



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

ADVISORY PLANNING COMMISSION  
AGENDA

TUESDAY AUGUST 15, 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. APPROVAL OF AGENDA
- IV. ADOPTION OF MINUTES – July 18, 2017
- V. STAFF REPORTS

**DEVELOPMENT PERMIT and DEVELOPMENT VARIANCE PERMIT**

**468 Foster Street**

**[PID 008-400-571, Lot 17, Block G, Suburban Lot 30, Esquimalt District, Plan 772A]**

**Purpose of the Application:**

The applicant is proposing to construct a side by side strata titled Two Family Residential dwelling on the subject property. The property is currently zoned Two Family/Single Family Residential [RD-3]. This two-unit dwelling is subject to Development Permit Area No. 5 – Enhanced Design Control Residential; therefore a Development Permit is required before a Building Permit can be issued.

**RECOMMENDATION:**

The Esquimalt Advisory Planning Commission [APC] recommends to Council that the application for a Development Permit and a Development Variance Permit limiting the form and character of the development, and authorizing the construction as illustrated in the architectural plans and the landscape plan prepared by Zebra Design, stamped "Received July 28, 2017", sited as detailed on the survey plan prepared by Island Land Surveying, stamped "Received June 28, 2017", and including the following variances for the property located at PID 008-400-571, Lot 17, Block G, Suburban Lot 30, Esquimalt District, Plan 772A [468 Foster Street] **to either approve, approve with conditions or deny the application; including the reasons for the recommendation.**

**Zoning Bylaw, 1992, No. 2050, Section 40 (6)(a) – Building Height – Principal Building:** A 0.78 metre increase to the requirement that no principal building shall exceed a height of 7.3 metres [ie. from 7.3 metres to 8.08 metres].

**Zoning Bylaw, 1992, No. 2050, Section 40 (8.1) – Building Massing – Principal Building**: A 6.4% increase to the requirement that the second storey of any Two Family Dwelling shall be a maximum of 75% of the total floor area of the ground floor, including an attached garage [ie. from 75% to 81.4%]

**VI. PLANNER'S STATUS REPORT**

**VII. COUNCIL LIAISON**

**VIII. INPUT FROM APC TO STAFF**

**IX. NEXT REGULAR MEETING**

Tuesday, September 19, 2017

**X. ADJOURNMENT**



**CORPORATION OF THE TOWNSHIP OF ESQUIMALT**  
**ADVISORY PLANNING COMMISSION MEETING MINUTES**  
**HELD ON**  
**TUESDAY, JULY 18, 2017**  
**ESQUIMALT COUNCIL CHAMBERS**

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

**STAFF LIAISON:** Bill Brown, Director of Development Services

**STAFF:** Karen Hay, Planner  
Alex Tang, Planning Technician

**COUNCIL LIAISON:** Councillor Olga Liberchuk

**SECRETARY:** Pearl Barnard

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**I. CALL TO ORDER**

The meeting was called to order at 7:02 p.m.

**II. LATE ITEMS**

No late items

**III. APPROVAL OF THE AGENDA**

Moved by Graeme Dempster, seconded by Christina Hamer, that the agenda be adopted as circulated. The Motion **CARRIED UNANIMOUSLY.**

**IV. MINUTES**

Moved by Amy Higginbotham, seconded by Graeme Dempster, that the minutes of the Advisory Planning Commission held June 20, 2017 be adopted as circulated. The Motion **CARRIED UNANIMOUSLY.**

**V. BUSINESS FROM MINUTES**

There was no outstanding business from the Minutes

**VI. Introductions and Welcome New Members:**

The Commission welcomed new members Ken Armour and Duncan Cavens. Mr. Armour and Mr. Cavens introduced themselves and provided an overview of their background and experience.

**VII. STAFF REPORTS**

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

Alex Tang outlined the applicant is proposing to construct a new detached garage on the subject property which is located on the Gorge Waterway. Mr. Tang explained that 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 not feasible 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, the application requires a Development Permit and foreshore rehabilitation application.

David Brandon and Barbara Brandon, Applicant / Owners and Duane Ensing, Villamar Design were in attendance and responded to questions from Commission Members.

Duane Ensing gave a PowerPoint presentation detailing the site plan and an overview of the building design, materials and landscape plan for the proposed new detached garage. Mr. Ensing explained that it is not feasible to site the proposed garage to the rear of the principal building due to the 20 metre Development Permit area requirement. He then added that the garage could not be attached to the existing house due to the right of way in front of the principal building.

**Commission Members comments and questions included: (response in *italics*)**

- What is the right of way for? *Unsure, but possibility a sewer right of way.*
- Could the existing driveway accommodate more than one vehicle? *The current driveway is a single drive with a turnaround at the end.*
- Have the neighbours been consulted? *Not at this point, but they plan to meet with some of the neighbours in the future.*
- The proposed garage is very close to the neighbouring property to the west. What is the structure beside that house? *It is the neighbour's carport.*
- A member thought the garage was well designed, but had concerns with the size.
- Given the site constraints, members thought all three variances were reasonable and had the following comments; the applicant had to contend with a lot of different issues in order to find a placement for the garage. The height variance won't affect anyone's sight lines and the siting requirements make sense for a normal lot but this is not a normal lot.
- Will the garage have an electric car charging station? *It is not part of the proposed package; the owner doesn't have an electric car. Will consider putting in the conduit for future use.*
- A member commented that the plant palate is bare minimum; consider other plant options that are more appropriate. *Could definitely add a couple more varieties, but don't want to obstruct the view anymore than it is right now.*
- Are there any Archeology implications for building in this location? *Not to our knowledge.* Member then suggested that the applicant check with the Archeology Branch and Ministry of Forests, Lands & Natural Resource Operations before digging to ensure that there is no Archeology interest along that part of the Gorge.

**RECOMMENDATION:**

Moved by Graeme Dempster, seconded by Christina Hamer: 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] **be forwarded to Council with a recommendation of approval** as the variances requested seem reasonable. **The Motion Carried 6 in Favour, 1 opposed (Ken Armour).**

**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]**

Councillor Liberchuk declared a conflict of interest due to her in laws being the applicant and left the meeting at 7:28 pm.

Karen Hay outlined that 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. Ms. Hay explained that there is currently a daycare at this location and the owners would like to increase the number of children from 8 to up to 16 children at a time.

In attendance:

Luz Mary Calderon, Ivan Ramirez, Luis Sanchez and Sonia Nieto, Owners

Juan Carlos Ramirez, applicant's representative

Lindsay Justin Baker, Aspire Custom Design

Luz Mary Calderon & Juan Carlos Ramirez presented the application and responded to questions from the Commission Members. Mr. Ramirez explained that two additional parking spaces would be added in the front yard, for clients to drop off their children, one existing parking space beside the house would provide parking for staff. He then added that they encourage their employees to take the bus and bus passes are provided. There is a big demand for daycare in this area and currently there are 25 children on a waiting list.

### Commission Members questions and comments included: (response in *italics*)

- This is wonderful; a new daycare is exactly what Esquimalt needs. More daycare spaces being done in a way that is appropriate.
- Is the adjacent daycare on the Victoria side staying? *Yes, that daycare will be staying open.*

- A member complimented the applicant on taking the initiative to consult with the neighbours.
- Will anyone be living at the house? *No, the house will be used as a daycare only.*
- Members had no concerns regarding the parking and drop off locations.
- Are there smoke detectors or a fire alarm system in the building? *Yes, there are smoke detectors in the house and VIHA does require a fire inspection.*
- What is the square footage of the house? *Approximately 1200 square feet. Only the upstairs part of the house will be used for the daycare; there is a basement but it is not usable for daycare at this time.*

**RECOMMENDATION:**

Moved by Ken Armour, seconded by Amy Higginbotham: 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 of approval** as the proposed new daycare is exactly what Esquimalt needs; more daycare spaces being done in a way that is appropriate. **The Motion Carried Unanimously**

Council Liberchuk returned to the meeting at 7:41pm with all Commission Member present.

**VIII. STAFF LIAISON**

- The Esquimalt Town Square Project (1235 Esquimalt Road) – building permits have been received.
- 899 Esquimalt Road - a Rezoning Application has been received. The application will be presented to the APC in the next couple of months.
- The English Inn (429 Lampson Street) - The Development Permit, Development Variance Permit, the Heritage Alteration Permit and the proposal for the Hither Green Park will be going to Council on August 21, 2017.
- Still lots of interest from various developers coming to talk to us with various types of initiatives. Lots of interest in Esquimalt.

**IX. COUNCIL LIAISON**

A member asked what is the timeline for the Public Engagement process for the Sewage Treatment Plant amenity package? Mr. Brown advised that Council will be hiring a facilitator to do the Public Engagement. Council Liberchuk then added that the process would start in the fall and take a couple of months to complete.

**X. INPUT FROM APC TO STAFF**

Commission questions included: (Director of Development Services response in *italics*)

- What is being proposed for 899 Esquimalt Road? *The proposal is for a 12 storey building with three townhouses on the Wollaston Street frontage.*  
Is 12 storeys the current OCP height designation for that site? *The current OCP designation for that site is 12 storeys on the Esquimalt Road frontage and 6 storeys on the Wollaston Street frontage.*  
Will the units be owner occupied or rentals? *They will be stratified.*
- Any update on the Esquimalt Town Square Project? *The developer is still waiting for a Certificate of Compliance from the Municipality.*

- Is going to be a Pub opening at the Tudor Liquor Store site? *We have not received an application for a pub at the Tudor Liquor Store site.*
- Any update on the Triangle Land Project. *The applicant has a Development Permit to submit; which will be coming in shortly, and the Rezoning for the Marina View project is at 3<sup>rd</sup> reading and before Council can adopt it; a covenant has to be registered. A show suite will be opening in the former Gaby's Seaside restaurant location in the near future.*
- What are the alternative options if Council doesn't approve the Hither Green Park proposal? *The owner will have to find an alternative fire access.*
- Any updates on the Cambie property (856/858 Esquimalt Road) or the Legion Project, (622 Admirals Road). *Staff hasn't heard anything on either project.*
- The Waterpark is great for the Community.

