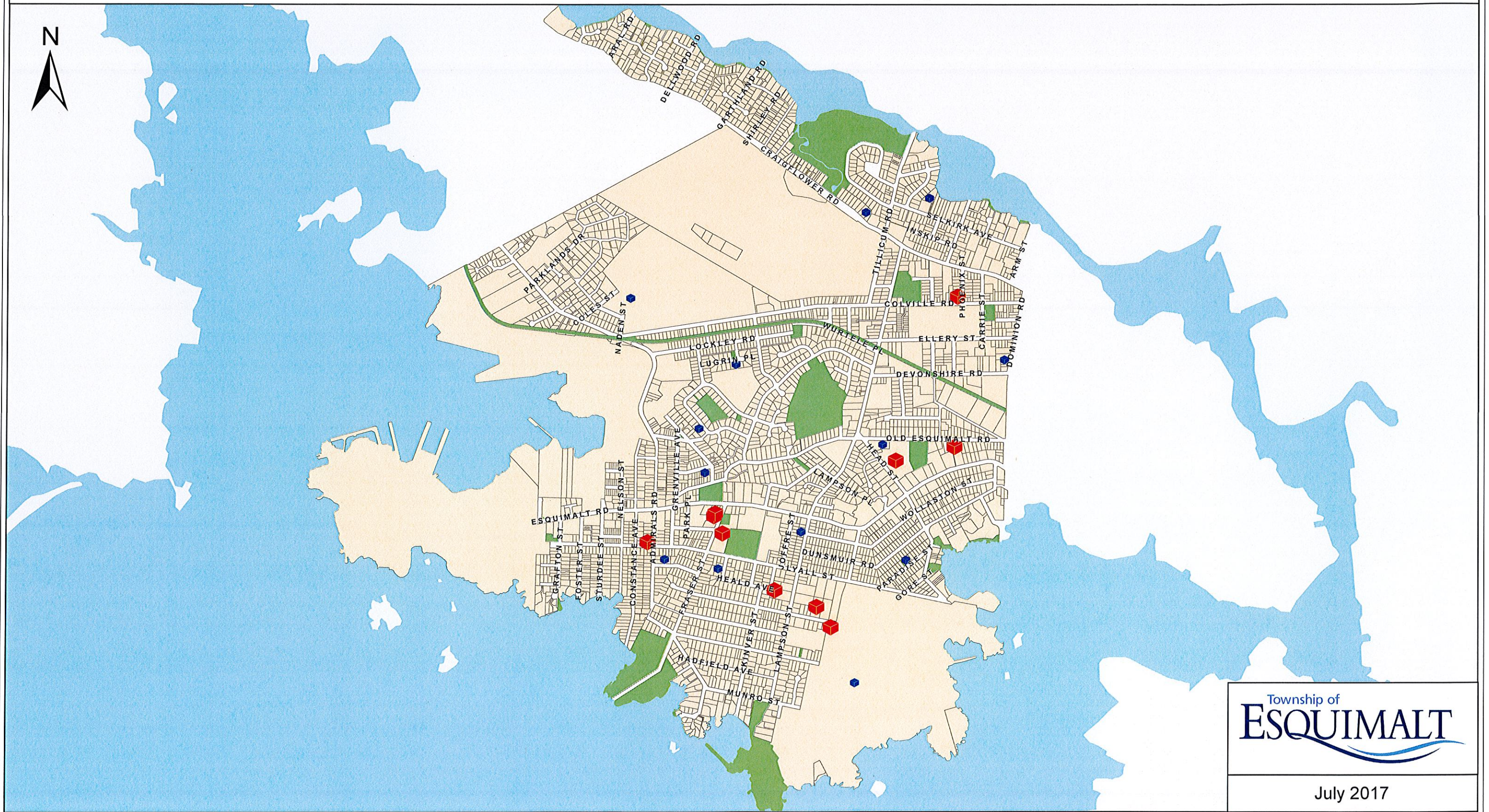
Thank you for your consideration, and we are looking to meet you.

