

MEMORANDUM

TO: Advisory Planning Commission

FROM: Deborah Jensen, Planner

DATE: November 3, 2015

RE: Development Variance Permit (DVP00027) – 2540 The Esplanade
Lot 4, Block 15, Section 2, Victoria District, Plan 379
RS-4, One Family Residential

BACKGROUND:

A Development Variance Permit application was received to permit additional hard surfacing for landscape design at 2540 The Esplanade.

The subject property is currently designated Established Neighbourhoods under the Official Community Plan and zoned One Family Residential Use (RS-4). The development requires varying the provisions of the District of Oak Bay Zoning Bylaw No. 3531 by permitting a variance to the maximum 25% paved surface in the front yard. A copy of the site plan is attached.

DISCUSSION:

Proposed Development

The approximately 901 m² (9698 ft²) subject property is located along The Esplanade, north of Estevan Avenue and directly across from Willows Beach. A single family dwelling and substantial landscaping currently occupies the site.

This application is the result of bylaw enforcement action for landscaping works undertaken in the front yard of the subject property. Placement of gravel exceeds the maximum allowable paved surface permitted within a front yard, and thus requires a variance to allow the landscaping materials to remain. The owner has subsequently made application for a development variance permit in order to retain the materials.



Variances Requested

The applicant is requesting a Development Variance Permit that would vary the following section(s) of the Zoning Bylaw:

Zoning Bylaw Section(s)	Required / Permitted	Requested	Variance
4.15.1 Maximum Paved Surface (Front Yard)	Less than 25% 29.4 m ² (316 ft ²)	88.5% 104.0 m ² (1119 ft ²)	63.5% 74.6 m ² (803 ft ²)

Note: Imperial measurements are approximate and provided for convenience only.

The applicant has provided a comprehensive rationale for retention of the landscape materials, addressing potential issues relating to heat island effect, rainwater filtration, water consumption, and parking surfaces. They have indicated the landscape rock was intended to reduce landscape maintenance while still providing a nice landscape design.



Planning Comment

The subject property is located along The Esplanade. It is bordered by single family homes to the north, south and west, and is sited directly across from Willows Beach. The site slopes gradually up from Willows Beach, and a right of way registered in favour of BC Hydro impacts the northwest boundary of the property. The front yard currently contains a chestnut tree and numerous drought resistant shrubs.

Section 4.15.1 of the Zoning Bylaw states no more than 25% of the front yard can be a paved surface, which is defined as asphalt, macadam, concrete, interlocking bricks, paving stones, gravel or other similar material. For the subject property, paved surface within the front yard consists of the driveway, crushed rock patio, gravel path and drain rock. Retaining walls along the driveway and top soil along the southwest property line are also present (*see Attachment 1 - Site Plan*).

The primary goals for this section of the Zoning Bylaw are to restrict the amount of parking that could be accommodated in the front yard and back yard, and to forward previous bylaw requirements for maintaining a certain amount of open space. Other additional factors to be addressed include water permeability and heat island effects where the presence of hard surfaces increases the temperature of the area.

The front yard layout for the subject property restricts the potential for any further parking within the front yard due to the presence of small retaining walls along the edges of the driveway. The crushed rock and drain rock would allow for water permeability through the rock material itself, but it is unknown whether any compaction has occurred beneath the rock. The heat island

effect is minimized in the yard's current design due to the overhead tree and shrub canopy. However, there is currently no method by which to ensure the existing vegetation would be retained.

The building plans submitted in 1988 for construction of the residence included a driveway layout that was less extensive than what was constructed. This alone results in the driveway paved surface of 36.1%, which is 11% greater than the 25% permitted under the bylaw. This application for a development variance permit would address this non-conformity as well as the landscape rock.

