



**CORPORATION OF THE TOWNSHIP OF ESQUIMALT
ADVISORY PLANNING COMMISSION
MINUTES
HELD ON
MAY 18, 2010
COUNCIL CHAMBERS**

MEMBERS PRESENT:	Gerald Froese, Chairperson Amy Higginbotham Ramona Scott Christopher Smith Ed Williams Joanne Kimm
REGRETS:	Jaime Hilbert
STAFF LIAISON:	Trevor Parkes, Senior Planner
COUNCIL LIAISON:	Alison Gaul
SECRETARY:	Marie Letham

There were 6 members of the public in attendance

I. CALL TO ORDER

The Chair called the meeting to order at 7:00 p.m. and outlined the meeting procedures and role of the Advisory Planning Commission.

II. LATE ITEMS

There were no late items.

III. ADOPTION OF AGENDA

Moved by Ramona Scott, seconded by Joanne Kimm that the agenda be approved as distributed.
The motion **CARRIED**.

IV. ADOPTION OF MINUTES

Moved by Ed Williams, seconded by Ramona Scott that the April 20th, 2010 minutes be adopted as distributed
The Motion **CARRIED**

V. BUSINESS FROM THE MINUTES

There was no business from the minutes.

VII. STAFF REPORTS

Prior to the presentation of the proposal for 532 Paradise Street, Trevor Parkes, Staff Liaison, drew the attention of the Commission to Page 2 of the report, reiterating that this home was constructed prior 1957, as such, it does not conform to current setback requirements. The proposed addition of a second floor increases the non-conformity therefore a variance is required.

**(1) DEVELOPMENT VARIANCE PERMIT
532 Paradise Street
[LOT 44 BLOCK F SECTION 11 ESQUIMALT DISTRICT PLAN 292]**

Daniel Robertson, owner, attended to out line the applicant requesting a Development Variance Permit to facilitate the construction of an addition to the back and the addition of a second storey to the existing house. He indicated that they have owned the house for 5 years and need more space.

The owner informed the Commission members that he had consulted with is neighbours and they had no problem with the addition. He advised that the footprint of the house will remain the same.

APC Discussion:

Christopher Smith stated he had no questions of the applicant and stated he felt it was a good development.

Ed Williams stated he had no questions of the applicant as the setback is currently 2.6 metres.

The Staff Liaison confirmed that the property is existing, non-conforming.

Joanne Kimm stated she had no issues and felt it was a nice project.

Amy Higginbotham also commented the project looks fine.

Jerry Froese commented that he felt the proposal looked very nice.

Public Input

No members of the public spoke to this application.

RECOMMENDATION

Moved by Joanne Kimm, seconded by Ed Williams, resolves that the application for a Development Variance Permit for Lot 44, Block F, Section 11, Esquimalt District, Plan 292 [532 Paradise Street] for the following variance to Zoning Bylaw No. 2050 be forwarded to Council with a **recommendation of approval**

Bylaw No. 2050, Section 34(9)(ii) – Interior Side Yard Setback - a 0.40 metre decrease in the required 3.0 metre setback between the Principal Building and the eastern property line, i.e. from 3.0 metres to 2.6 metres.

The motion **CARRIED UNANIMOUSLY.**

(2) **DEVELOPMENT PERMIT**
1233 Juno Street
[Lot 2, Block B, Suburban Lot 49, Esquimalt District, Plan 772]

David Yamamoto, Zebra Design, attended to outline the proposal relating to the Development Permit and referred to the OCP Enhanced Design Control Residential Guidelines. He outlined the proposal to renovate the existing home by adding a new, second storey, master suite. Additionally, he explained the proposed construction of a new, two storey residence, attached to the rear of the existing single family dwelling thereby creating a strata titled, front to back, duplex.

Dave Smit, property owner of 1233 Juno Street, informed the Commission members that he had taken the plans to all the surrounding neighbours and obtained their signatures in unanimous support.

Mr. Yamamoto outlined the floor plans, indicated that the front unit does not have a basement, just a crawl space. He outlined the finishes and the roof line.

The owner commented that the parking for 2 vehicles will be located in the back yard which is very spacious.

Dave Yamamoto stated that they felt that they had obtained the objectives of the Enhance Design Control Residential Guidelines of the OCP and indicated these will represent more affordable family oriented units.

APC Discussion

Amy Higginbotham commented she liked the design from the front. She expressed concerned referring to the comments in the OCP that front to back duplexes are generally discouraged.