Sincerely,

Super Genius Daycare



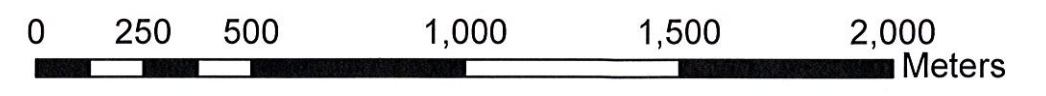
# Childcare Facilities in Esquimalt



Township of  
**ESQUIMALT**

July 2017

● 8 or less children      ■ More than 8 children





Existing rear yard w/ playground



Existing front elevation

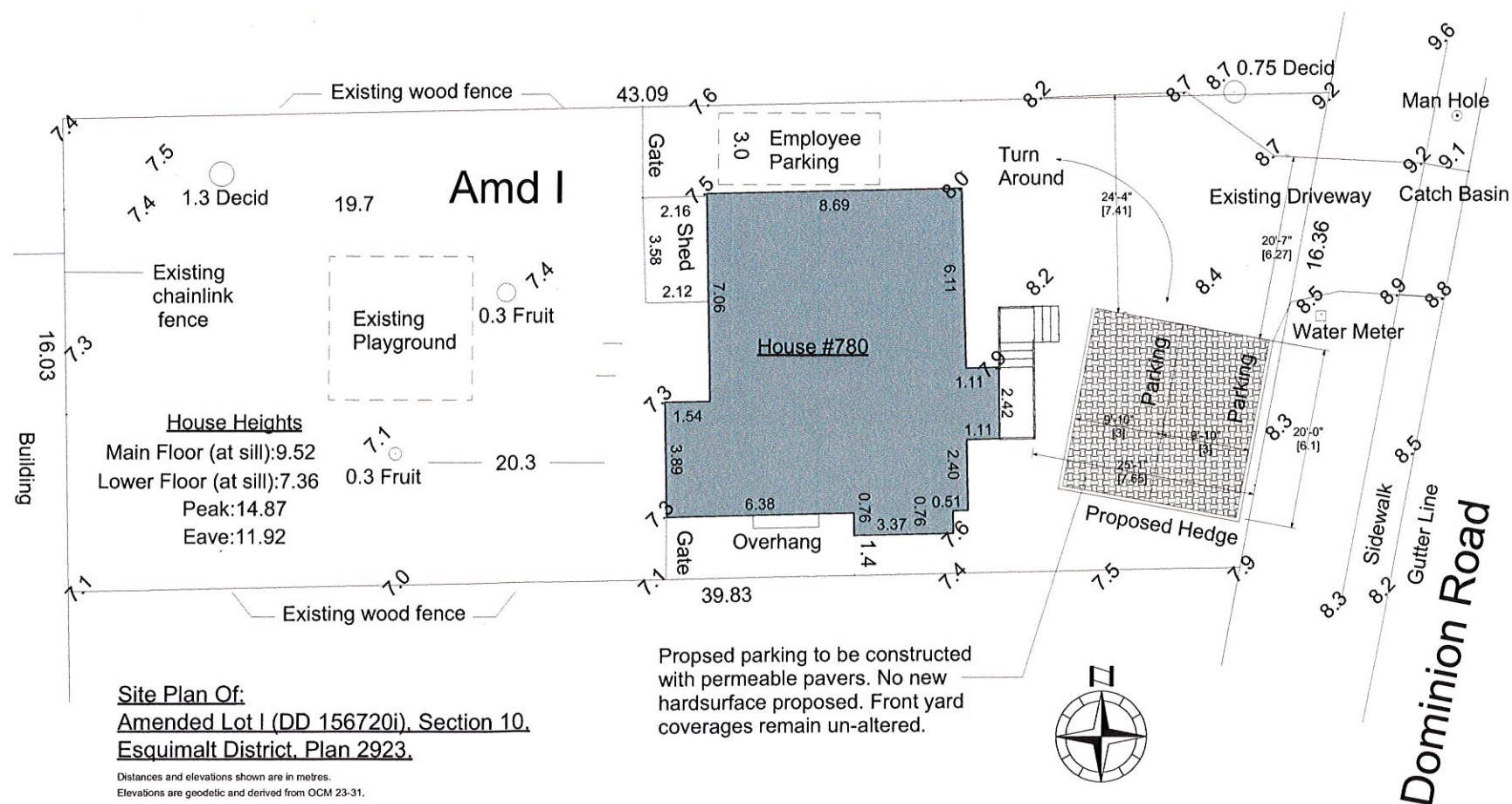


Existing rear elevation

Project Data Table	
Lot Size	669.3m <sup>2</sup>
<b>Zone</b>	RM-3 Multiple Family Res
<b>Lot Coverage</b>	Total lot coverage 106.6m <sup>2</sup> (16%)
<b>Floor Area</b>	Lower floor area 88.8m <sup>2</sup> Main floor area 100.6m <sup>2</sup>
<b>Parking</b>	1 employee stall 2 pick up and drop off stalls (Onsite turn around)
VIHA Requirement 1 child per 3.7m <sup>2</sup>	
Rooms children occupy Play Room Eating Area Nap Room Music Room	
Total 16 Children (2 Teachers for 8 children)	
Proposed institutional zoning use	



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Proposed parking to be constructed with permeable pavers. No new hardsurface proposed. Front yard coverages remain un-altered.

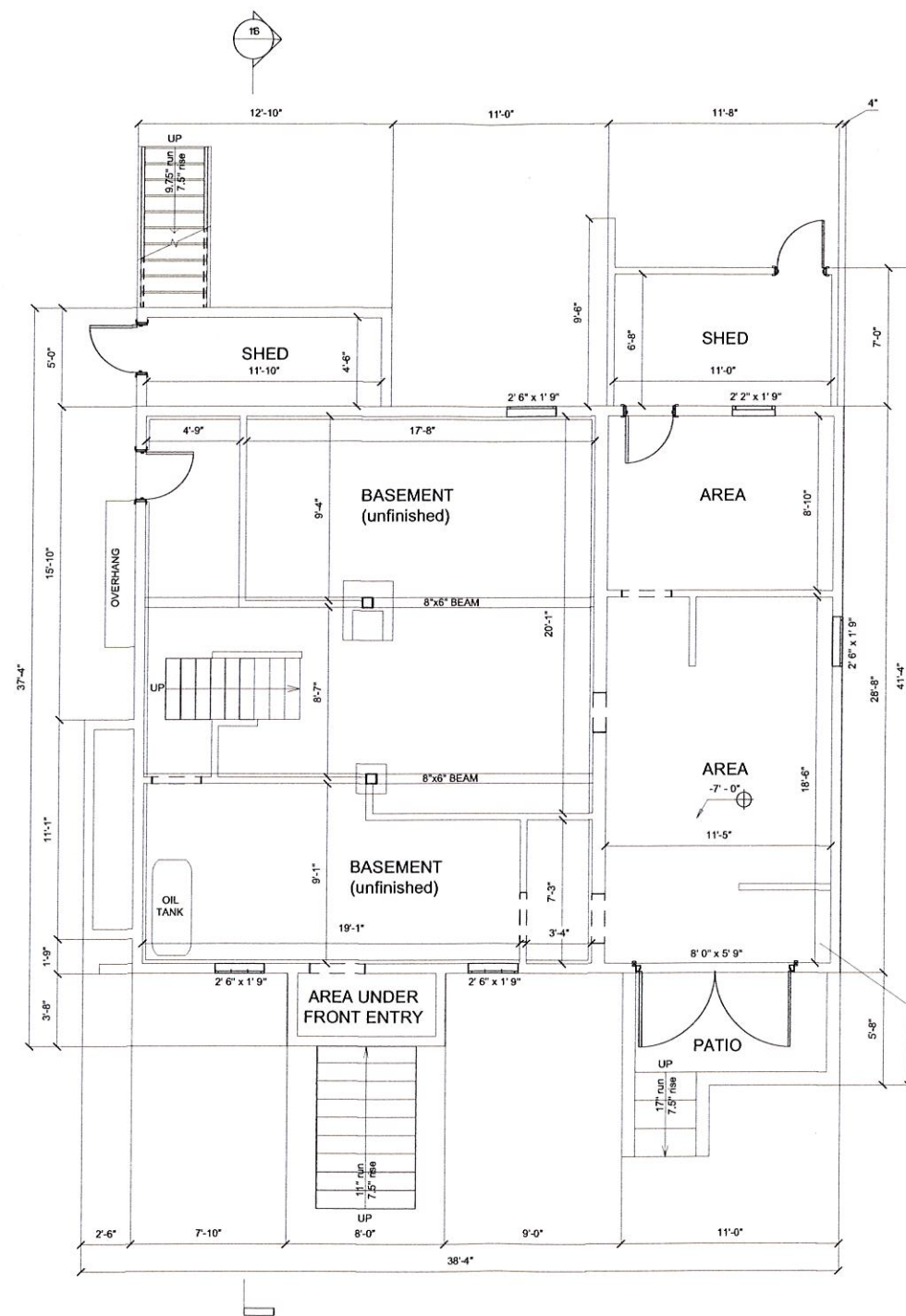


SITE PLAN  
SCALE 1 - 100

No.	Date	Appr.	Revision Notes								
1	17-6-16	L. Baker	Re zoning revisions								
<table border="1"> <thead> <tr> <th>No.</th> <th>Date</th> <th>Appr.</th> <th>Revision Notes</th> </tr> </thead> <tbody> <tr> <td>A</td> <td>17-4-4</td> <td></td> <td>Re zoning app</td> </tr> </tbody> </table>				No.	Date	Appr.	Revision Notes	A	17-4-4		Re zoning app
No.	Date	Appr.	Revision Notes								
A	17-4-4		Re zoning app								
Aspire Custom Designs 970 Taine Place Victoria BC Canada V8K4A4											
780 Dominion Rd Daycare Rezoning											
Site Plan / Data Sheet											
Date: 2017-23		Scale: 1/4" = 1'0" or as noted									
Drawn: L. Baker		Date: June 18 2017									
Checked: L. Baker		Scale: A1.0									
Date: June 18 2017		Page: 12									



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Basement  
 1063 sq.ft (To outside of walls)  
 Basement  
 956 sq.ft (To inside of walls)