**XI. NEW BUSINESS**

**XII. NEXT REGULAR MEETING**

Tuesday, August 15, 2017

**XIII. ADJOURNMENT**

On motion the meeting adjourned at 7:50 P.M.

CERTIFIED CORRECT:

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CHAIR, ADVISORY PLANNING COMMISSION  
THIS 15<sup>th</sup> DAY OF August 2017

\_\_\_\_\_  
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: August 15, 2017

## STAFF REPORT

**DATE:** August 11, 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  
468 Foster Street  
[PID 008-400-571, Lot 17, Block G, Suburban Lot 30, Esquimalt District,  
Plan 772A]**

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### RECOMMENDATION:

The Esquimalt Advisory Planning Commission [APC] recommends to Council that the application for a Development Permit and a Development Variance Permit limiting the form and character of the development, and authorizing the construction as illustrated in the architectural plans and the landscape plan prepared by Zebra Design, stamped "Received July 28, 2017", sited as detailed on the survey plan prepared by Island Land Surveying, stamped "Received June 28, 2017", and including the following variances for the property located at PID 008-400-571, Lot 17, Block G, Suburban Lot 30, Esquimalt District, Plan 772A [468 Foster Street] **to either approve, approve with conditions or deny the application; including the reasons for the recommendation.**

**Zoning Bylaw, 1992, No. 2050, Section 40 (6)(a) – Building Height – Principal Building:**  
A 0.78 metre increase to the requirement that no principal building shall exceed a height of 7.3 metres [ie. from 7.3 metres to 8.08 metres].

**Zoning Bylaw, 1992, No. 2050, Section 40 (8.1) – Building Massing – Principal Building:**  
A 6.4% increase to the requirement that the second storey of any Two Family Dwelling shall be a maximum of 75% of the total floor area of the ground floor, including an attached garage [ie. from 75% to 81.4%]

### BACKGROUND:

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

The applicant is proposing to construct a side by side strata titled Two Family Residential dwelling on the subject property. The property is currently zoned Two Family/Single Family Residential [RD-3]. This two-unit dwelling is subject to Development Permit Area No. 5 – Enhanced Design Control Residential; therefore a Development Permit is required before a Building Permit can be issued.



**Context****Applicant:** Rus Collins**Owners:** Trevor Bowers, Vaclav Kran and Christine Robinson**Property Size:** Metric: 753 m<sup>2</sup> Imperial: 8106 ft<sup>2</sup>**Existing Land Use:** Single Family Residential**Surrounding Land Uses:**

North:	Single Family Residential
South:	Single Family Residential
West:	Single Family Residential
East:	Single Family Residential

**Proposed Use:** Two Family Residential**Existing Zoning:** Two Family/Single Family Residential [RD-3]**Proposed Zoning:** RD-3 [No change required]**Existing OCP Designation:** Single and Two-Unit Residential [no change required]**Official Community Plan**

The Official Community Plan does allow for sensitive infill development in residential zones provided the development is compatible with, and enhances the surrounding neighbourhood.

Section 2.2 of the Official Community Plan recognizes that modest residential growth will occur through the infilling of vacant or under-utilized parcels, and states that this growth should occur in a manner that maintains and enhances individual neighbourhoods and the community as a whole.

Section 2.2.1(a) states the Township should work toward a more complete community by maintaining a healthy mixture of housing types, accommodating people with a wide range of income levels.

Section 2.2.1(b) states the Township should encourage new residential development with high design standards for building and landscaping and which enhance existing and new neighbourhoods.

**Zoning**

The first variance request is for a relaxation to the maximum height of the principal building. The proposed height of the principal building is 8.08m from the average grade. Within the RD-3 Zone, the maximum allowable height is 7.3m. Staff has determined that the design of the building is above the allowable height regardless of the pitch of the roof. Preliminary analysis reveals that an amended building plan with the ground floor coinciding with the average grade would be below the maximum height.

The second variance request is for a relaxation to the maximum area of the second storey as it relates to the floor area of the ground floor. Section 40 8.1 Building Massing states: “The second storey of any Two Family Dwelling shall be a maximum of 75% of the total floor area of the ground floor, including an attached garage.” The second storey has a floor area of 129.4 m<sup>2</sup>, compared to the ground floor’s floor area of 159.0 m<sup>2</sup>. The resulting 81.4% floor area of the second storey as it relates to the ground floor is 6.4% above the maximum amount.

### **Development Permit Guidelines**

This proposal is subject to Section 9.7 ‘Development Permit Area No. 5 – Enhanced Design Control Residential’ of the Official Community Plan and the Design Guidelines of Section 9.7.5 are applicable.

### **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 approval with conditions**.
3. Forward the application for a Development Permit and Development Variance Permit to Council with a **recommendation of denial**.

Grafton St



475

473B

473A

471

469

465

461

478, 476

474

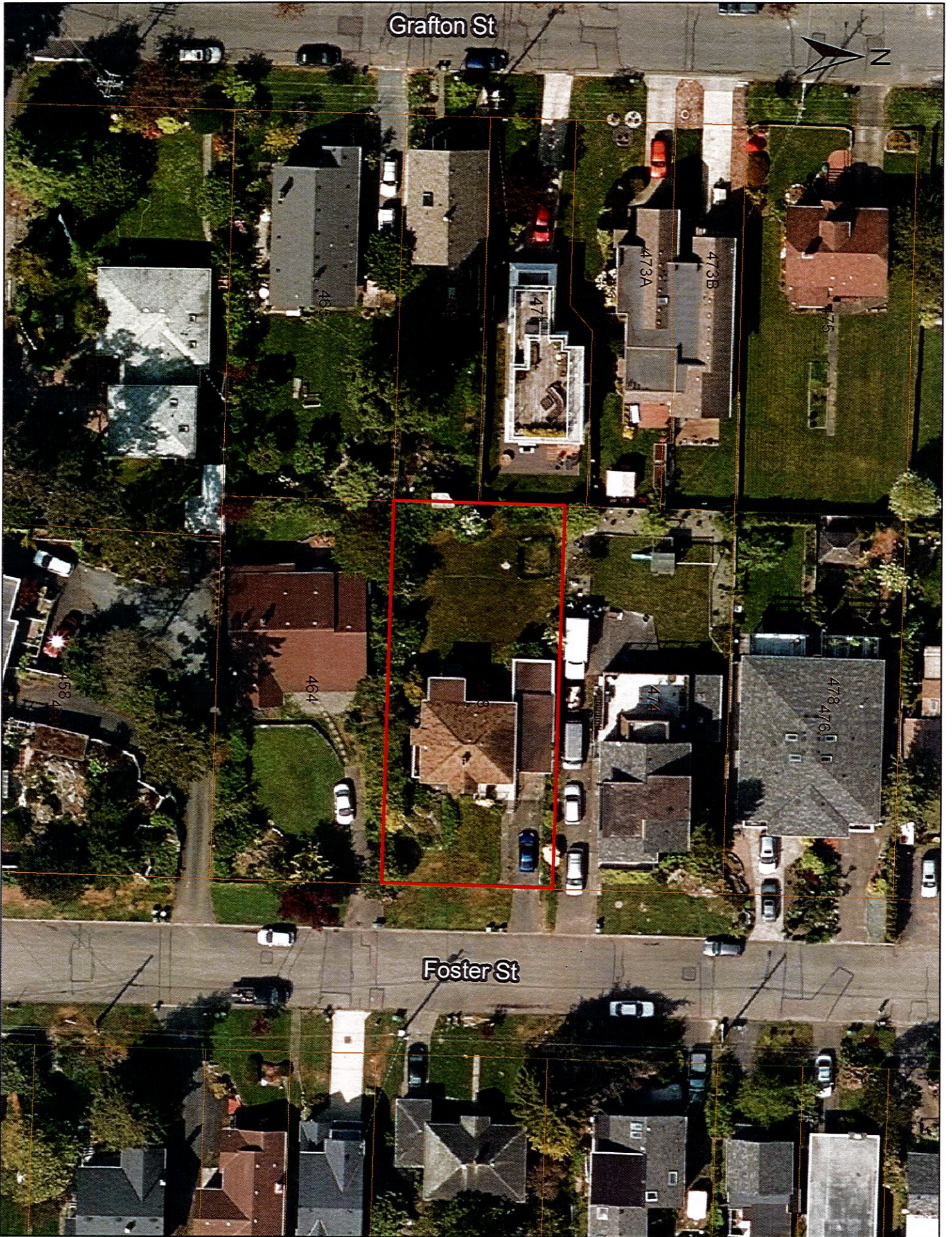
468

464

458, 460

Foster St

Subject Property Map  
468 Foster Street



Grafton St

N

465

473A

473B

475

4584

464

474

478

476

Foster St

## 9.7 Development Permit Area No. 5 – Enhanced Design Control Residential

### 9.7.1 Scope

All lands zoned for two-unit dwellings or zoned as Comprehensive Development Districts for residential developments only are designated as part of Development Permit Area No. 5 – Enhanced Design Control – Intensive Residential as shown on “Schedule C” of this Plan.