Dave Yamamoto commented that the side yards are large, with spacious front and back yards and plantings to provide privacy. He commented that it is not unusual to look at neighbouring houses.

Joanne Kimm asked how much privacy will the back unit have from the parking area

Dave Yamamoto stated that there was a planted hedge adjacent to the parking spaces to separate them from the patio.

In response to a question from Joanne Kimm regarding Covenants.

Trevor Parkes commented that there is a requirement of Council for a 219 Covenant to be registered on title of all Comprehensive Development Zoned Single Family Dwellings and all Duplexes to advise future owners that the use of the property is restricted to one or two units respectively.

Joanne Kimm inquired as to the number of parking spaces that should be provided.

Trevor Parkes advised that it was one per unit.

Ed Williams commented he had no issues. That it was a small Duplex compared to others in the neighbourhood. He did not feel that the height would have any significant effect. He felt the design was clever and a good fit.

Christopher Smith commented that when he first looked at the plan it put a suite on the radar. He commented he does not like front-to-back duplexes, but felt this fit well with the neighbourhood.

Ramona Scott also commented she does not care for front-to-back duplexes. She indicated she felt that this one will not impact other properties. She commented she liked that the vegetation will provide good privacy.

Jerry Froese stated that he also dislikes front-to-back duplexes. The neighbours lose their privacy. He commented that he appreciates the design elements. He felt the design raised a flag regarding a suite.

Public Input

There was no public input on this application

RECOMMENDATION

Moved by Ed Williams, second by Ramona Scott, that the Esquimalt Advisory Planning Commission (APC) resolves that the application for a Development Permit for Lot 2, Block B, Suburban Lot 49, Esquimalt District, Plan 772 [1233 Juno Street] be forwarded to Council with a

recommendation of approval with the condition that the northern external stairs to the basement be removed.

The motion **CARRIED UNANIMOUSLY.**

**(3) OCP AMENDMENT AND REZONING
398 Fraser Street
[Lot 6, Section 11, Esquimalt District, Plan 5510]**

Trevor Parkes, Staff Liaison presented this application .

Mr. Chafe wished the property to be used as part of Saxe Point Park. He did not wish the property to be used as a rental or for commercial purposes.

Trevor Parkes advised that the Municipal lawyers and the applicant's Counsel are working to finalize the registered covenant.

No changes to the subject property are proposed at this time. Should this application be successful, the residence on the property could no longer be occupied as "Single Family Residential" is not a permitted use within the P-2 zone.

APC Discussion:

Joanne Kimm inquired as to what will happen to the house.

Trevor Parkes, responded that the issue of the house was somewhat up in the air at the moment. Mr Chafe indicated that should the home be retained he would like to see it named in his wife's honour and is donated as a public amenity.

Ed Williams commented that it is a very generous gift, it is a beautiful house. Would it be used for public assembly, or for non-profit organizations to use?

Trevor Parkes responded that P-2 zone is for Park Use.

Christopher Smith stated that it is a generous gift to the Municipality. He expressed concern that vacant houses are a concern and a security issue.

Trevor Parkes commented that the Senior staff had reviewed the proposal and that the Municipality does have resources in Public Works and Parks to assist with security. The home would be monitored in some fashion, the details would need to be worked out in future.

Ramona Scott commented on what associated costs will be to the Municipality. She inquired if there was an endowment with the building. She further commented that such a generous offer needs to be evaluated against the impact of costs to the municipality.

Trevor Parkes commented that these issues would be dealt with at the Director's and the Chief Administrative Officer level. He clarified that in order for the Township to secure the property, it must be rezoned to Parks and Open Space.

Jamie Hilbert commented that with a vacant property public safety must be considered and the site contained,

Jerry Froese commented on the generous donation and he also has concerns along with Christopher Smith and Ramona Scott that there always issues. He commented that he hoped there would not be too many conditions to tie Council in making decisions for the best use of the property for the good of the public.

Public Input:

Bob Campbell, 1153 Bewdley Avenue, commented that:

- In relation to a suite possibly be added to the house he commented that he has been in the house and that the basement is solid rock

Jennifer and Calvin Hawes, 1223 Bewdley Avenue commented that:

- they share a property line with 398 Fraser Street and knew 5 years ago of Mr. Chaffe's wishes;
- municipality is now there neighbour on all four sides;
- that it is a generous gift;
- there is a deteriorating fence between the two properties, which is being pushed over by a tree;
- at the moment they enjoy complete privacy;
- they do not wish to see a tea house or any other commercial enterprises there;
- they have a swimming pool and are concerned about security and safety;
- concerned about security, fire and squatters;
- they support the parkland use;
- they will pursue other issues as this application proceeds and more information is made available.