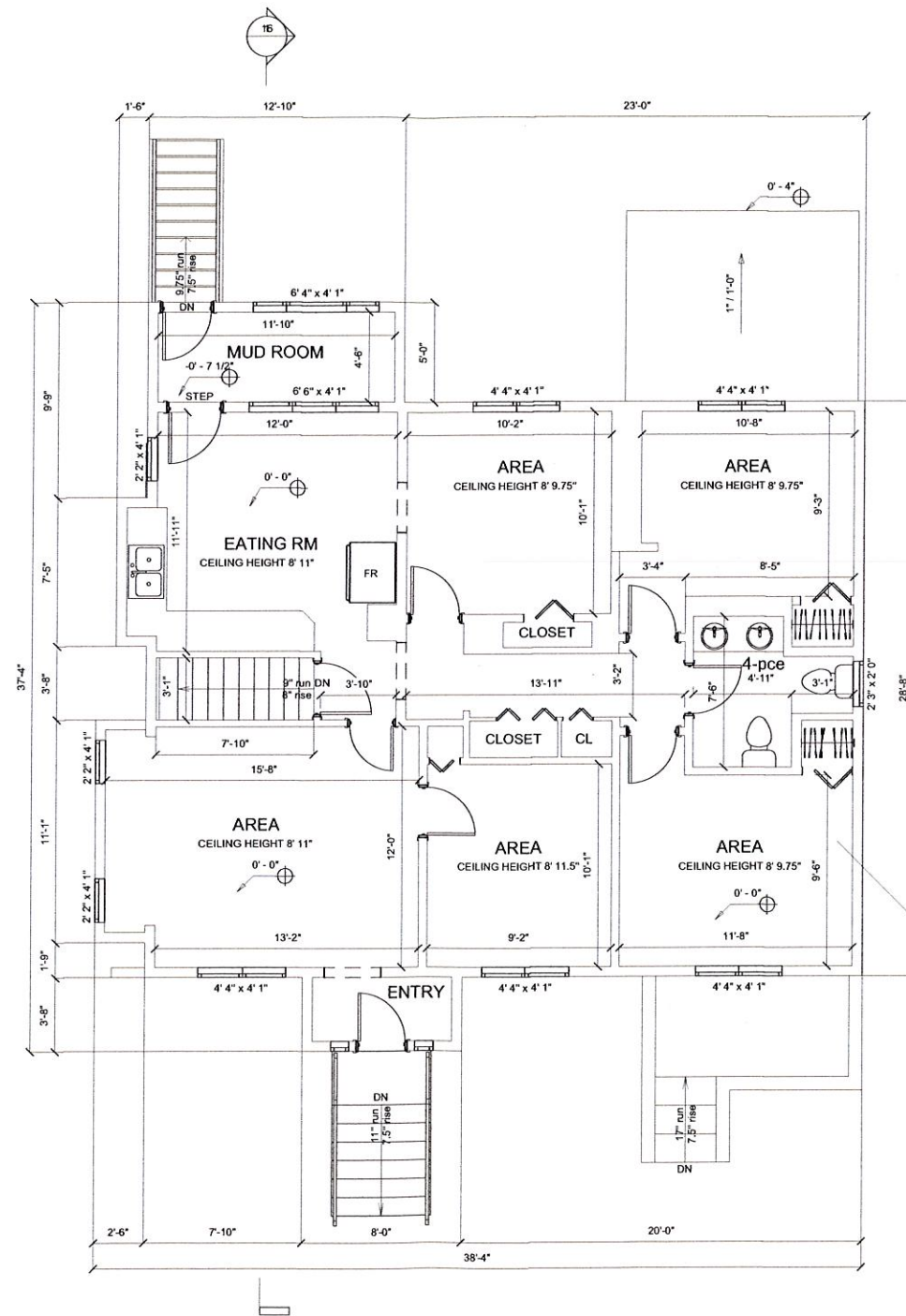
Existing Basement / Lower Floor Plan  
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No.	Date	Appr.	Revision Notes
A	17-4		Revising app.
No.	Date		Revision Notes
Aspire Custom Designs 870 Fairview Place Victoria BC Canada V8X4A4			
783 Denison Rd Daycare Renovation			
Existing Basement / Lower Floor Plan			
Drawn by	Date: 2017-23		
Checked by	Scale: 1/4" = 1'-0" (if not noted)		
Sheet No.	A2.1		
Page No.	12		





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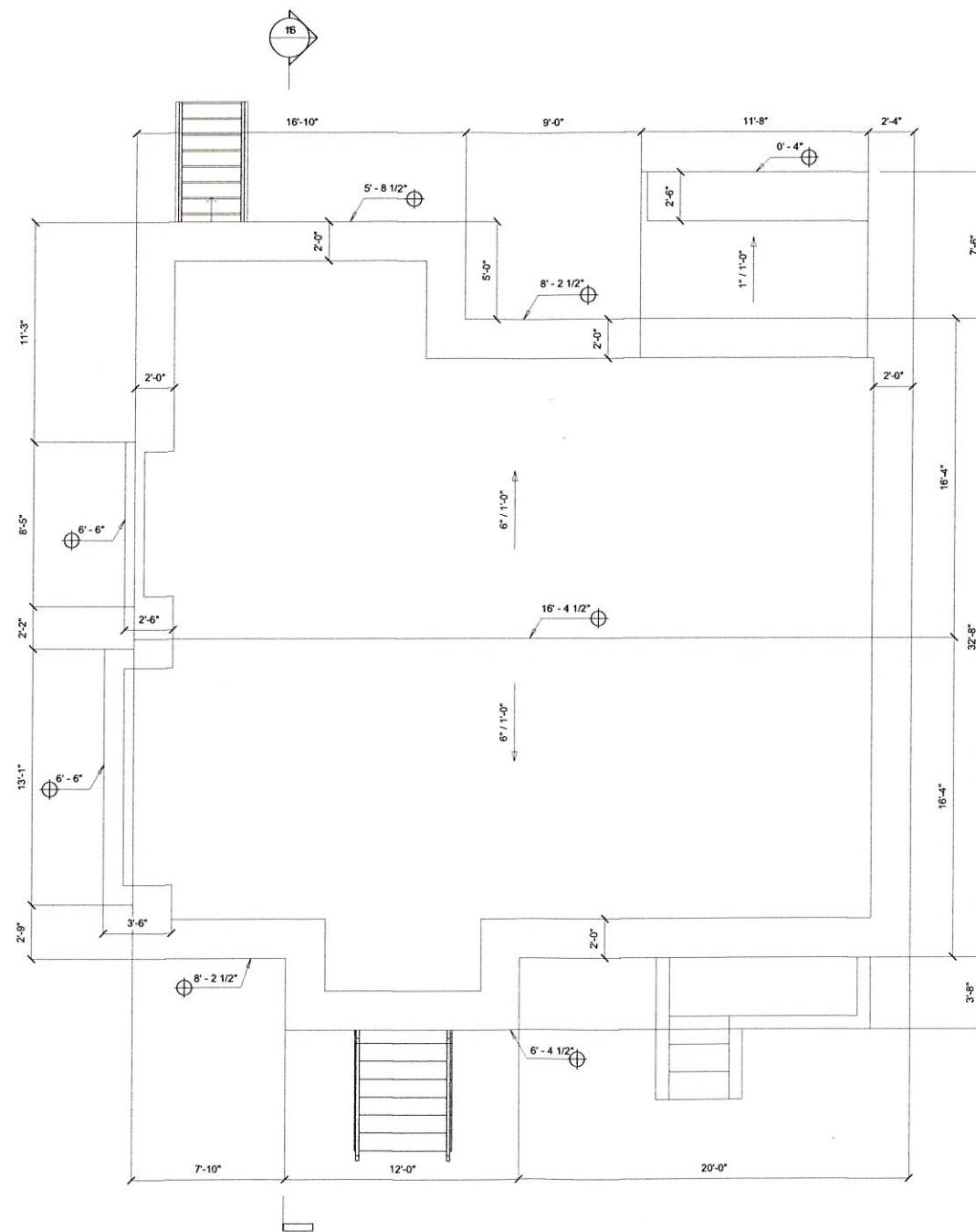
Main floor  
 1159 sq.ft (To outside of walls)  
 Main floor  
 1083 sq.ft (To inside of walls)

Existing Main Floor Plan  
 Scale: 1/4" = 1'-0"

No.	Date	Appr.	Revision/Notes
A 17-4-4 Rezoning app			
No. Date Appr. Issue Notes			
Aspire Custom Designs 970 Taine Place Victoria BC Canada V8K4A4			
780 Dominion Rd Daycare Rezoning			
Existing Main Floor Plan			
Paper Manager L. Blair	Date 2017-23	Scale 1/4" = 1'-0" or as noted	Page No. 12
Date A2.2			



