



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

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

Staff Report

File #:20-297

REQUEST FOR DECISION

DATE: June 11, 2020

Report No. APC-20-010

TO: Advisory Planning Commission

FROM: Bill Brown, Director of Development Services

SUBJECT:

Proposed Text Amendment to Zoning Bylaw, 1992, No. 2050 Section 67.100 (4) Comprehensive Development District No. 114 [CD No. 114] 1198 Munro Street

RECOMMENDATION:

The Esquimalt Advisory Planning Commission recommends to Council that the Application to amend Section 67.100 (4) of the Zoning Bylaw, 1992, No. 2050, that would increase the density of the number of Dwelling Units permitted on Lot 1, Section 11, Esquimalt District Plan 44436 and in the CD No. 114 Zone from a limit of two [2], for a minimum density of one [1] unit per 357 square metres to a limit of three [3], for a minimum density of one [1] per 290 square metres be forwarded to Council with a recommendation to either approve, approve with conditions, or deny the application; and provide reasons for the chosen recommendation.

RELEVANT POLICY:

Land Title Act
Local Government Act
Official Community Plan Bylaw, 2018, No. 2922
Zoning Bylaw, 1992, No. 2050
Parking Bylaw, 1992, No. 2011
Development Application Procedures and Fees Bylaw, No. 2791, 2012
Subdivision and Development Control Bylaw, 1997, No. 2175

STRATEGIC RELEVANCE:

The proposed text amendment to Section 67.100 (4) does not directly support any of the goals and objectives in the Strategic Plan.

BACKGROUND:

On May 27, 2019, Council adopted Bylaw No. 2947 which amended the Zoning Bylaw to created a site specific zone, Comprehensive Development District No. 114 [CD No. 114] (Appendix "A") that allowed for the creation of two lots from a single parent lot (Appendix "B"). The Section (4) of the CD

114 zone states that:

(4) *Density*

The number of Dwelling Units permitted on Lot 1, Section 11, Esquimalt District Plan 44436 and in this CD No. 114 Zone shall be limited two [2], for a minimum density of one [1] unit per 357 square metres.

The current house on the property, which will remain, contains a legal suite. Therefore, the property already has reached its maximum density of two Dwelling Units. The approved subdivision created a lot (Lot B Plan EPP93840) that cannot be developed because the maximum density in the zone has been reached. In order to prevent the sale of an individual parcel with no development rights, a Section 219 Covenant will be registered on the title of the property that would link the two new parcels so that they cannot be sold separately. The covenant will be discharged once the Comprehensive Development No. 114 zone has been amended to increase the density to three [3] dwelling units within the zone, or the suite has been removed from the existing dwelling.

Purpose of Application:

The purposed of the proposed text amendment is to increase the density of the number of Dwelling Units permitted on Lot 1, Section 11, Esquimalt District Plan 44436 and in this CD No. 114 Zone from a limit of two [2], for a minimum density of one [1] unit per 357 square metres to a limit of three [3], for a minimum density of one [1] per 290 square metres.

Context:

Applicant:

Byron and Karen Rotgans

Owner:

Byron and Karen Rotgans

Designer:

N/A

Property Size:

958 m²

OCP Land Use Designation:

Current:

Low Density Residential

File #:20-297

Proposed:

No change proposed

Zone:

Existing Land Use:

Comprehensive Development District No 14 (1198 Munro Street) CD No. 114

Proposed Land Use:

No change proposed

Surrounding Land Uses:

North:

Single Family Residential [RS-1]

South:

Single Family Residential [RD-3]

East:

Single Family Residential RD-3I

West:

Charitable Organization Office & Park [P-2]

OCP Analysis:

This proposal is consistent with the 'Present' and 'Proposed' Land Use Designations applied to the subject property, "Low Density Residential".

The following policies were considered in evaluating this development application:

Section 5 Housing & Residential Land Use

Objective: Support the expansion of housing types within Esquimalt while addressing concerns such as tree protection, parking, traffic, noise, effects on neighbouring properties, and neighbourhood character.

- Policy: Support the development of a variety of housing types and designs to meet the anticipated housing needs of residents. This may include non-market and market housing options that are designed to accommodate young and multi-generational families, the local workforce, as well as middle and high income households.

Section 5.2 Low Density Residential Redevelopment

Objective: Strive for redevelopment and infill development that improves and enhances the appearance and livability of neighbourhoods and the community as a whole.

- Policy: Proposed redevelopment or infill within present low density residential land use designated areas should be built to high quality design and landscaping standards and respond sensitively to existing neighbourhood amenities.

Zoning Analysis:

The proposed Comprehensive Development District Zone would be consistent with other single unit projects and would contain the following uses: single family residential, home occupation, boarding and urban hens.