Peter Ryan, 399 Fraser Street, commented that;

- had some of the same concerns as the previous speaker;
- if this property is for public use there should be wheel chair accessibility;
- support Park use, no commercial use.

Louis Ryan, 399 Fraser Street, commented that:

- support Park use;

- the landscaping should be retained as is;
- she has concerns about persons living in the park from time to time.

RECOMMENDATION

Moved by Ramona Scott, seconded by Christopher Smith, that the Esquimalt Advisory Planning Commission (APC) resolves that the application for an Amendment to the Official Community Plan and Rezoning for Lot 6, Section 11, Esquimalt District, Plan 5510 [398 Fraser Street] be forwarded to Council with a **recommendation of approval**.

The motion **CARRIED UNANIMOUSLY**.

VIII. PLANNER'S STATUS REPORT:

Trevor Parkes, Staff Liaison, presented the following status of recent applications:

1120 Craigflower Road: [Rezoning and DP for 1 new SFD]. COTW forwarded to Council with a recommendation of approval at the regular meeting held May 10, 2010. Staff presented the amending bylaw for 1st and 2nd reading at the regular meeting of Council on May 17, 2010. Council granted 1st and 2nd reading of the amending bylaw and directed staff to schedule a Public Hearing and prepare a DP. Staff intend to schedule the Public hearing for June 21, 2010.

780-782 Lampson Street: [Rezoning and DP for a 2 unit addition to create a fourplex]. COTW forwarded to Council with a recommendation the application be **denied** at the regular meeting held May 10, 2010. Council received the COTW report at the regular meeting held May 17, 2010 thereby formally denying the application.

OCP Height and Density in Multi-Unit, High Rise Residential and Commercial Mixed Use Buildings: [OCP Amendment to Permit 12 storeys and 3.0 F.A.R.] COTW forwarded to Council with a recommendation of approval at the regular meeting held April 12, 2010. The amending bylaw was presented to Council for 1st and 2nd reading on May 3, 2010. Council granted 1st and 2nd reading and directed staff to schedule public hearing. Public Hearing is scheduled for May 25, 2010

933 Colville Road: [Rezoning and DP for a SFD and Meditation Centre]. COTW forwarded to Council with a recommendation of approval at the regular meeting held March 8, 2010. Staff presented the amending bylaw for 1st and 2nd reading at the regular meeting of Council on April 6, 2010. Council considered 1st and 2nd reading of the amending bylaw and forwarded the application to Public Hearing. Public Hearing was held May 3, 2010 and Council adopted the Amending Bylaw and approved the DP.

1187 Colville Road: [Rezoning and DP for 2 new SFD]. COTW supported staff recommendation that the application be forwarded to Council with a recommendation of approval. Staff presented the amending bylaw for 1st and 2nd

reading at the regular meeting of Council on April 6, 2010. Council considered 1st and 2nd reading of the amending bylaw and forwarded the application to Public Hearing. Public Hearing was held May 3, 2010 and Council adopted the Amending Bylaw and approved the DP.

847 Carrie Street: [Rezoning and DP to renovate existing home and construct 2 new SFDs]. COTW supported staff recommendation that the application be forwarded to Council with a recommendation of approval. Staff presented the amending bylaw for 1st and 2nd reading at the regular meeting of Council on April 6, 2010. Council considered 1st and 2nd reading of the amending bylaw and forwarded the application to Public Hearing. Public Hearing was held May 3, 2010 and Council adopted the Amending Bylaw and approved the DP.

IX. COUNCIL LIAISON

Councillor Gaul informed the Commission that Council reflected on the concerns that APC had regarding the Lampson Street application. There were too many issues surrounding the encroachment onto the municipal right-of-way, concerns about the lack of open space, concerns around the form and character as well, also concerns about the proximity of the house to the property line.

X. NEW BUSINESS

No new business introduced.

XI. NEXT REGULAR MEETING

The next regularly scheduled meeting for Tuesday, June 15, 2010.

Ramona Scott informed the members that she would be away for the June 15th meeting.

XII. ADJOURNMENT

On motion the meeting adjourned at 8:55 p.m.

Certified Correct

Gerald Froese, Chairperson