### 9.7.2 Category

Section 919(1)(f) of the *Local Government Act* – form and character of intensive residential development.

### 9.7.3 Justification

The following policies and guidelines were developed to allow for the better utilization and redevelopment of parcels within residential neighbourhoods and ensure that development occurs in a manner that retains the desirable physical characteristics of a neighbourhood.

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

- a) Owners of land within Development Permit Area No. 5 must not do any of the following without first obtaining a development Permit in accordance with the guidelines for this Development Permit Area:
  - ♦ construct a two-unit dwelling;
  - ♦ subdivide a two-unit dwelling;
  - ♦ convert a single-unit dwelling to a two-unit dwelling;
  - ♦ renovate an existing two-unit dwelling if the value of construction, as specified in the Building Permit, would exceed 50 percent of the assessed value (as listed on the BCAA property roll at the time of construction) of the building being added to or renovated;
  - ♦ construct two or more separate dwelling units on one parcel, without first obtaining a Development Permit in accordance with the guidelines of this Development Permit Area; or
  - ♦ construct a dwelling on a parcel less than 530 m<sup>2</sup> in area if that parcel was created after May 31<sup>st</sup>, 2002.
- b) Exemptions:

The following do not require a development permit:

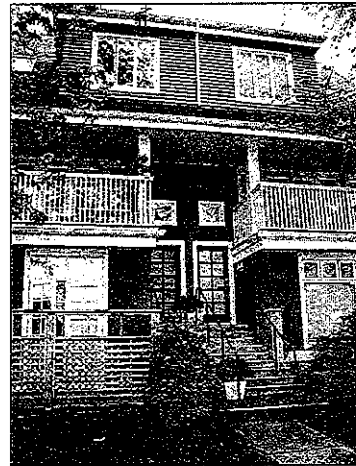
  - ♦ additions or renovations to, or the construction of, one single-unit dwelling situated on a fee simple parcel;
  - ♦ additions or renovations to any two-unit dwelling situated on a parcel zoned for two-unit use where the value of construction, as specified in the Building Permit, does not exceed 50 percent of the assessed value of the building (as listed on the BCAA property roll at the time of construction) being added to or renovated;
  - ♦ construction of buildings or structures less than 10 square meters in area;
  - ♦ 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;

- ♦ emergency repairs to existing structures where a potential safety hazard exists; and
- ♦ fences.

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

The intent of these guidelines is to ensure that new two-unit development (i.e. duplexes) is compatible with and enhances the surrounding community.

- a) New two-unit dwellings, additions to or renovations of existing two-unit dwellings, and the conversion of single-unit dwellings into two-unit dwellings should be designed to be consistent with and preserve the proportions and patterns of existing residential buildings in the immediate vicinity, including the wall-to-window area ratios and the amount and type of open space provided.
- b) Where it is not possible to achieve buildings of similar size and proportion to the surrounding residential buildings, the fronts of the buildings should be designed to create the appearance of smaller structures either by staggering the dwelling units or visually breaking up the façade with architectural detailing.
- c) Innovative and creative site-specific two-unit dwellings are encouraged where yard space is maintained either on the ground or as rooftop gardens. Setbacks to the street may be reduced to maximize property use.
- d) Front to back duplexes are generally discouraged unless they can be designed to eliminate negative impacts to the immediate neighbours such as shading of gardens, overlook of outdoor amenity areas and violation of privacy.
- e) Side by side, up and down, or staggered unit configurations are preferred as these result in a greater number of units facing the street, less disruption of privacy, and a more equitable division of outdoor amenity areas between the two dwelling units.
- f) The use of exterior building materials similar to those used in older residential neighbourhoods (i.e. combinations of wood, brick, stucco, and stone) is encouraged.
- g) Rooflines of new development should relate in height, shape and pitch to existing residential buildings in the immediate area. For corner sites, the building design should avoid having large unbroken sloped roof areas facing the street.
- h) To create interest in the façade of the buildings facing the street, the incorporation of architectural elements such as bay windows, covered porches, verandas and prominent front doors is encouraged.
- i) Buildings should be designed to minimize visual intrusion onto the privacy of surrounding homes. Some overlook of adjoining yards and neighbouring decks may be unavoidable; however, additional privacy should be achieved by inseting balconies, decks and patios into the building or by screening them with latticework or landscaping. Windows should be spaced



so that they do not align directly with those of other buildings.

- j) The height and massing of new two-unit dwellings should be designed to minimize the casting of shadows onto the private outdoor space of adjacent residential dwellings.
- k) A landscaping plan showing ground cover areas, planting beds, shrubbery and trees (both existing and proposed) is required for every new two-unit dwelling or the conversion of a single-unit dwelling to a two-unit dwelling. Landscaping should add to the aesthetic appeal of the streetscape as well as provide privacy between dwelling units.
- l) The provision of private open space should be part of an overall site development and landscape plan and should take into consideration general site circulation patterns (including parking), existing landscape features, sun access, privacy and usability.
- m) Retention and protection of trees and the natural habitat is encouraged where possible.
- n) Parking areas, garages and driveways should appear as a minor component of the site when viewed from the street. The building of curving access roads and driveways helps to avoid views from the street of large expanses of paving. The use of shared driveways is encouraged.
- o) The use of permeable and decorative surfacing materials, such as brick, concrete pavers, textured concrete, coloured paving or grasscrete is encouraged in place of solid expanses of asphalt or concrete.
- p) Where possible, hydro meters will not be placed on the front façade of a building and, if placed on the side of a building which is visible from the street, will be appropriately screened.
- q) Where an existing single unit dwelling is being converted to a two-unit dwelling both the original structure and the addition shall be in the same architectural style and constructed of the same exterior finishes including roofing material, window treatments, exterior finishes, door styles and trims.
- r) Roof styles and pitches of the original and new portions of the building must be complimentary.
- s) For new or converted two unit dwellings, garages and parking areas are encouraged to be located in the rear yard. Shared driveways are preferred to access the rear yard.
- t) Where two single lane driveways serve a two unit lot, landscaping features are encouraged between the driveways.

40. **TWO FAMILY/SINGLE FAMILY RESIDENTIAL [RD-3]**

The intent of this Zone is to accommodate Single Family or Two Family Dwelling Units on individual Parcels of land.

(1) **Permitted Uses**

The following Uses and no others are permitted:

- (a) Single Family Residential
- (b) Two Family Residential
- (c) Home Occupation
- (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 668 square metres.

(3) **Minimum Lot Width**

The minimum width of Parcels created by subdivision shall be 18.3 metres, measured at the Front Building Line.

(4) **Floor Area Ratio**

- (a) For parcels 800 square metres in area and larger, the Floor Area Ratio for Two Family Dwellings shall not exceed 0.35.
- (b) For parcels under 800 square metres in area the Floor Area Ratio for Two Family Dwellings shall not exceed 0.4.

(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.
- (c) When developing a front to back Two Family Dwelling, the back Dwelling Unit shall be no higher than the highest point of the existing Dwelling Unit. A Two Family Dwelling is considered back to front if more than 75% of the floor area of the back Dwelling Unit is behind the rear wall of the front Dwelling Unit.

(7) **Building Width**

The minimum width of any Single Family or Two 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.

(8.1) **Building Massing**

The second storey of any Two Family Dwelling shall be a maximum of 75% of the total floor area of the ground floor, including an attached garage.

(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.

(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.

(c) **Garage Setback**

Detached and attached garages shall be set back a minimum of 1.5 metres from the front face of the Dwelling Unit.

(10) **Common Wall Requirements**

In Two Family Dwellings the common wall overlap between the habitable areas of the two Dwelling Units shall be not less than 50%.

(11) **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.

(12) **Off Street Parking**

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

(13) **Driveway Width**

The maximum width of a driveway surface on a Two Family Residential lot shall be a total of 5.5 metres. This applies to a double-wide driveway, or the combined width of two (2) single lane driveways serving a Two Family Dwelling.



July 25, 2017

Municipality of Esquimalt  
1229 Esquimalt Road  
Esquimalt, B.C.  
V9A 3P1



Re: 468 Foster Street – Development Variance Permit, RD - 3 zone

Dear Development Services, Mayor and Council,

For our clients, co-owners of 468 Foster Street Christine Robinson and Trevor Bowers, we have custom designed a new duplex to suit their combined and individual needs.

The building complies with the RD - 3 zoning bylaw in all aspects except that after consultation with the development Services department of Esquimalt we are applying for two variances in relation to the proposed design, for distribution of floor area (building massing) and for building height.

For building massing, the requirement is that the upper floor area be 75% of the lower floor; ours is slightly higher at 81%. While we could easily meet the 75% ratio criteria by increasing the floor area on the main level of the home (we are currently under the maximum allowable total floor area), Trevor and Christine do not wish to do that, for financial and functional reasons. They do not require the additional space and prefer a more modest floor area. We respectfully ask to be able to distribute the floor area in this way, in order not to build more than they need. This would require a variance of 6.4%.

Prior to embarking on the design of the building, Trevor and Christine canvassed their neighbours and determined that a pitched roof, traditional look was favoured over a flat roofed contemporary style by nearby residents. In response to that information, we have employed pitched roofs in order to better fit in with the surrounding neighbourhood homes.

With a pitched roof, building height is calculated to the midpoint of the highest peaked roof, or to the top of a flat roof. In this case, if treated as a pitched roof, our design would be below the building height restriction for the zone. However, in this instance because there is a flat area at the top of the pitch for this building, the roof height is calculated to the top of the ridge of the roof, although the roof does not appear as a flat roofed home.