Density, Lot Coverage, Siting and Parking: The following chart compares the floor area ratio, lot coverage, setbacks, building height, and parking of this proposal with the requirements of the RS-1 [Single Family Residential zone] and its current zone RD-3 [Two Family/ Single Family]:

			Proposed CD Zone	Proposed CD Zone
	Current Zone RD-3 [Two Family/ Single Family]	RS-1 [Single Family]	Lot A [West] With existing home	Lot B [East]
Minimum Parcel Size	686 m2	530 m2	600 m2	358 m2
Floor Area Ratio	0.40	0.35	0.33	0.40
Lot Coverage	35%	30%	25%	34%
Setbacks - Front	7.5 m	7.5 m	7.1 m	5.1 m
Setbacks - Rear	7.5 m	7.5 m	4.2 m	2.1 m
Setbacks - Side	3.0 m/1.5m	3.0/1.5 m	2.8/2.4 m	5.0/3.4 m
Building Height	7.3 m	7.3 m	5.76 m	6.9 m
Off Street Parking	1 space	1 space	2 spaces	3 spaces

Floor Area Ratio [FAR] measures the size of a building (or for all principal buildings on a lot) as a ratio of the area of the lot on which a building sits. The combined FAR of the new proposed dwelling is 0.40 which matches the maximum FAR allowed for a lot less than 800 m² in the RD-3 zone which permits the single family residential use. The applicant has designed this project to generally comply with its current zone, RD-3 requirements, including FAR, lot coverage, and building height.

Parking Analysis:

The proposed development meets the requirements of the Parking Bylaw, 1992, No. 2011.

Comments from Other Departments:

Community Safety Services (Building Inspection):

Comments not yet available.

Engineering Services:

Comments not yet available

Parks:

Comments not yet available

Fire Services:

Comments not yet available

ISSUES:

1. Rationale for Selected Option

The proposed amendment to the CD No. 114 zone will allow a detached dwelling to be built on a new lot. This represents a gentle densification of the neighbourhood that is supported by the Official Community Plan.

2. Organizational Implications

The proposed amendment does not have any specific organizational implications.

3. Financial Implications

The proposed amendment does not have any specific financial implications.

4. Sustainability & Environmental Implications

The proposed amendment results in a minor increase in density which may be associated with reduced per capita green house gas emissions.

5. Communication & Engagement

The proposed amendment will need to either go through the public hearing process or Council will need to waive the public hearing.

ALTERNATIVES:

- 1) That the Esquimalt Advisory Planning Commission recommend to Council that the proposed amendment to Section 67.100 (4) of the Zoning Bylaw be approved and give reasons for the

recommendation.

- 2) That the Esquimalt Advisory Planning Commission recommend to Council that the proposed amendment to Section 67.100 (4) of the Zoning Bylaw be denied and give reasons for the recommendation.



790

786

782

870

Cave St

795

791

783

852

834

830

828

Devonshire Rd

859

831

Subject Property Map:
834 Devonshire Road

834 Devonshire Road - air photo



DIVISION 3 - INDUSTRIAL ZONES

53. LIGHT INDUSTRIAL [I-1]

The intent of this Zone is to accommodate light industrial establishments and related Uses.

(1) **Permitted Uses** [*Amendment, 2018, Bylaw No. 2938*]

The following Uses and no others are permitted:

- (a) Accessory residential subject to Section 26
- (b) Arts and film studio and production
- (c) Arts and Wellness Teaching Centre
- (d) Auction
- (e) Automobile, recreational vehicle and trailer repair, servicing and body shop
- (f) Automobile, recreational vehicle and trailer sales
- (g) Building supply store or lumber yard
- (h) Business or professional office
- (i) Car wash
- (j) Catering Service
- (k) Charitable Organization Office
- (l) Club House
- (m) Cold storage plant
- (n) Commercial instruction and education
- (o) Commercial laundry or drycleaning plant
- (p) Commercial parking
- (q) Fitness centre
- (r) Food preparation
- (s) Laboratory and clinic
- (t) Light manufacturing and processing, including accessory retail
- (u) Personal Service Establishment, excluding Body Painting Establishment, Body Rub Parlour, Dating Service and Escort Service
- (v) Printing and publishing
- (w) Repair shop provided that all work takes place within the Principal Building
- (x) Research establishment
- (y) Restaurant or coffee shop
- (z) Trade contractor establishment
- (aa) Transportation and trucking
- (bb) Veterinary Clinic
- (cc) Warehouse Sales
- (dd) Warehousing and storage
- (ee) Wholesaling and Wholesale Distribution, including Accessory Retail

(2) **Conditions of Uses**

Notwithstanding Section 53(1), a Use which is an offensive trade within the meaning of the *Public Health Act* or *Waste Management Act* and amendments thereto, or which is noxious or offensive because of odour, dust, smoke, gas, noise, vibration, heat, glare, electrical interference, or is a nuisance beyond the limits of the Parcel on which the Use is located, shall not be permitted.