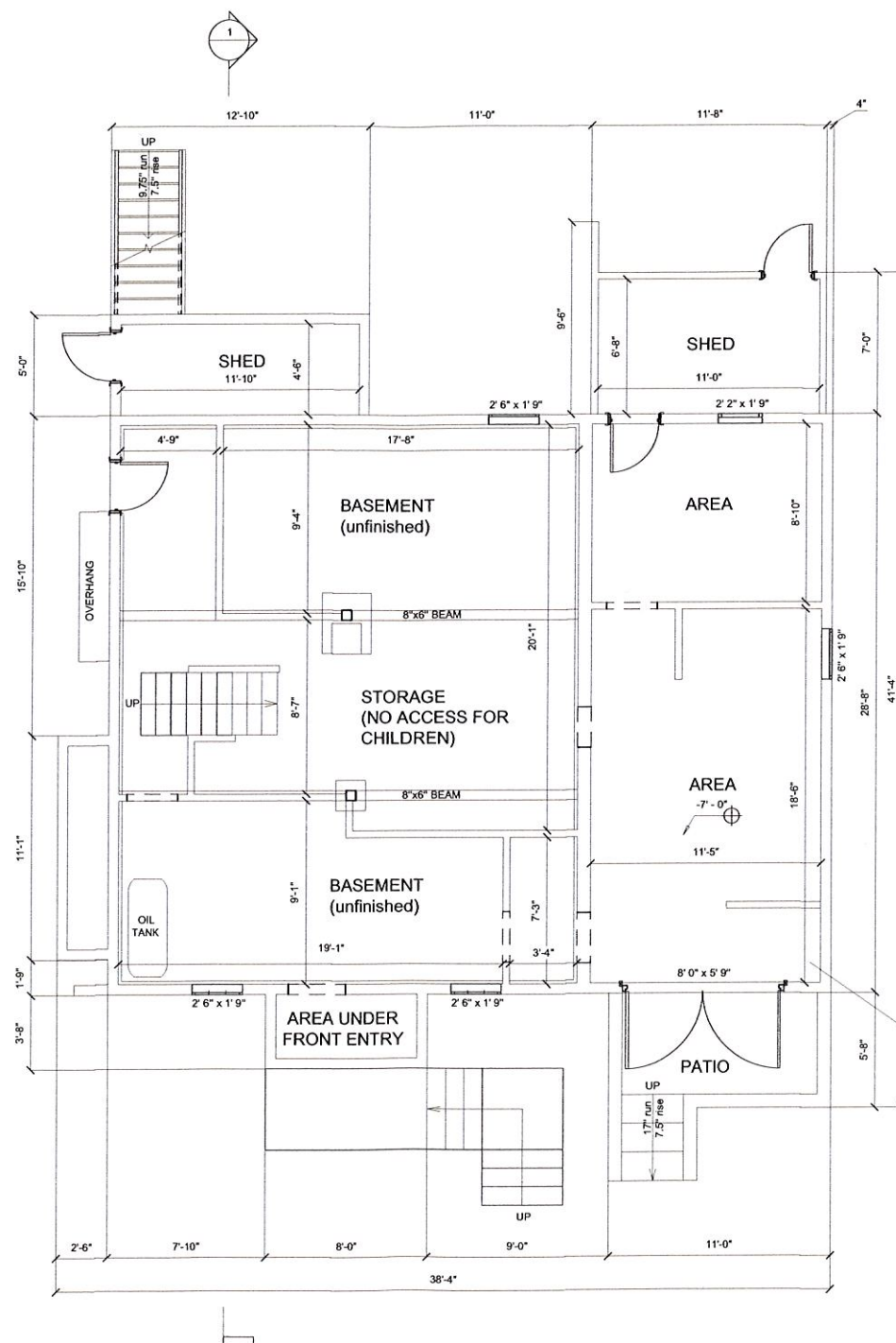
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Existing Roof Plan  
 Scale: 1/4" = 1'-0"



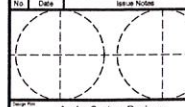
No.	Date	Appr.	Revision Notes
A	17-4-4		Re zoning app.
Aspire Custom Designs 970 Taina Place Victoria BC Canada V8X4A4			
780 Dominion Rd Daycare Rezoning			
Existing Roof Plan			
Drawn by:	L. Balser	Project:	2017-23
Checked by:	L. Balser	Scale:	1/4" = 1'-0" or as noted
Date:	07-11-17	Sheet:	A2.4
Scale:		Total:	12

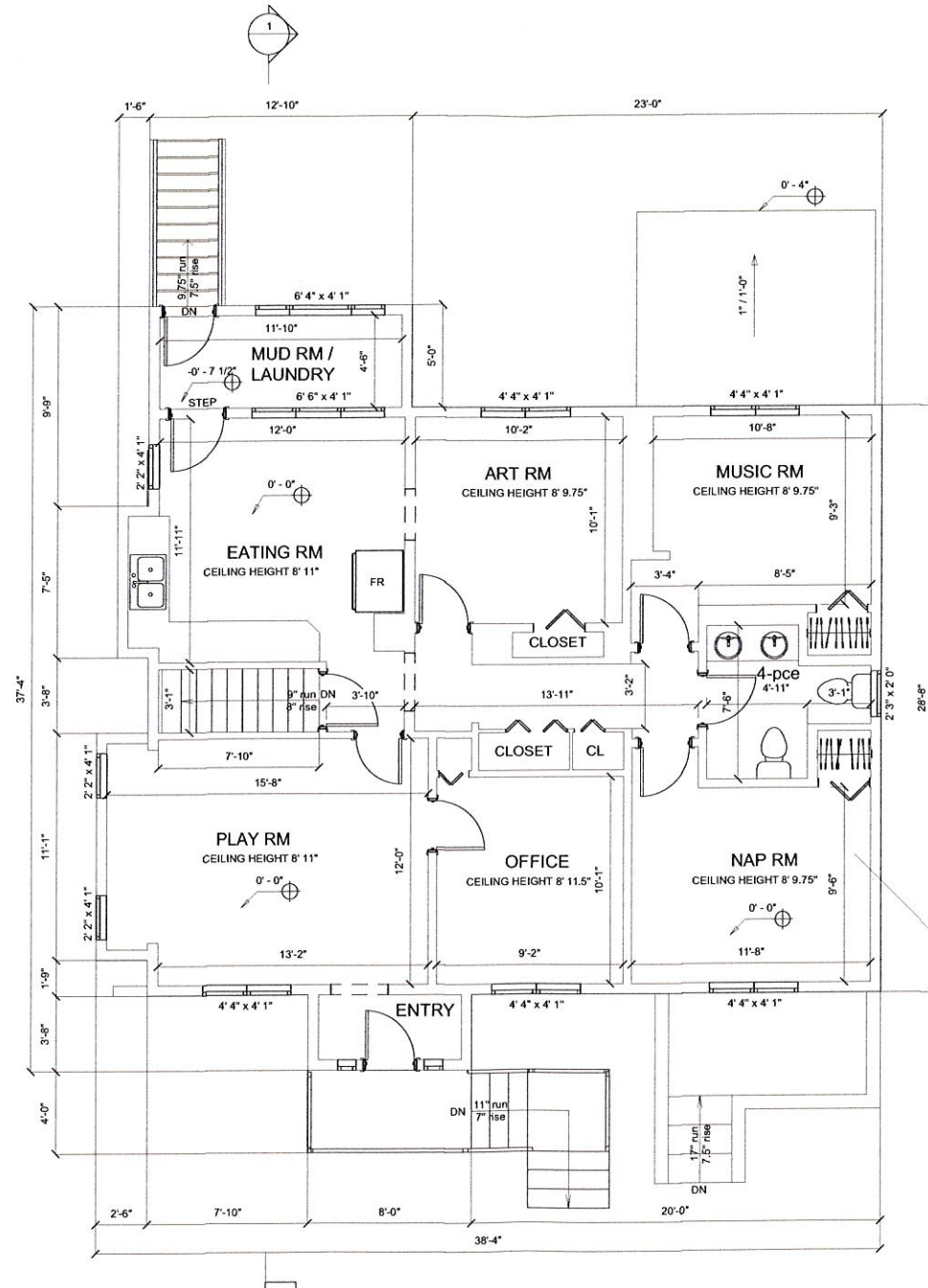


Basement  
1063 sq.ft

Proposed Lower Floor  
Scale: 1/4" = 1'-0"



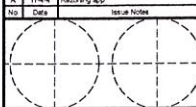
No.	Date	Appr.	Revision Notes
A	17-4-4		Rezoning app.
			