For this reason, we are asking for a relaxation for building height of 0.78 meter (2.55 feet). That is, the proposed height is 8.08 m and permitted height is 7.3 m. The flat portion of the roof will not be visible from the ground; the roof will appear as a ridged roof at the same height as if there were no level area at the top.

We have designed the home to blend well with nearby homes, in terms of general style, massing and form, and architectural details. The duplex is non-mirror imaged but well balanced, and exterior materials and treatments include: natural wood shingles (stained) offset by painted cementitious panel and trim; painted wooden detailing such as wide trim, timber braces and brackets, waterline and belly band; wooden posts and railings; with asphalt shingle roofing. Glazed guardrails will be employed at the rear, and doors will be wooden in a traditional style at the front entries.

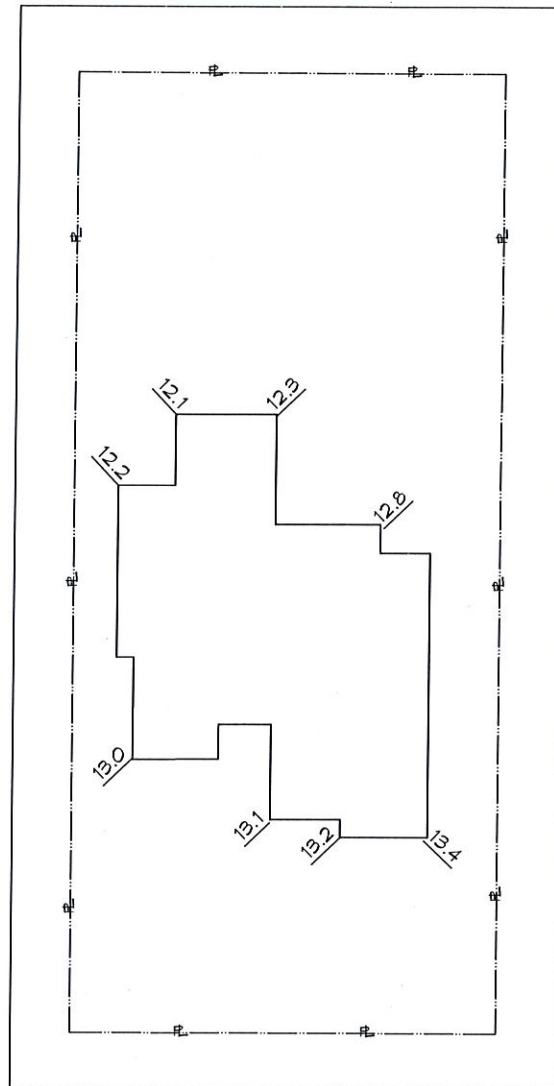
The homeowners are in conversation with their neighbours with regards to these variance requests, and will be acquiring supporting signatures for the application (to be submitted at a later point). Shadowing concerns for the property to the north would not be any greater than if the roof were without the flat portion on the top. The house sits as low as possible without requiring extensive rock blasting at the front of the property.

Thank you for your time in consideration of our application. Please refer to the drawings and supporting materials for technical details and if more information is required, please let us know.

Sincerely,



Rus Collins  
Lead Designer  
Zebra Design & Interiors Group Inc.

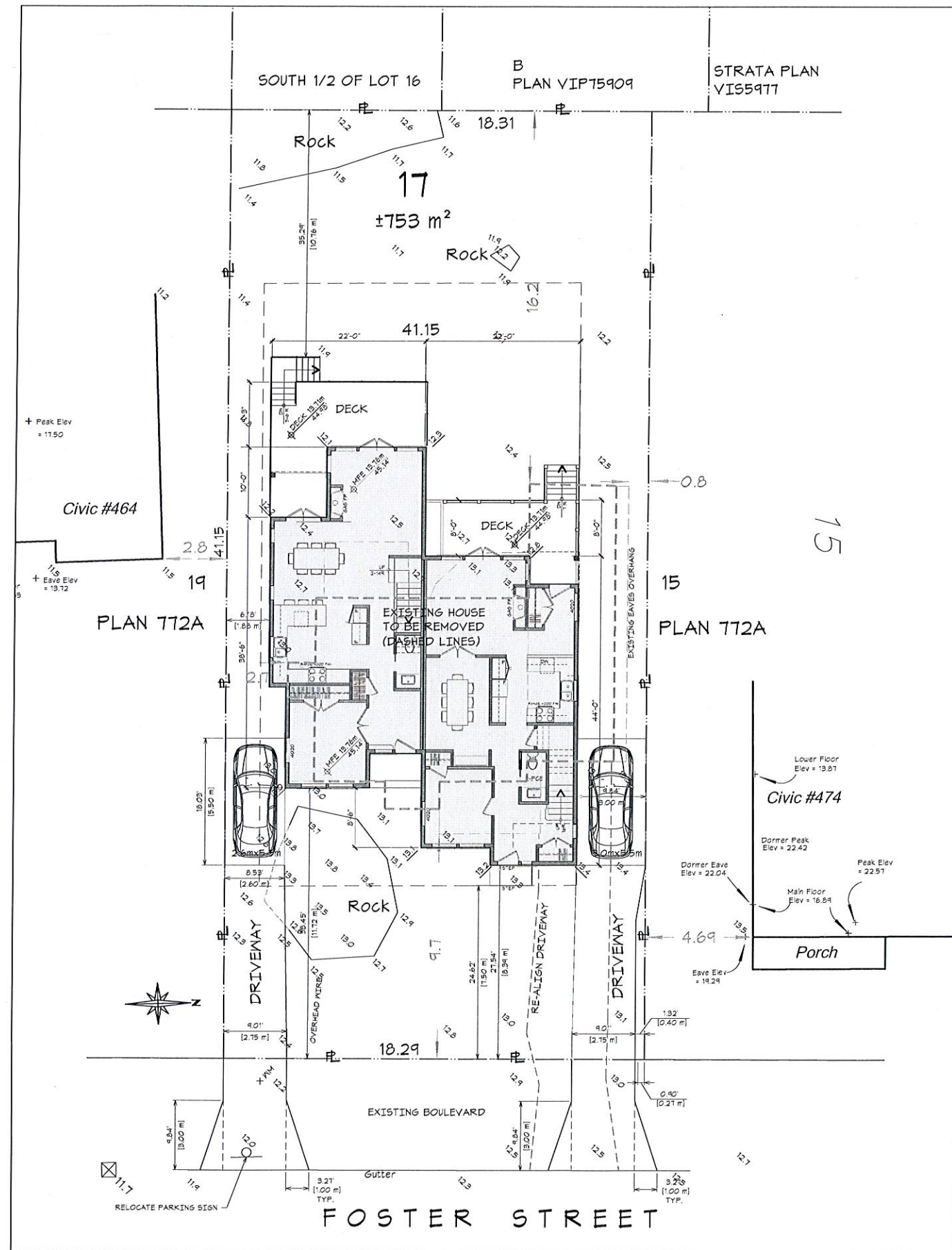


BUILDING CORNER  
LOCATIONS FOR  
AVERAGE GRADE



DEVELOPMENT PERMIT AND  
DEVELOPMENT VARIANCE APPLICATION  
**SITE PLAN**  
**DUPLEX ON FOSTER ST.**  
VICTORIA, B.C. 07/28/17

SCALE = 1:100



**SITE PLAN**

REVISIONS & ISSUES		
REV.	DESCRIPTION	DATE
A	ISSUED FOR DEVELOPMENT PERMIT	17/07/28
B	ISSUED FOR DEVELOPMENT VARIANCE PERMIT	17/07/28

**PROJECT DATA**

LEGAL DESCRIPTION  
SITE PLAN OF LOT 17, BLOCK G, SUBURBAN  
LOT 30, ESQUIMALT DISTRICT, PLAN 772A.

ZONING  
RD-3

LOT AREA  
152.9 m<sup>2</sup> [8104.4 sf]

LOT COVERAGE  
PROPOSED: 2420/8104= 29.86%  
PERMITTED MAX: 30%

SETBACKS		
SETBACK TYPE	REQUIRED MINIMUM	PROPOSED
FRONT	7.5 m 24.6'	8.34 m 27.54'
REAR	7.5 m 24.6'	10.76 m 35.29'
SIDE NORTH	3.0 m 9.84'	3.0 m 9.84'
SIDE SOUTH	1.5 m 4.92'	1.88 m 6.18'
COMBINED SIDEYD	4.5 m 14.76'	3.0 + 1.88 = 5.64 m [18.5']

FLOOR AREA  
LEFT SIDE  
MAIN 858.0 SF  
UPPER 740.9 SF  
RIGHT SIDE  
MAIN 862.4 SF  
UPPER 654.4 SF  
TOTAL 3120.7 SF = 289.92 m<sup>2</sup>

FLOOR AREA RATIO  
289.92/152.9 = .38

MAX TOTAL PERMITTED =  
.40  
X 8104.4 = 3241.7 SF = 301.16 m<sup>2</sup>

BUILDING MASSING  
UPPER FLOOR TOTAL/LOWER FLOOR TOTAL  
= 1400.3/1720.4 = 81.4%

MAX. PERMITTED MASSING  
UPPER/ MAIN FLOOR = 75%

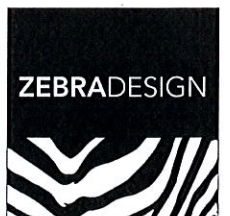
GRADE CALCS:  
12.2  
12.1  
12.3  
12.8  
13.0  
13.1  
13.2  
13.4  
102.1 / 8 = 12.76m [41.87']  
AVERAGE GRADE = 12.76 m