(3) **Floor Area: Accessory Retail**

The Floor Area of an accessory retail Use shall not exceed 30% of the Floor Area of the Principal Use.

(4) **Building Height**

No Building shall exceed a Height of 10 metres.

(5) **Siting Requirements**

(a) No Building shall be located within 7.5 metres of a Lot Line that is shared with a Parcel Zoned for a residential Use.

(b) Front Setback: No Building shall be located within 7.5 metres of the Front Lot Line.

(c) Side Setback: No Building shall be located within 4.5 metres of an Exterior Side Lot Line.

(6) **Screening and Landscaping**

(a) Screening and Landscaping shall be provided in accordance with Section 23.

(b) Landscaping shall occupy not less than 5% of the land area of the Parcel and shall be a minimum of 3 metres in depth provided along the Front Lot Line or in the case of a corner Lot, along the Front Lot Line and the Exterior Side Lot Line.

(7) **Off Street Parking**

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

(8) **Commercial Parking Use**

A commercial parking Use shall comply with the standards in Parking Bylaw, 1992, No. 2011 (as amended) in relation to design, siting, layout and surfacing of the parking facility.

#2 – 836 Devonshire Road
Victoria, B.C. V9A 4T4
Email: info@lighthousebrewing.com

Telephone: (250) 383-6500
Fax: (250) 383-0005
Toll Free: 1-866-862-7500



To whom it may concern;

Lighthouse Brewing Company has been Esquimalt's local craft brewery since 1998. We opened our Tasting Room in 2018 to provide customers the opportunity to purchase growlers, tasting flights, packaged beer, snacks and various branded retail items in a welcoming environment. We are seeking a Lounge Endorsement License to allow us to expand our scope of service for craft beer lovers from Esquimalt and beyond.

Our current Tasting Room Endorsement allows us to:

- Provide one 12oz flight of beer to customers, per day. The flight is limited to 12oz and must be provided in either of the following formats:
 - 3 x 4 oz pours
 - 4 x 3 oz pours

We are pursuing a Lounge License/Endorsement from the BC Liquor and Cannabis Regulation Branch which will allow us to:

- Provide more than one tasting flight of beer per day to customers.
- Provide full servings of beer – glasses ranging from 12-20oz, dependant upon Liquor Control Board approval.

Many other BC Craft Breweries are offering their patrons the option of multiple tasting flights and/or glasses of beer. This is the standard to which craft beer consumers have become accustomed to, and we would like to offer this service to our customers.

As per the requirements related to the application for the Lounge Endorsement License:

- **Food service:** We have a variety of snacks and non-alcoholic beverages available during all hours of operation.
- **Entertainment:** The tasting lounge would primarily have curated music, live television and board games.
- **Composition of the neighbourhood:** Our building is set approximately 100ft from Devonshire Rd, in a primarily industrial area. Approximately one block away from the brewery are the closest residential dwellings.
- **Noise & Disturbance:** The Lounge Endorsement is an indoor endorsement for the existing Tasting Room. There should be no change from current noise levels that would be disruptive to our neighbours. As a result of being in a primarily industrial area, most of our direct neighbours operate at standard business hours Monday through Friday. As our busiest hours are after 4pm during the week and on Saturdays, there is no anticipated increase in the potential for noise or other disturbances.

- **Disturbance Measures:** As previously mentioned, there should be no significant risk of noise or other disturbances to our neighbours. All of our Tasting Room staff are certified in Serving it Right in order to comply with all provincial laws and regulations related to liquor service. Our total capacity for our Tasting Room is 30 people and the capacity of the adjacent picnic area is also 30 people. With a total capacity of a maximum 60 people we do not believe that this presents a significant disturbance risk. We have been operating for 18 months with those capacity numbers and have never received a complaint.
- **Other Applicable Information:** We have recently installed bike racks to hold a maximum capacity of 18 bicycles and have 15 parking spots in our parking lot, in addition to street parking.

What makes Lighthouse Brewing Company's Tasting Lounge different from other liquor primary establishments is the fact that it would be the focal point for the brewery to showcase a wide range of our beers to our customers, from year-round staple beers to one off batches only available in the Tasting Room.

Craft beer in BC, especially in Victoria, continues to be a source of community pride and engagement. The presence of an onsite lounge at craft breweries throughout BC has become the norm. Victoria has historically been home to production focused breweries, which have lacked the onsite experience found in other breweries, especially on the mainland. We want to be able to offer the same experience level that craft beer enthusiasts have come to expect when visiting other craft breweries. Our tasting room will only feature our beers with 9 taps to choose from along with non-alcoholic beverages provided by Victoria Soda Works. Our tasting room is designed to feature our products which means we will not be serving any cider, wine or spirits. We will not have any kitchen service and only provide concession style snacks such as; pepperoni sticks/jerky, salty snacks and baked goods.