Aspire Custom Designs 970 Taine Place Victoria BC Canada V8M4M4			
780 Dominion Rd Daycare Rezoning			
Proposed Basement / Lower Floor Plan			
Drawn by	L. Balor	Date	2017-23
Scale	1/4" = 1'-0" or as noted	Sheet No.	A3.1
Page	12	Date	



Main floor  
1159 sq.ft  
Outside of stud  
wall dimensions

Proposed Main Floor Plan  
Scale: 1/4" = 1'-0"



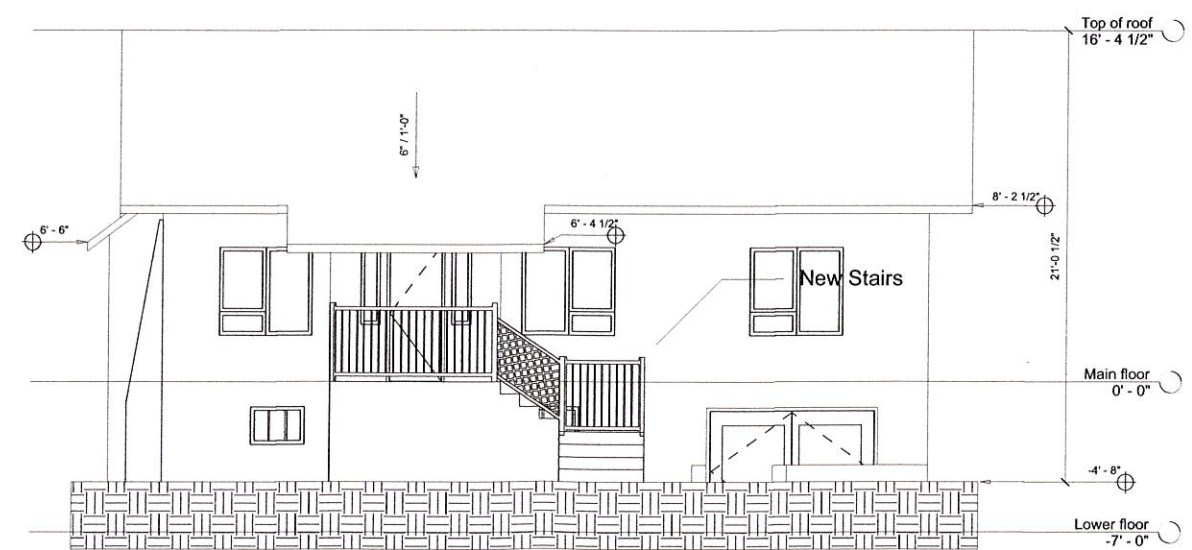
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A	17-4-4		Re zoning app
			
Aspire Custom Designs 970 Taine Place Victoria BC Canada V8K4A4			
780 Dominion Rd Daycare Rezoning			
Proposed Main Floor Plan			
Drawn by	L. Blair	Date	2017-23
Scale	1/4" = 1'-0" or as noted		
Sheet No.	A3.2	of	12



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Existing Front Elevation  
 Scale: 1/4" = 1'-0"



Proposed Front Elevation  
 Scale: 1/4" = 1'-0"



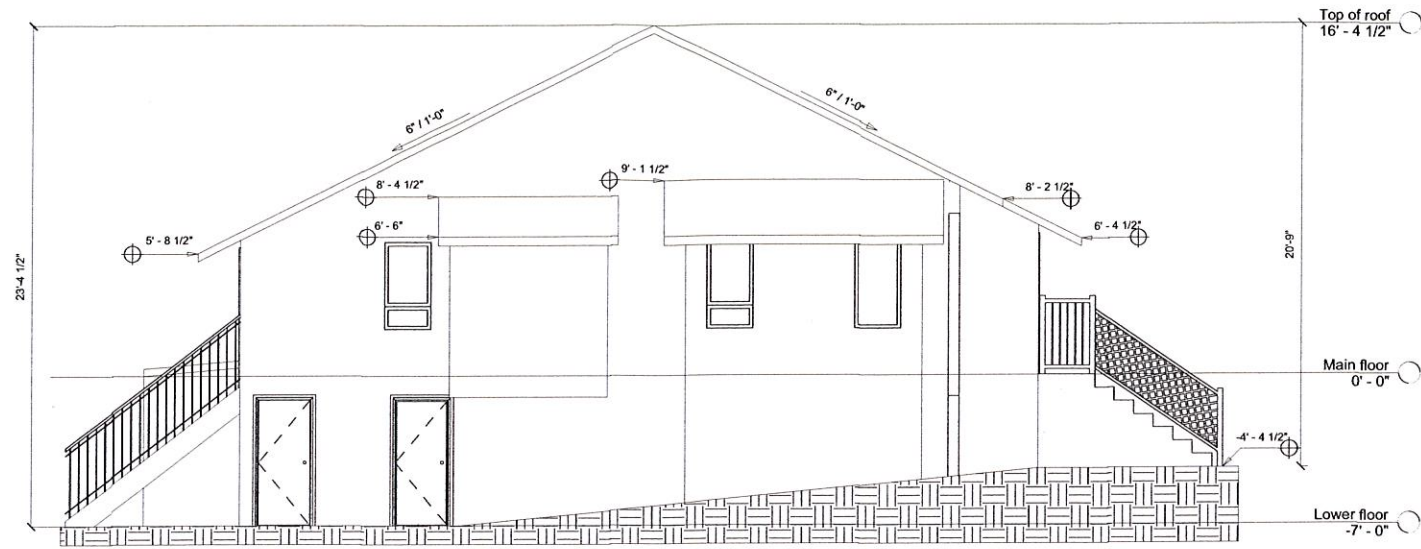
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A	17-4		Re zoning app
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780 Dominion Rd Daycare Rezoning			
Existing / Proposed Elevations			
Drawn by:	2017-23		
Check:	1/4" = 1/8" or as noted		
Scale:	A4.0		
Date:	12		