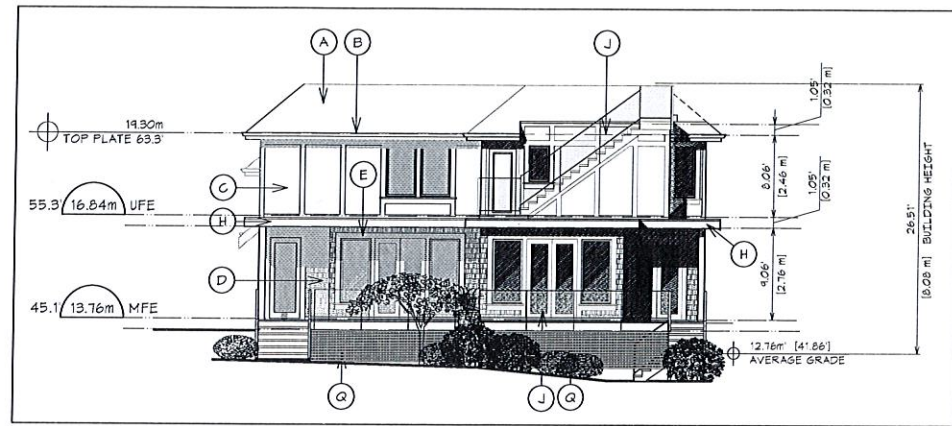
BUILDING HEIGHT:  
PROPOSED: 8.08m = 26.51'  
PERMITTED: 7.3 m = 23.95'

PARKING  
2 STALLS TOTAL

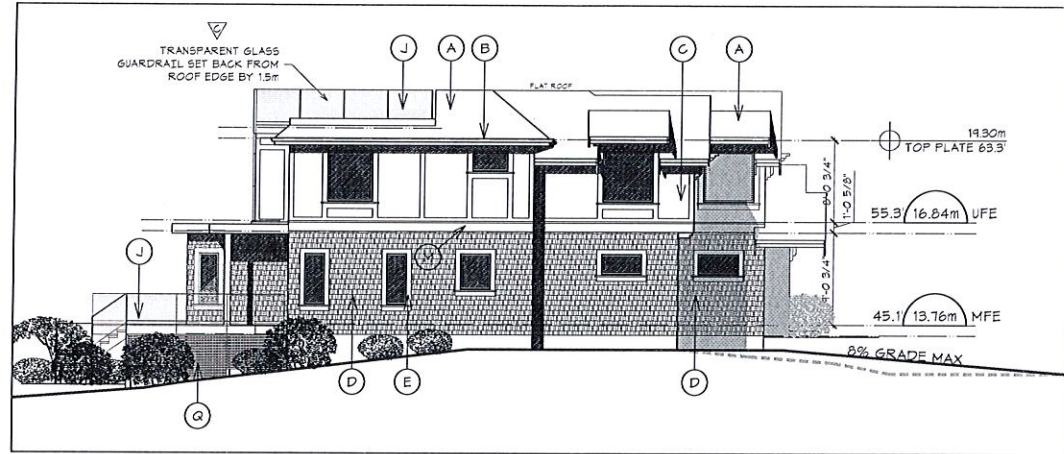
ARROW INDICATES REQUIRED  
DEVELOPMENT VARIANCE