Proposed hours of operation (to be confirmed in accordance with the LCRB):

Fall/Winter

Tuesday - Saturday
12 - 6pm

Spring/Summer

Tuesday - Saturday (potential for Sunday reduced hours)
12-9pm TBC

Let us know if you require any more information.

Sincerely,



Ben Thomas
General Manager
Lighthouse Brewing Company

LIGHTHOUSE BREWING - TENANT IMPROVEMENT

All of the documents prepared by Praxis Architects Inc. or on behalf of Praxis Architects Inc. in the connection with the project are instruments of service for the execution of the project. Praxis Architects Inc. retains the property and copyright in these documents, whether the project is executed or not. These documents may not be used on any other project, nor be reproduced, without prior written agreement of Praxis Architects Inc. Do not scale the drawings.

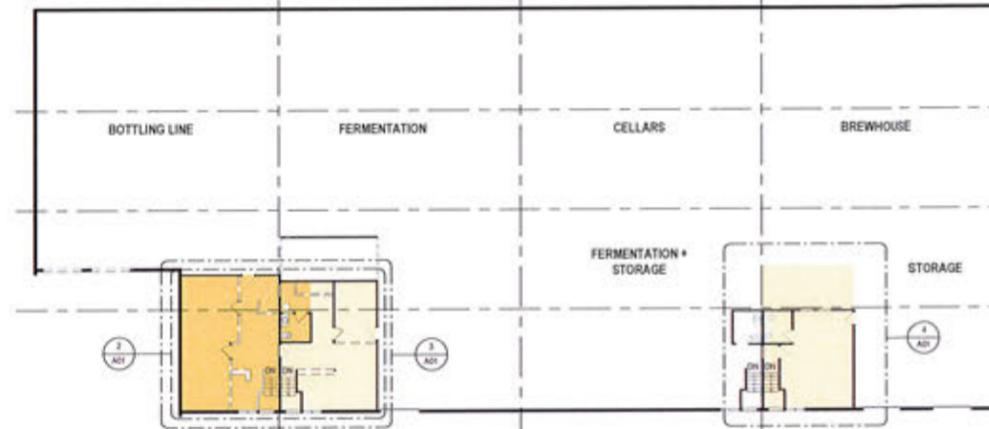
ISSUED FOR BUILDING PERMIT - 2018.03.21



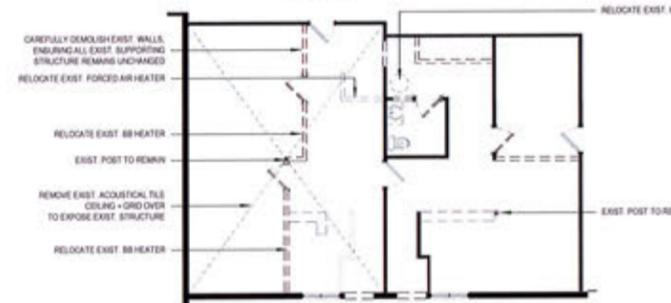
LOCATION PLAN

BUILDING INFORMATION:

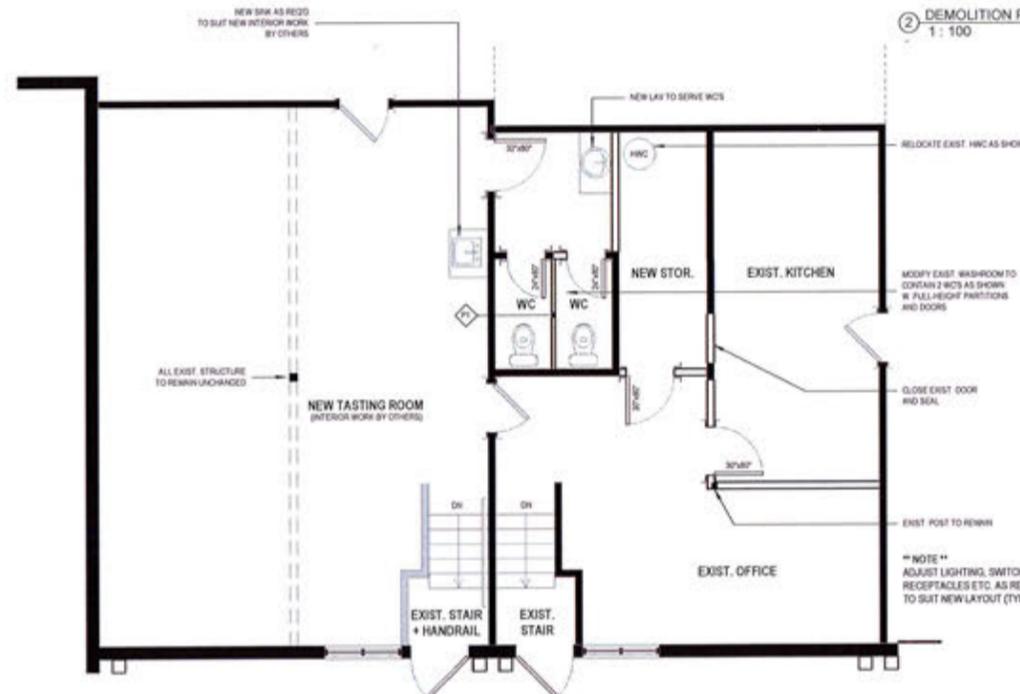
- 1.0 APPLICABLE BUILDING CODE: BRITISH COLUMBIA BUILDING CODE 2012
- 2.0 PROJECT BUILDING CHARACTERISTICS
 - 2.1 LEGAL DESCRIPTION: LOT 1 PLAN VP27158 PID: 00047341
 - 2.2 CIVIC ADDRESS: 836 DEVONSHIRE ROAD
 - 2.3 APPLICABLE BUILDING CODE PART: 3
 - 2.4 NUMBER OF BUILDINGS: 1
 - 2.5 BUILDING AREA = EXISTING - APPROXIMATELY 1488m²
 - 2.6 BUILDING HEIGHT: 1 STOREY (EXISTING)
 - 2.7 FIRE SPRINKLERED: NO
 - 2.8 COMBUSTIBLE CONSTRUCTION
 - 2.9 MAJOR OCCUPANCY: EXIST. - GROUP F3 (BREWERY) INCL. OFFICE SPACE + 10% SUBSIDIARY OCCUPANCY NEW - GROUP A, DIVISION 2, LOW OCCUPANT LOAD + GROUP D (TASTING ROOM) (PER BCAB #1793 - DETERMINATION OF SUBSIDIARY OR MAJOR OCCUPANCY: BREWERY LOUNGE AND SALES AREA NOT A SEPARATE MAJOR OCCUPANCY)
- 3.0 BUILDING CODE ANALYSIS
 - 3.1 NUMBER OF STREETS FACING = 1
 - 3.2 OCCUPANCY CLASSIFICATION 3.2.2.74 GROUP F, DIVISION 2, UP TO 3 STOREYS, COMBUSTIBLE OR NON-COMBUSTIBLE CONSTRUCTION, BUILDING AREA NOT MORE THAN 1,500m²
 - 3.3 EXIT QUANTITY AND LOCATION (3.4.2.1.2) 1 EXIT < 80 PERSONS OCCUPANT LOAD PER 3.1.2.6 PER TABLE 3.4.2.1.A. MAX. FLOOR AREA = 200m², MAX. TRAVEL DISTANCE = 15m (ACTUAL = 11.3m)
- 4.0 OCCUPANT LOAD CALCULATION + WASHROOM COUNT (TASTING ROOM)
 - 4.1 OCCUPANT LOAD 3.1.17.1.2) IF A FLOOR AREA OR PART THEREOF HAS BEEN DESIGNED FOR AN OCCUPANT LOAD OTHER THAN THAT DETERMINED FROM TABLE 3.1.17.1, A PERMANENT SIGN INDICATING THAT OCCUPANT LOAD SHALL BE POSTED IN A CONSPICUOUS LOCATION. GROUP A, DIV 2, LOW OCCUPANT LOAD = MAX. OCCUPANCY = 30
 - 4.2 WATER CLOSETS 3.7.2.2 TABLE 3.7.2.2.B WATER CLOSETS FOR A BUSINESS AND PERSONAL SERVICES OCCUPANCY NUMBER OF PERSONS OF EACH SEX: 1 - 25 MINIMUM NUMBER OF WATER CLOSETS FOR EACH SEX: 1 WATER CLOSETS PROVIDED = 2
- 5.0 ZONING REQUIREMENTS
 - 5.1 ZONING: LIGHT INDUSTRIAL (L-1)
 - 5.2 PERMITTED USE: LIGHT MANUFACTURING AND PROCESSING, INCL. ACCESSORY RETAIL.