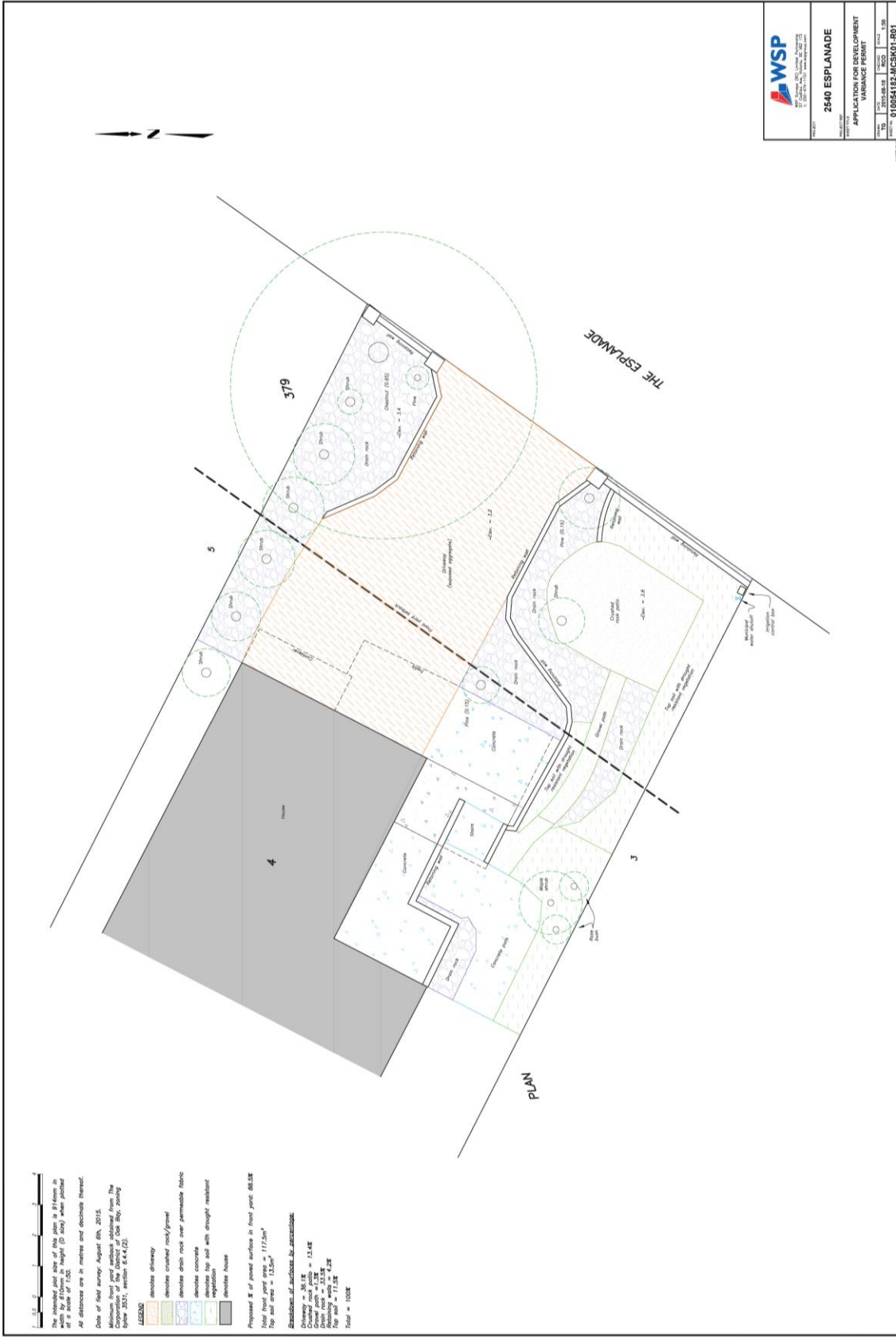
Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Deborah Jensen', written over a horizontal line.

Deborah Jensen
Planner

ATTACHMENT 1 – SITE PLAN

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1 0.5 1 2 3 4
 The intended site of this plan is 21 feet in width in the center of the street and 117.5 feet in height (D only when plotted at a scale of 1/8" = 1'-0").
 All distances are in meters and decimals thereof.

Date of field survey: August 08, 2015.
 Minimum street front setback: 10 feet from the Corporation of the District of Oak Bay, zoning bylaw 2011, section 6.4.4.(2).

- LEGEND**
- denotes driveway
 - denotes crushed rock/gravel
 - denotes open rock over permeable fabric
 - denotes concrete
 - denotes top soil with drought resistant vegetation
 - denotes house

Proposed # of paved surface in road front: 68.58
 Total paved area: 177.5m²
 Top soil area: 13.5m²

Area of surfaces by materials:
 Crushed rock/gravel = 13.4E
 Open rock = 13.5E
 Concrete = 11.5E
 Top soil = 11.5E
 Total = 100E



WSP
 WESTERN SURVEYING & PLANNING
 2500-10th Street, Victoria, BC V8T 2E2
 Tel: 250-363-4518
 Fax: 250-363-4519
 Email: info@wsp.ca

2540 ESPLANADE
 APPLICATION FOR DEVELOPMENT
 VARIANCE PERMIT
 PROJECT NO: 2015-08-18
 SCALE: 1/8" = 1'-0"
 DRAWN BY: MCK
 CHECKED BY: MCK
 DATE: 01/08/18 MCK/KD/1801

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