SK-1

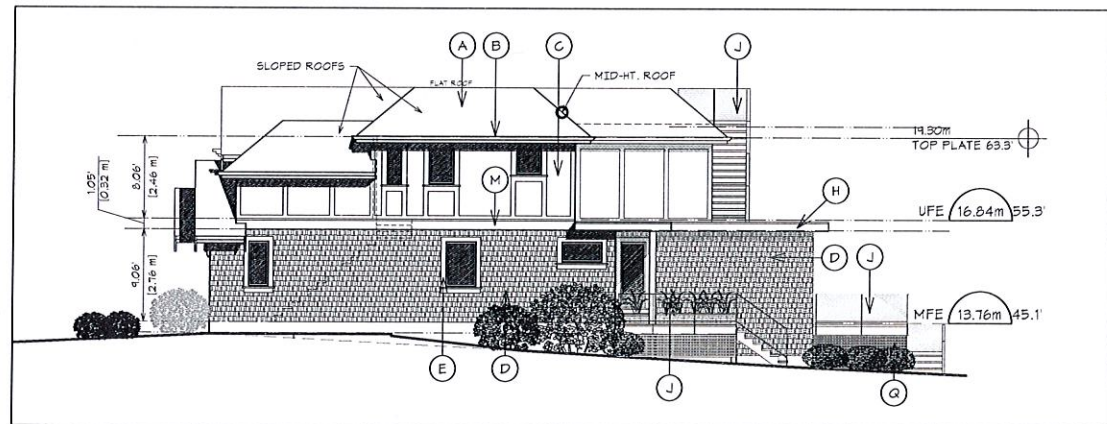




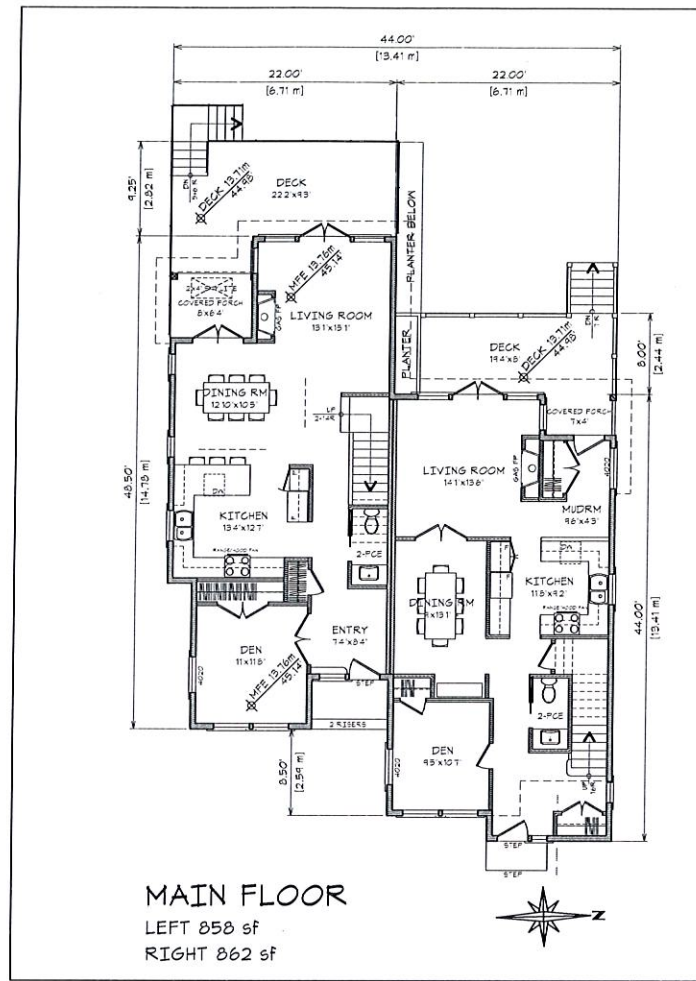
WEST ELEVATION



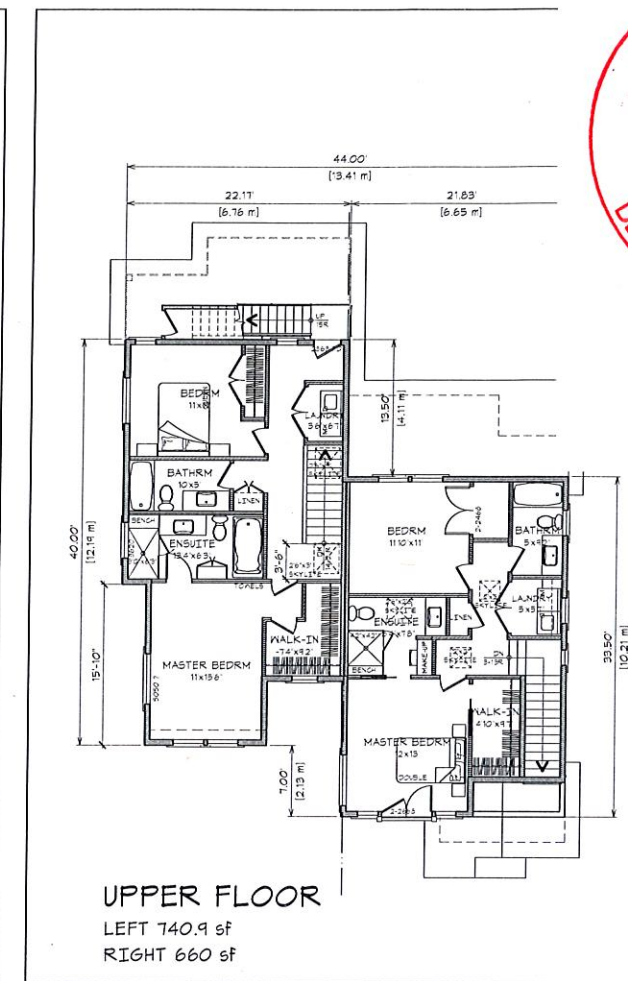
SOUTH ELEVATION



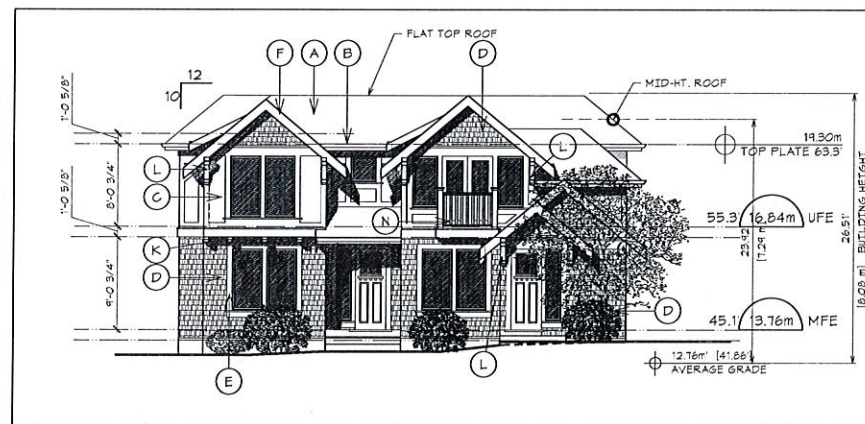
NORTH ELEVATION



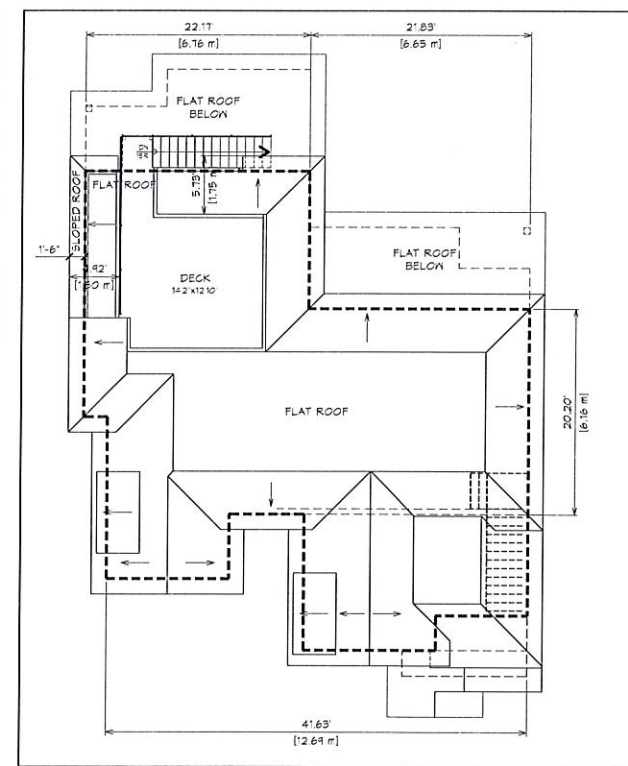
MAIN FLOOR  
LEFT 858 sf  
RIGHT 862 sf



UPPER FLOOR  
LEFT 740.9 sf  
RIGHT 660 sf



EAST/FRONT ELEVATION



ROOF PLAN

**FINISH SCHEDULE**

A	FIBREGLASS SHINGLES
B	MTL GUTTER ON 2x8 FASCIA
C	6" W TRIM ON CEMENTITIOUS PANEL
D	CEDAR SHINGLES
E	6" W TRIM
F	2x10 BARGE BOARD
G	2x8 BARGE BOARD
H	12" H FASCIA
J	GLAZED TRANSPARENT GUARDRAIL c/w PREFIN. STL SUPPORTS/w. HANDRAIL @ STAIR
K	SHAPED TIMBER BRACES
L	SHAPED TIMBER BRACKETS
M	WATERLINE ON 2x10 BELLYBAND
N	6"x6" POSTS & 3"x3" PICKETS w GUARDRAIL
P	8"x8" TIMBER POSTS
Q	SPACED 1"x2" LATTICE SCREEN

**REVISIONS & ISSUES**

REV#	DESCRIPTION	DATE
A	ISSUED FOR DEVELOPMENT PERMIT	11/07/20
B	TRANSPARENT GLASS AT ROOF DECK	11/08/20
C		

DEVELOPMENT PERMIT AND  
DEVELOPMENT VARIANCE APPLICATION  
**PLANS & ELEVATIONS**  
**DUPLEX ON FOSTER ST.**  
VICTORIA, B.C. 07/28/17  
SCALE = 1:100

SK-2





# FOSTER ST. STREETSCAPE

DEVELOPMENT PERMIT AND  
DEVELOPMENT VARIANCE APPLICATION

## STREETSCAPE

### DUPLEX ON FOSTER ST.

VICTORIA, B.C.

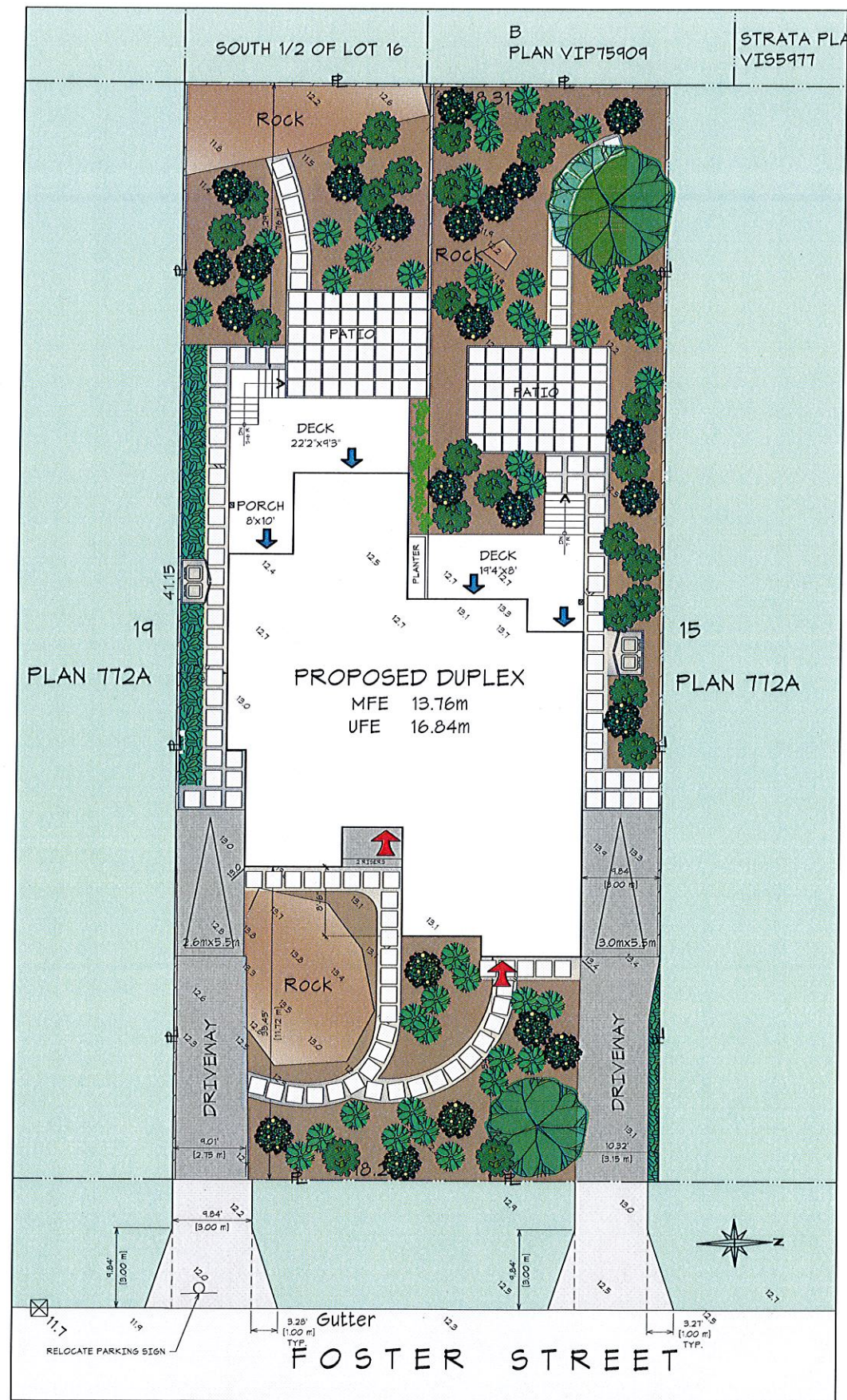
07/28/17

SCALE = 1:100

REVISIONS & ISSUES		
REV.	DESCRIPTION	DATE
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B	ISSUED FOR DEVELOPMENT VARIANCE PERMIT	11/01/20