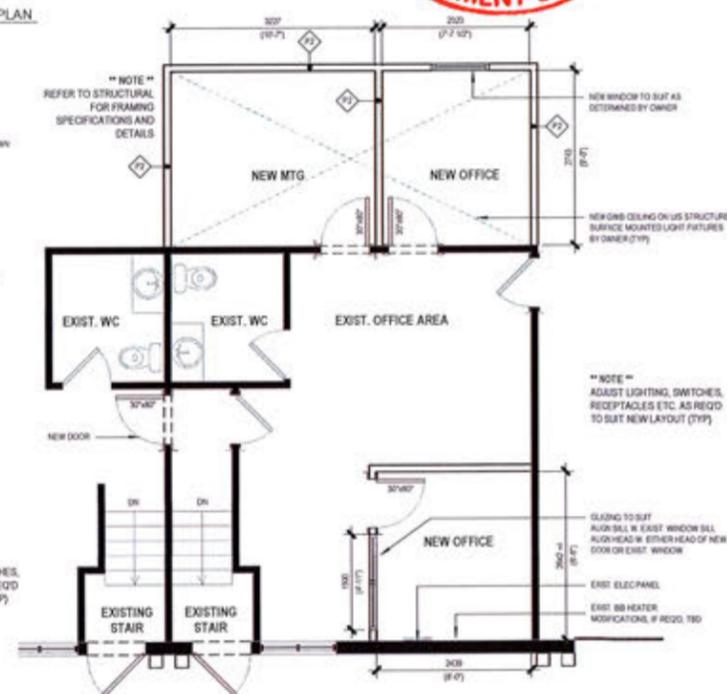
1 OVERALL PLAN 1:200



2 DEMOLITION PLAN 1:100



3 DETAIL PLAN 1 1:50



4 DETAIL PLAN 2 1:50

GENERAL NOTES

1. THE CONTRACTOR SHALL ENSURE THAT ALL CONSTRUCTION FOLLOWS THESE DOCUMENTS. ALL REVISIONS SHALL BE APPROVED IN ENTIRETY BY THE ARCHITECT.
2. ALL WORK SHALL COMPLY WITH ALL MUNICIPAL CODES AND BY-LAWS AND SHALL BE IN ACCORDANCE WITH B.C. BUILDING CODE 2012.
3. THE CONTRACTOR SHALL VISIT THE SITE AND BECOME FAMILIAR WITH ALL CONDITIONS. THE CONTRACTOR SHALL VERIFY ALL LINES, LEVELS, SURVEYS, DIMENSIONS AND CONDITIONS SHOWN ON THESE DRAWINGS WITH THOSE AT THE SITE. ANY VARIATION WHICH REQUIRES PHYSICAL CHANGE SHALL BE BROUGHT TO THE ATTENTION OF THE ARCHITECT / OWNER BEFORE COMMENCEMENT OF WORK.
4. THESE DRAWINGS, INCLUDING DIMENSIONS, SHALL BE READ IN CONJUNCTION WITH ALL OTHER PROJECT DRAWINGS. THE CONTRACTOR SHALL REPORT ANY DISCREPANCIES TO THE ATTENTION OF THE ARCHITECT AND OBTAIN CLARIFICATION PRIOR TO COMMENCING CONSTRUCTION.
5. THESE DOCUMENTS DO NOT INCLUDE THE NECESSARY COMPONENTS FOR SAFETY. SAFETY, CARE OF ADJACENT PROPERTIES DURING CONSTRUCTION AND COMPLIANCE WITH LOCAL REGULATIONS REGARDING SAFETY SHALL BE SOLELY THE RESPONSIBILITY OF THE CONTRACTOR.
6. ALL DIMENSIONS ARE IN METRIC UNLESS OTHERWISE NOTED. IMPERIAL UNITS MAY BE PROVIDED IN BRACKETS FOR REFERENCE BUT THE METRIC UNITS SHOULD BE PRIVILEGED FIRST. THE CONTRACTOR SHALL VERIFY DIMENSIONS BEFORE CONSTRUCTION AND REPORT DISCREPANCIES BEFORE PROCEEDING WITH THE WORK. DO NOT SCALE DRAWINGS.
7. CONTRACTOR TO ENSURE THAT ALL WORK IS CARRIED OUT ACCORDING TO THE RULES AND CUSTOMS OF BEST TRADE PRACTICES AND THEIR SPECIFICATIONS, BY SKILLED TRADESPEOPLE KNOWLEDGEABLE OF THE TYPE OF CONSTRUCTION.
8. REFER TO MECHANICAL DRAWINGS FOR LOCATIONS AND DIMENSIONS OF OPENINGS, SLEEVES, EMBEDDED ITEMS AND OTHER BUILDING OR SITE COMPONENTS NOT SHOWN ON THE ARCHITECTURAL DRAWINGS. REPORT DISCREPANCIES TO THE ARCHITECT BEFORE PROCEEDING WITH THE WORK.
9. A MINIMUM OF 24 HRS. NOTIFICATION IS REQUIRED FOR REVIEW AND INSPECTIONS.