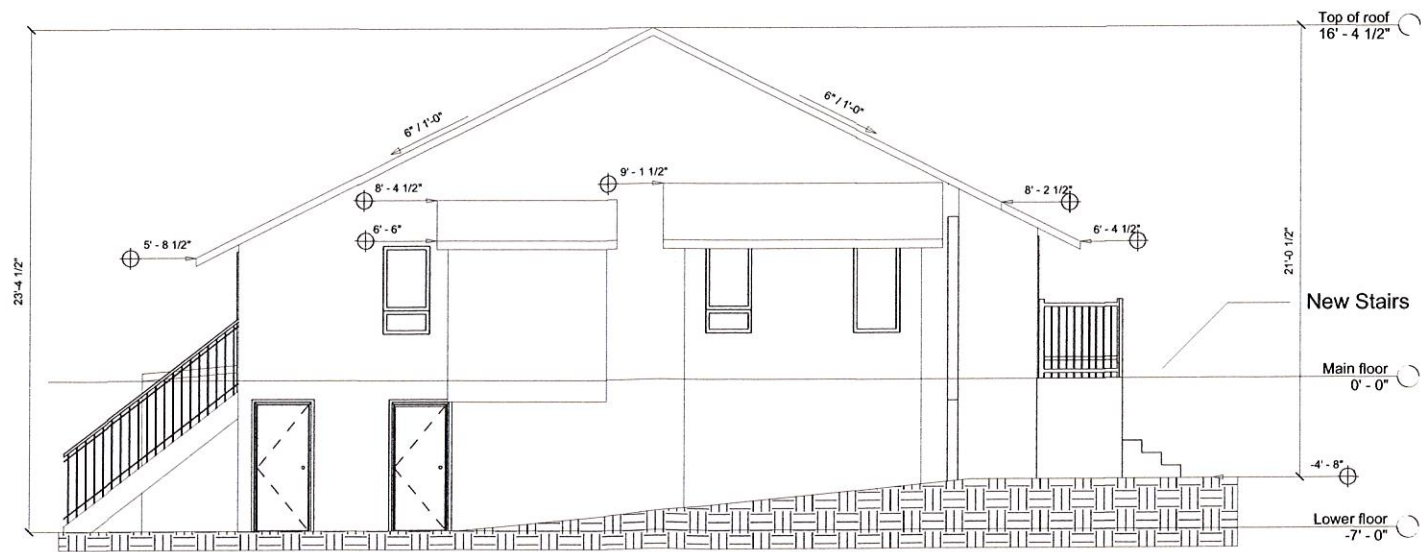
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Existing Side Elevation  
 Scale: 1/4" = 1'-0"



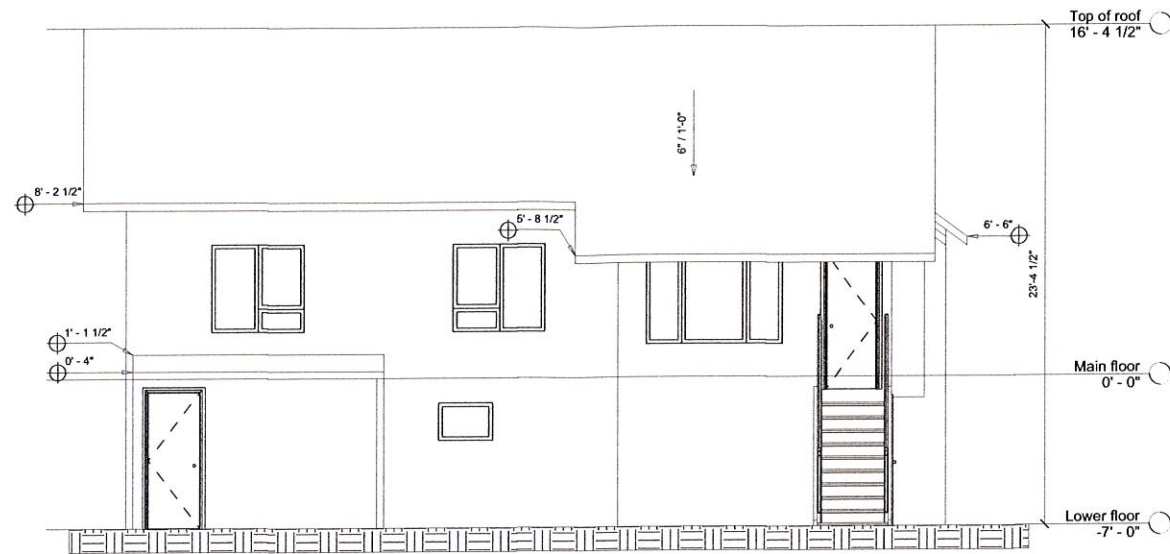
Proposed Side Elevation  
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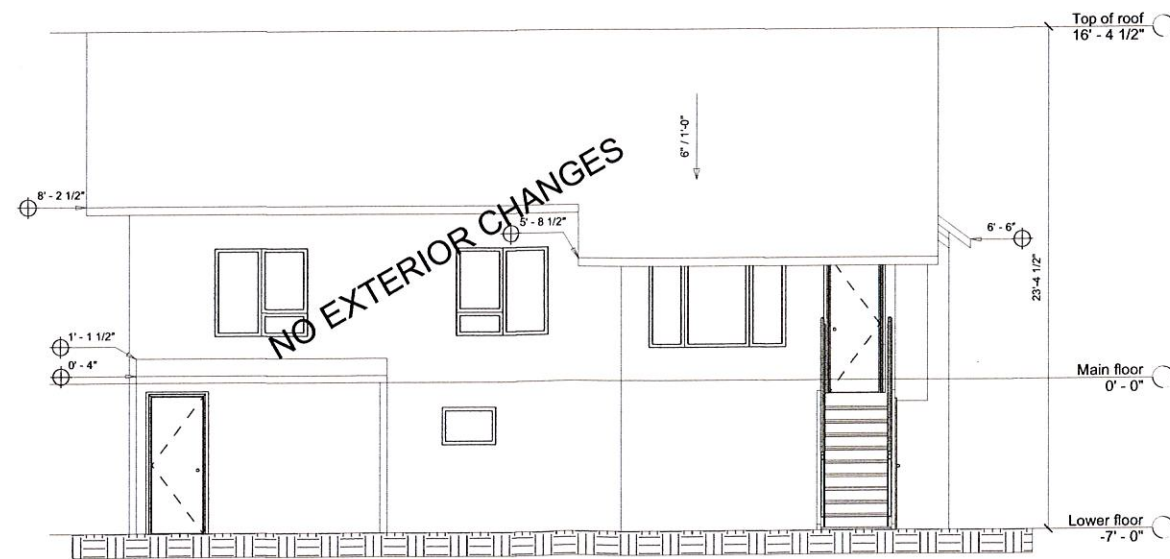
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A	17-4-4		Re zoning app
No.	Date		Issue Notes
Aspire Custom Designs 870 Taine Place Victoria BC Canada V8M4A4			
780 Dominion Rd Daycare Rezoning			
Existing / Proposed Elevations			
Project Number	2017-23		
Drawn by	L. Baker	Scale	1/4" = 1'-0" or as noted
Checked by	L. Baker	Sheet No.	A4.1
Date			
Scale			



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Existing Rear Elevation  
Scale: 1/4" = 1'-0"