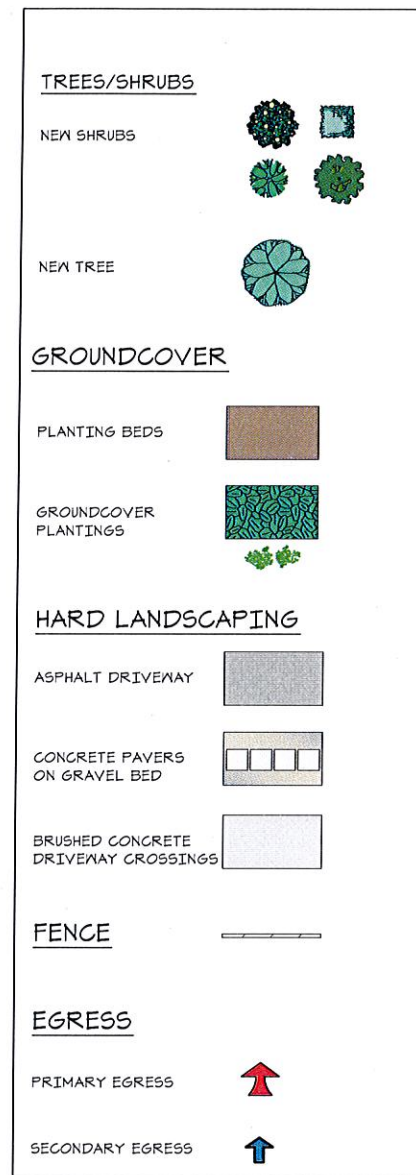


SK-3



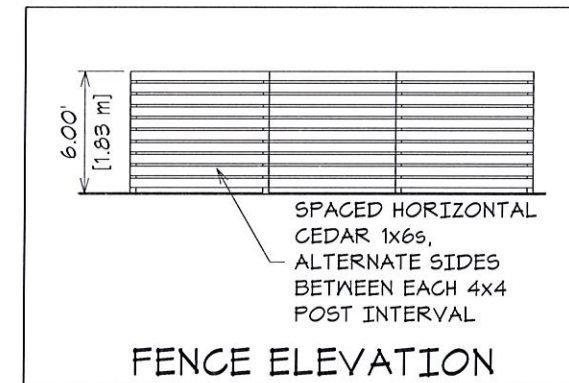
LANDSCAPE PLAN

LANDSCAPE PLAN LEGEND



SUGGESTED PLANT LIST

	Botanical Name	Common Name	Size
Trees	<i>Cornus Venus</i>	Flowering Dogwood	2.5m height, B4B
	<i>Camellia Japonica</i> specimen	Evergreen Camellia	
	<i>His Majesty</i> Cultivar	Cork Tree	
Shrubs	<i>Arbutus Unedo Compacta</i>	Strawberry Tree	#5
	<i>Berberis Thunbergii Atropurpurea</i>	Barberry	#2
	<i>Buxus Microphylla</i>	Dwarf Boxwood	#2
	<i>Camellia Japonica</i>	Red Camellia	#5
	<i>Cistus Ladanifer</i>	Crimson Rock Rose	#3
	<i>Ceanothus Gloriosus Incrabre</i>	Prostrate Mountai Lilac	#1
	<i>Erica Carnea Springwood</i>	White Heather	#1
	<i>Erica X Darleysis Furzey</i>	Pink Heather	#1
	<i>Escallonia Newport Dwarf</i>	Dwarf Escallonia	#2
	<i>Hebe "Pattys purple"</i>	Hebe	#2
	<i>Lavendula Augustifolia Hidcote</i>	Hidcote Lavender	#1
	<i>Ribes Saguneum King Edward</i>	Pink Flowering Currant	#5
	<i>Rhododendron</i>	White Rhododendron	#5
	<i>Spirea Prunifolia</i>	Bridal Wreath Spirea	#5
<i>Viburnum Davidii</i>	Evergreen Viburnum	#3	
Groundcovers	<i>Parthenocissus Quinquefolia</i>	Virgin Creeper	#1
	<i>Thymus Pink Ripple</i>	Creeping Thyme	Sp3, 30 cm o.c.



DEVELOPMENT PERMIT AND  
DEVELOPMENT VARIANCE APPLICATION  
**LANDSCAPE PLAN**

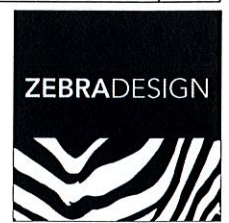
**DUPLEX ON FOSTER ST.**

VICTORIA, B.C.

07/28/17

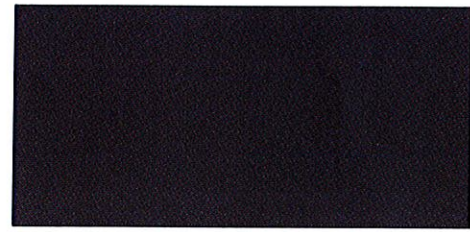
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REVISIONS & ISSUES	
REV.	DESCRIPTION
A	ISSUED FOR DEVELOPMENT PERMIT
B	ISSUED FOR DEVELOPMENT VARIANCE PERMIT

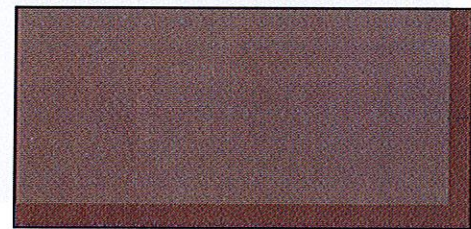


SK-4





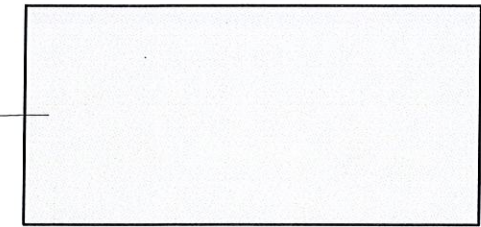
ROOF SHINGLES  
CHARCOAL



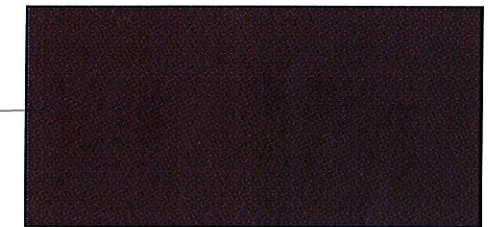
CEDAR SHINGLES  
CLOVERDALE DUTCH BLUE  
ST023 SEMI TRANSPARENT  
STAIN



FRONT ELEVATION FOSTER ST.

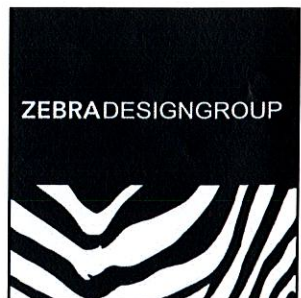


CEMENTITIOUS BOARD  
PANELS, TRIMS, FASCIAS AND  
BELLYBANDS  
SHERWIN WILLIAMS  
WESTHIGHLAND WHITE  
SW 7566

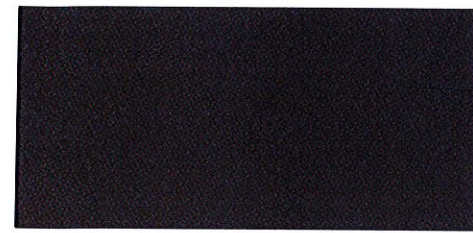


WINDOW FRAMES  
DC BRONZE

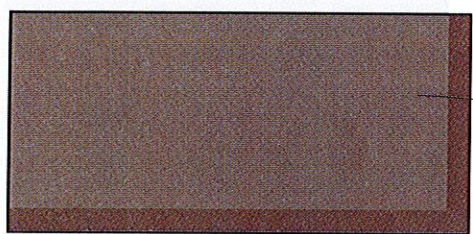
DEVELOPMENT PERMIT AND  
DEVELOPMENT VARIANCE APPLICATION  
**COLOUR SCHEME**  
**DUPLEX ON FOSTER ST.**  
VICTORIA, B.C.                      07/28/17  
SCALE = 1:100



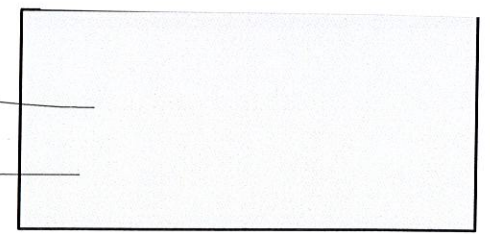
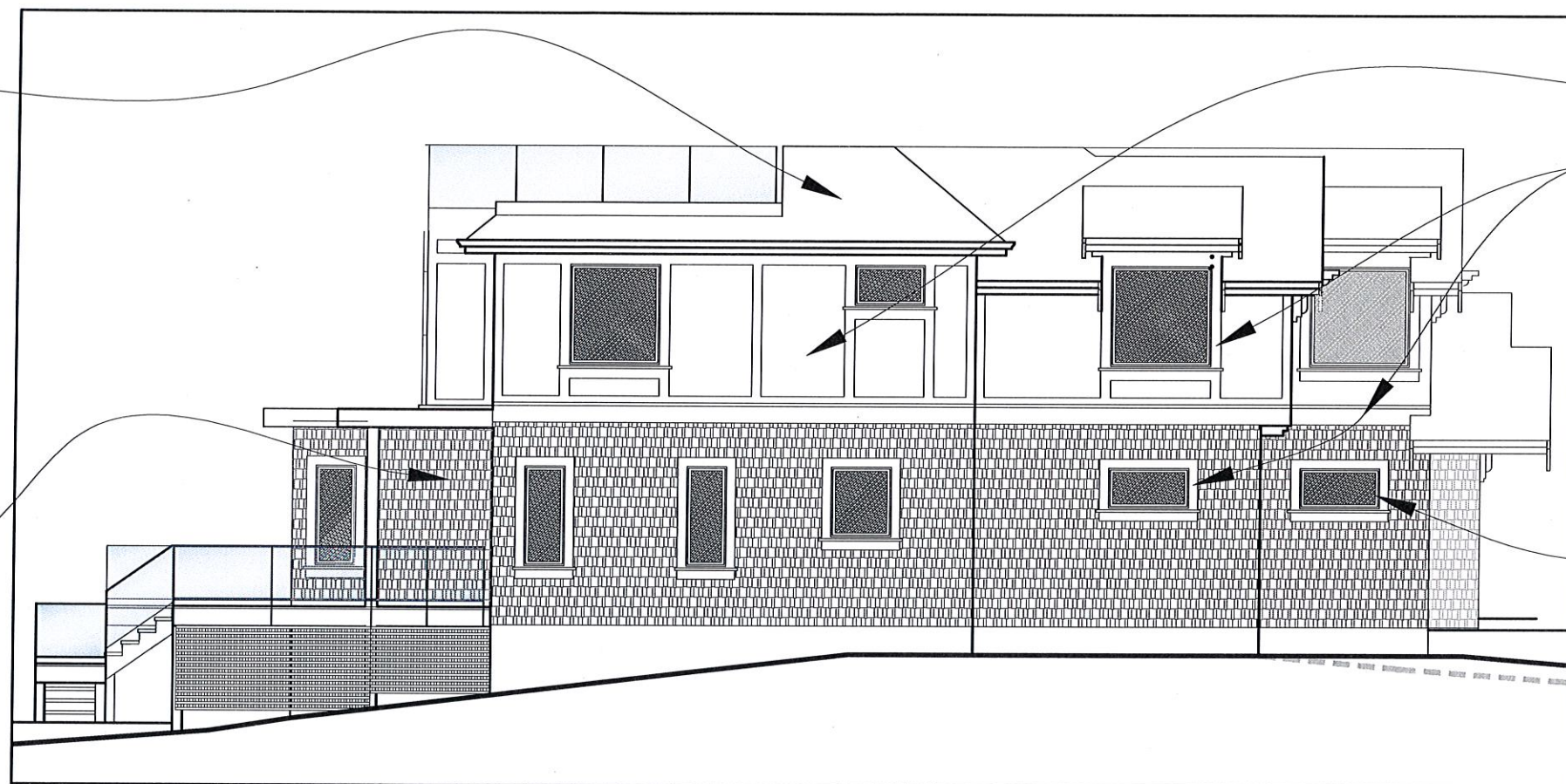
SK-5