LEGEND

- NEW WALLS (TYP. UNQ) 12mm GIB 3840mm WOOD STUDS @ 400mm OC 12mm GIB FINISHED AND PTD
- EXISTING TO BE DEMOLISHED RELOCATE OR MAKE SAFE EXIST. SERVICES TO SUIT MAKE GOOD EXIST. ADJ. SURFACES AS REQ'D ** EXIST. SUPPORTING STRUCTURE TO REMAIN UNCHANGED **
- NEW DOOR TO SUIT
- EXISTING DOOR TO REMAIN
- NEW TASTING ROOM (SUBSIDIARY OCCUPANCY) GROUP A DIV 2, LOW OCCUPANT LOAD + GROUP D
- MINOR INTERIOR RENOVATIONS TO EXIST. OFFICE AREAS

PARTITION SCHEDULE

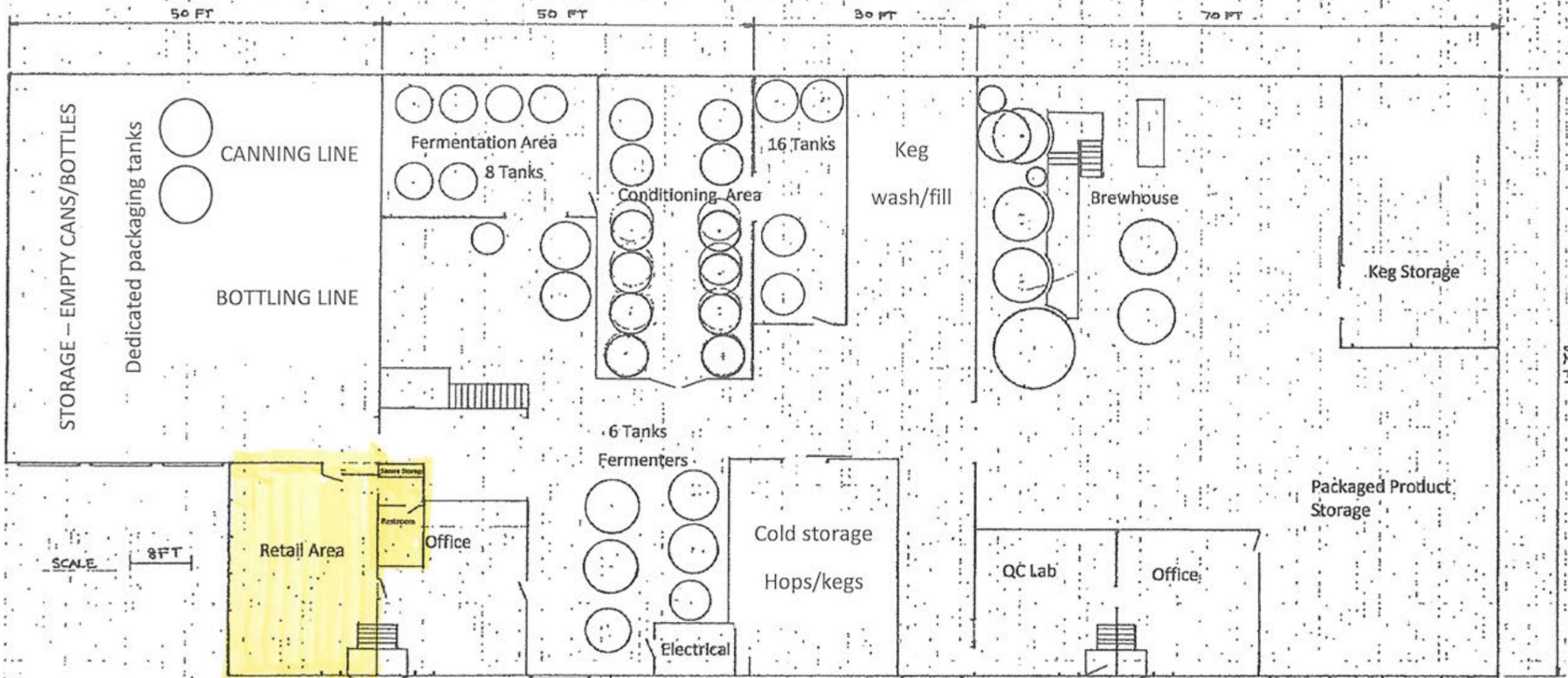
- WC COMPARTMENT 12mm GIB FINISHED AND PTD 40 5mm STILES, STUB @ 400mm OC 12mm GIB FINISHED AND PTD
- NEW OFFICE AND NEW MTG. REFER TO STRUCTURAL FOR FRAMING SPECIFICATIONS AND DETAILS