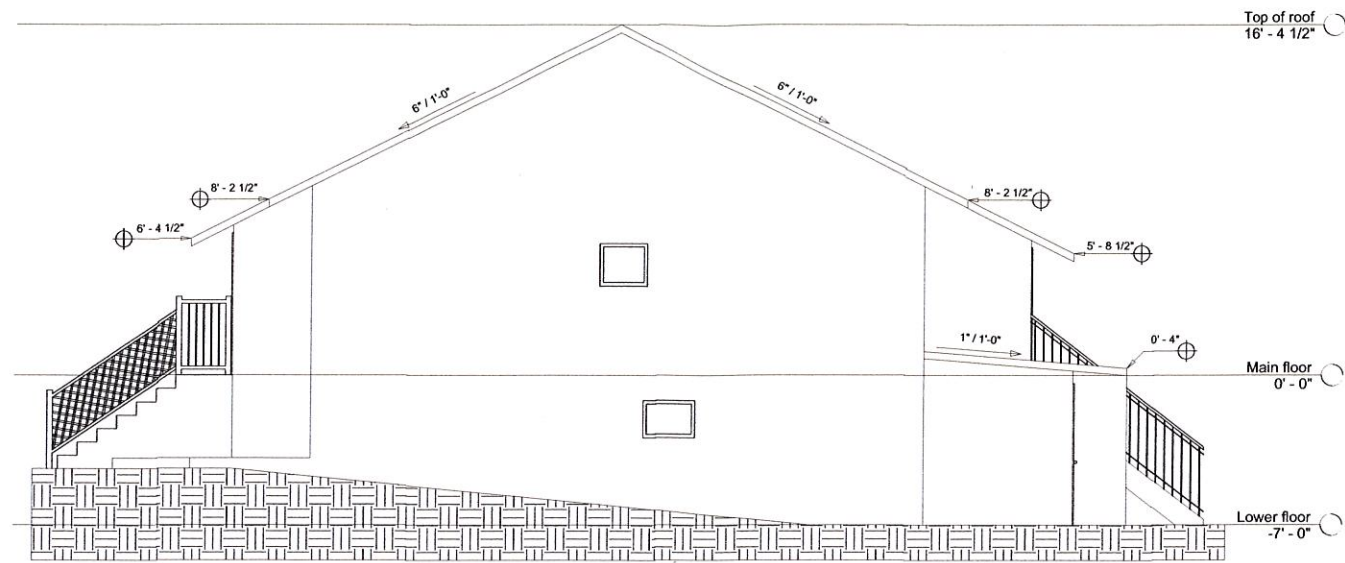
Proposed Rear Elevation  
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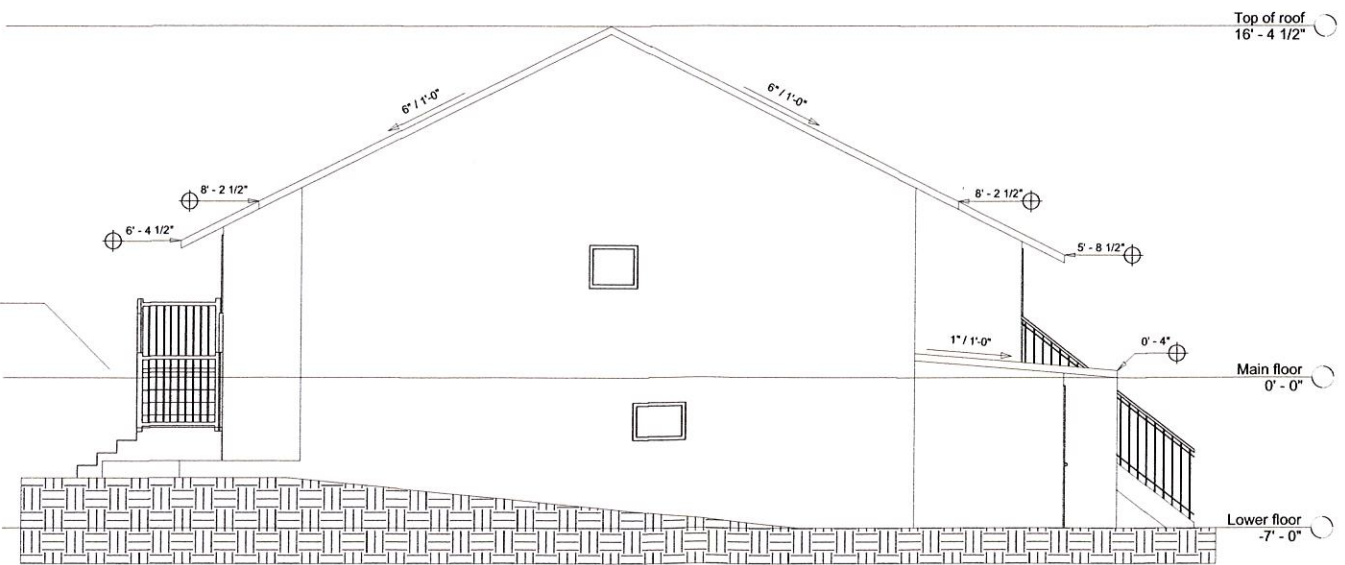
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A	17-4-4	Revising app.	
No.	Date	Issue Notes	
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780 Dominion Rd Daycare Rezoning			
Existing / Proposed Elevations			
Drawn by	L. Baker	Date	2017-23
Checked by	L. Baker	Date	10/11/17 or as noted
Scale			A4.2
Date			
Sheet No.			12



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Existing Side Elevation  
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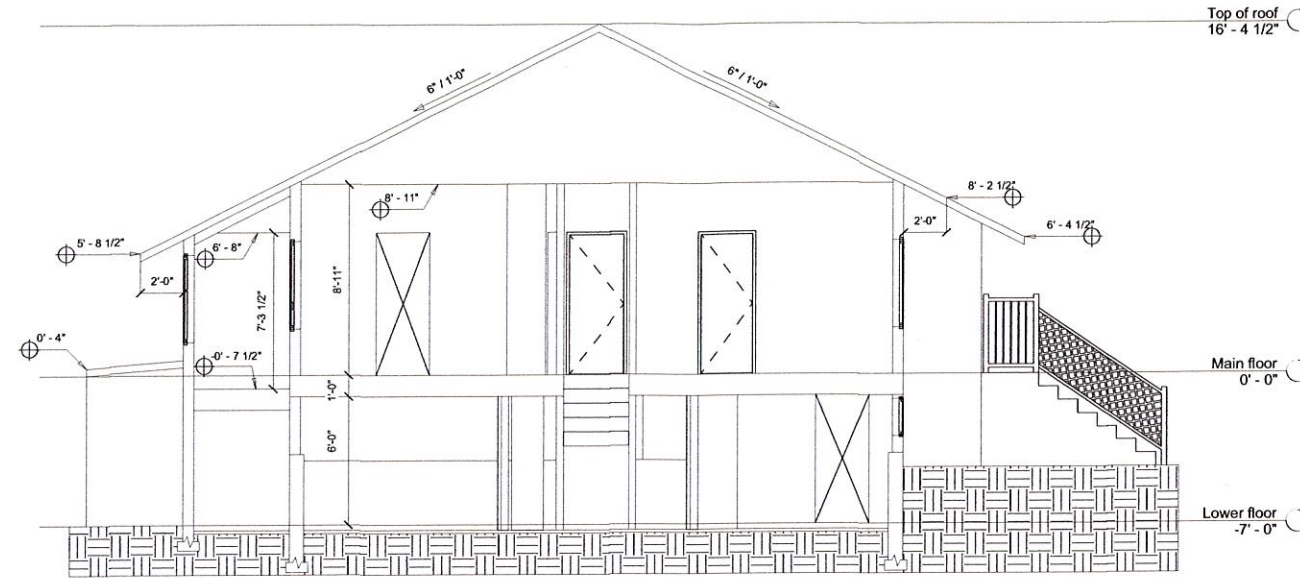