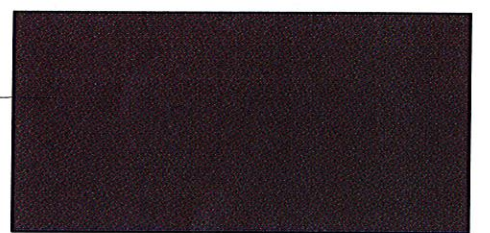
ROOF SHINGLES  
CHARCOAL



CEDAR SHINGLES  
CLOVERDALE DUTCH BLUE  
STO23 SEMI TRANSPARENT  
STAIN



CEMENTITIOUS BOARD  
PANELS, WINDOW TRIMS,  
FASCIAS AND BELLYBANDS  
SHERWIN WILLIAMS  
WESTHIGHLAND WHITE  
SW 7566



WINDOW FRAMES  
DC BRONZE

### SOUTH ELEVATION

DEVELOPMENT PERMIT AND  
DEVELOPMENT VARIANCE APPLICATION  
**COLOUR SCHEME** SOUTH ELEVATION

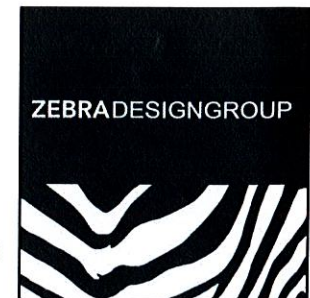
## DUPLEX ON FOSTER ST.

VICTORIA, B.C.

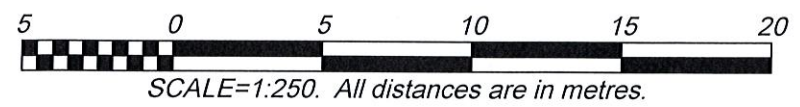
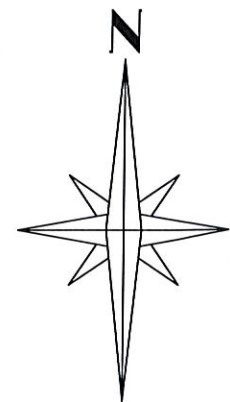
07/28/17

SCALE = 1:100

# SK-6



# PROPOSED BUILDING POSITION UPON LOT 17, BLOCK G, SUBURBAN LOT 30, ESQUIMALT DISTRICT, PLAN 772A.



**NOTE:**  
Lot dimensions, offsets and area shown may vary upon completion of a comprehensive legal survey. Geodetic elevations shown are based upon observations to geodetic control monuments 84H0156 (Elevation=15.927m) and 84H0154 (Elevation=15.829m).

This plan is for building design & permit purposes only and is for the exclusive use of our client. This plan shall not be used to define property lines or property corners. Unregistered interests have not been included or considered.

**NOTE:** New building positioned as per client instructions. Building position must be confirmed by approving authorities prior to construction.

**LEGEND**  
### Denotes ground elevation

Field survey dated July 25, 2017.  
Civic #468 was previously surveyed on February 3, 2017

Jason Kozina  
H88DFU  
Digitally signed by Jason Kozina H88DFU  
DN: c=CA, cn=Jason Kozina H88DFU,  
ou=BC Land Surveyor, ou=Verify ID at  
www.juricert.com/LKUP.cfm?id=H88DFU  
Date: 2017.07.27 14:38:01 -0700

Jason C. Kozina, BCLS

File: 20-BOWERS-SP2  
Date: July 27, 2017  
**Island Land Surveying Ltd.**  
#117-693 Hoffman Avenue  
Victoria B.C. V9B 4X1  
Tel 250.475.1515 Fax 250.475.1516  
www.islandsurveying.ca

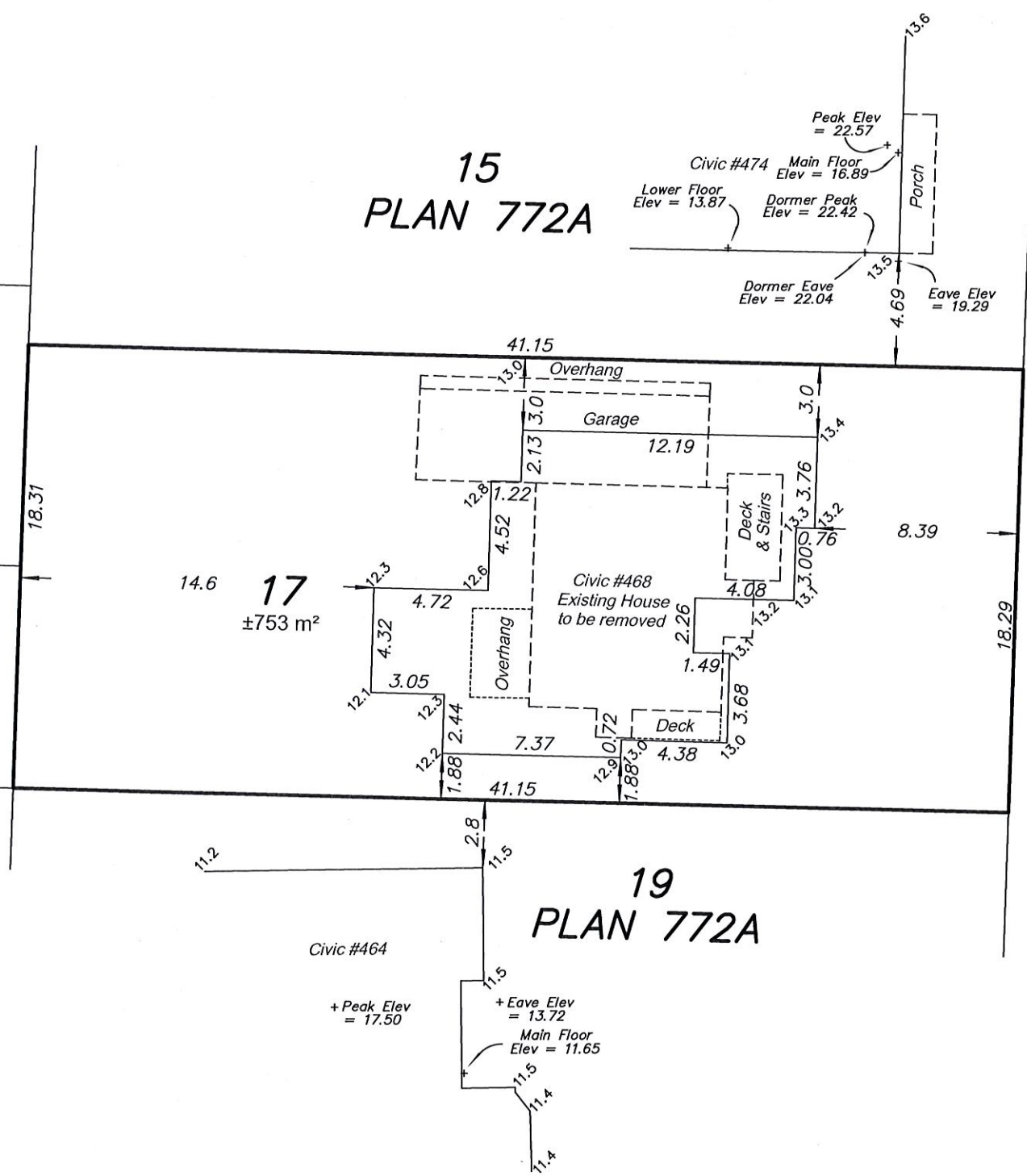
STRATA  
PLAN  
VIS5977

B  
PLAN  
VIP75909

SOUTH 1/2  
OF LOT 16

15  
PLAN 772A

19  
PLAN 772A



**PROPOSED BUILDING HEIGHT**  
1. Average grade = 12.76m  
2. Building Height = 8.08m  
  
Building height based on field survey dated July 25, 2017 for natural grade and Zebra Design building plans dated 17/07/28

FOSTER STREET