NO.	DATE	ISSUE
1	2018.03.08	ISSUED FOR CLIENT REVIEW
2	2018.03.21	ISSUED FOR BUILDING PERMIT



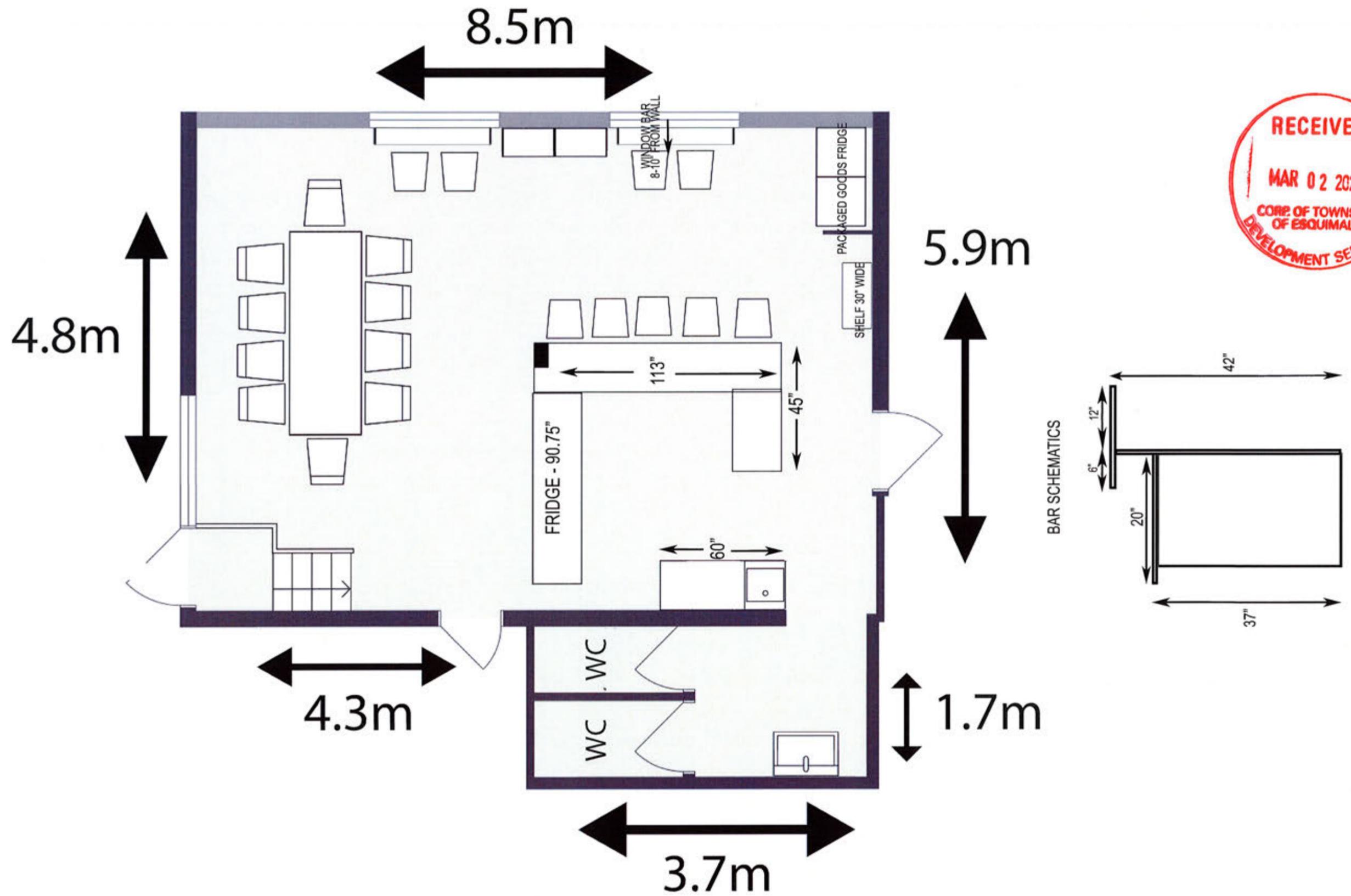
PROJECT TITLE	
LIGHTHOUSE BREWING TENANT IMPROVEMENT	
836 DEVONSHIRE ROAD	
SHEET TITLE	
COVER + BLDG INFO + PLANS	
DATE	2018.03.28
PROJECT NO.	17-025
SCALE	As Indicated
DRAWN BY	HS
SHEET NO.	A01



SCALE 8 FT

Received at LCLB 2017-10-25

TASTING ROOM



Plan 13275

Plan 28844

Plan 27520

LIGHTHOUSE BREWING COMPANY

836 Devonshire Road

RECEIVED

MAR 02 2020

ORP OF TOWNSHIP
OF ESQUIMALT
DEVELOPMENT SERVICES

Loading Bay Elev. 8.14

TASTING ROOM

Base Of Slab Elev. 7.06

Building
Top Of Flat Roof: 15.01

Loading Bay Elev. 8.15

Loading Bay Elev. 8.16

A
Plan 7588



B
Plan 1232

Strata Plan
MS464

Bauco Access
Panel Solutions Inc