Proposed Side Elevation  
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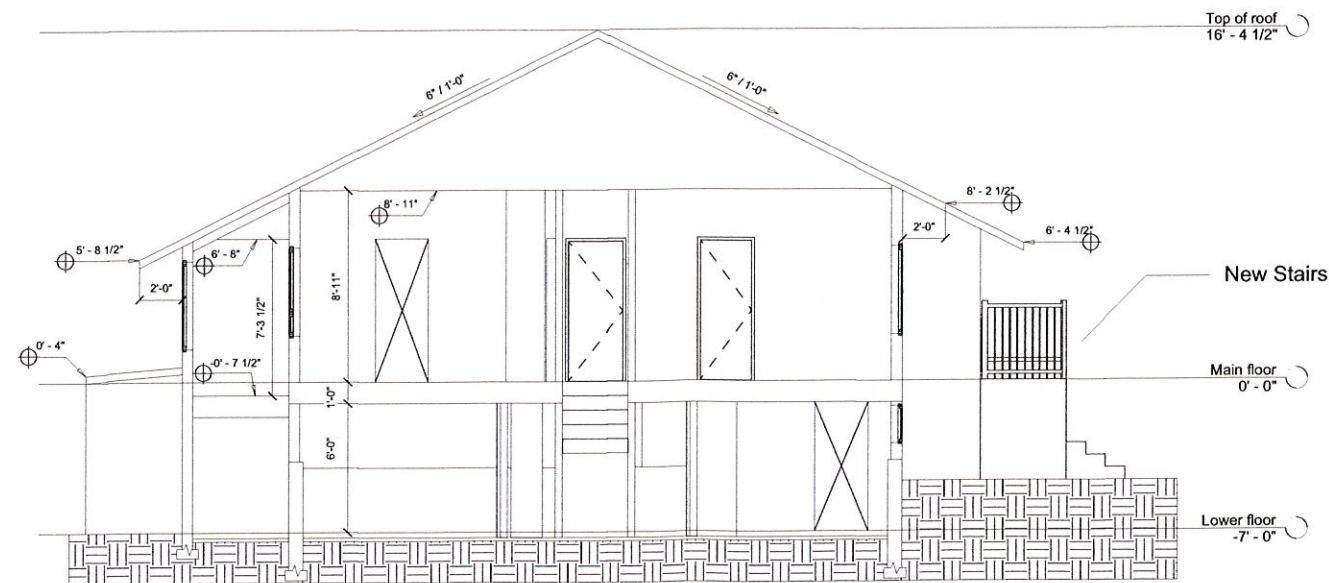


No.	Date	Appr.	Revision Notes
A	17-44	Reasoning app	
No.	Date	Appr.	Revision Notes
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780 Dominion Rd Daycare Rezoning			
Existing / Proposed Elevations			
Drawn by:	L. Baker	Project:	2017 - 23
Checked by:	L. Baker	Scale:	1/4" = 1'-0" or as noted
Date:		Sheet No.:	A4.3
Old No.:		of	12





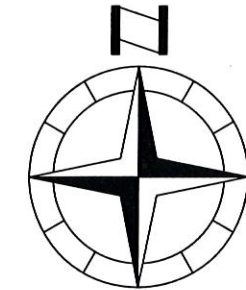
Existing Building Section  
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Proposed Building Section  
Scale: 1/4" = 1'-0"

Rev.	Date	Appr.	Revision Notes
<p>Aspire Custom Designs 970 Tame Place Victoria BC Canada V8X1A4</p>			
<p>780 Dominion Rd Daycare Rezoning</p>			
<p>Building Section</p>			

**Site Plan Of:**  
**Amended Lot I (DD 156720i), Section 10,**  
**Esquimalt District, Plan 2923.**



Scale = 1:250

Dated this 21st day of February, 2017.

Distances and elevations shown are in metres.

Elevations are geodetic and derived from OCM 23-31.

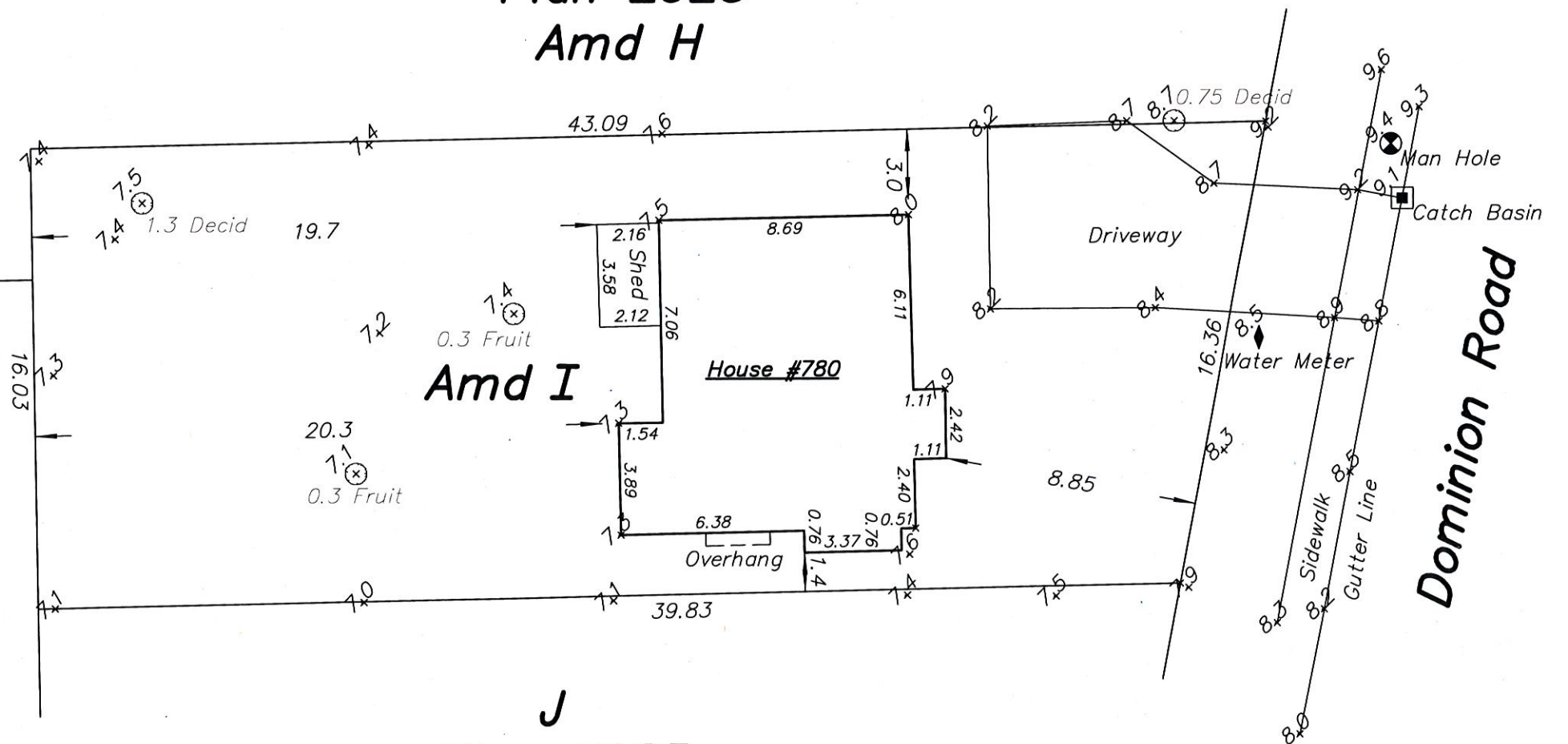
**Plan 2923**  
**Amd H**

**1**  
**Plan 13346**

**Amd I**

**J**  
**Plan 2923**

**House Heights**  
 Main Floor (at sill): 9.52  
 Lower Floor (at sill): 7.36  
 Peak: 14.87  
 Eave: 11.92



**Wey Mayenburg Land Surveying Inc.**  
[www.weysurveys.com](http://www.weysurveys.com)  
 #4-2227 James White Boulevard  
 Sidney, BC V8L 1Z5  
 Telephone (250) 656-5155  
 File: 170060\SIT\GH