



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

**ADVISORY PLANNING COMMISSION
MINUTES
HELD ON
OCTOBER 19, 2010
COUNCIL CHAMBERS**

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

There were 12 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 history, the meeting procedures and role of the Advisory Planning Commission.

II. LATE ITEMS

There were no late items.

III. ADOPTION OF AGENDA

Moved Joanne Kimm, seconded by Christopher Smith that the agenda as distributed be adopted.
The motion **CARRIED**.

IV. ADOPTION OF MINUTES

Moved by Christopher Smith seconded by Ed Williams that the minutes of the regular meeting of August 24th, 2010 be adopted as distributed.
The motion **CARRIED**.

V. BUSINESS FROM THE MINUTES

There was no business from the minutes.

VI. STAFF REPORTS

**(1) DEVELOPMENT PERMIT With VARIANCE
823 Viewfield Road
Lot 12, Section 11, Esquimalt District, Plan VIP307A**

Staff Liaison gave a brief overview of the proposal for a live/work unit, with the owner residing on this compact site.

Ken Tanguay, Architect, on behalf of the owner Craig Hunter, was in attendance to outline the proposal. He indicated that his client owns a growing boutique car business and he wishes to improve the property to create a better living space for his family and to expand his business. Most of the work on vehicles will be done inside the building and there are no openings on the back of the industrial portion of the building limiting the noise effects on the residential neighbours. The proposed design accommodates a buffer zone between the industrial site and the adjacent neighbours.

APC Discussion

Amy Higginbotham inquired if any consultation had been done with surrounding neighbours.

Ken Tanguay responded that they had spoken with three residents and they were shown the drawings.

Joanne Kimm asked a question of the Staff Liaison regarding the reduction of parking.

Trevor Parkes outlined the regulations of the Parking Bylaw and the OCP in relation to the proposed parking variance

Joanne Kimm asked about the safety issues of the roof top deck.

The architect responded that all construction will be in accordance with the BC Building Code and will have a fire sprinkler system.

In response to a further question from Joanne Kimm regarding safety lights if they will be in the back. He responded that the lighting will be off the back and rear deck, it will be sensor lighting.

Joanne Kimm also asked about trimming the Maple trees.

Ken Tanguay responded that the owner will be responsible for the trees on his own property, he plans to clean them up and improve the health of the trees.

Jamie Hilbert commented that her question had been answered by the architect, that the neighbours had been advised.

Ed Williams commented that he had concerns regarding fire separation which had been answered.

Christopher Smith stated that parking is an issue in that area. He thought there was a fair amount of development proposed for a small property.

He stated that he did like the proposal of a life/work environment.

He inquired about the remediation of the soil.

Trevor Parkes stated that the property will continue to be used as an Industrial site and that as this application is a Development Permit application, there is no environmental remediation required. If this proposal was a rezoning proposing a change of use an environmental assessment might be required.

In response to further questions regarding how parking will be mitigated on site with staff and customers the architect responded, that parking would be on site. The design incorporates 2 bays and one client space. There is technically one space provided in the residential driveway however it could accommodate a second car. The expectation is that staff would utilize the secure bike racks, or possibly use transit as the site is on a major bus route. He also pointed out that the indoor showroom space could be used for one show car.

Amy Higginbotham inquired as to how many employees the business has.

Ken Tanguay responded that currently, there is just the owner however, he hopes to expand business which will require at least one employee and as time progresses possibly two.

Gerald Froese commented that he was not sure of the roof design and structural layout.

The architect explained the low slope roof design focuses water collection and could accommodate a manifold roof [green roof] in future without altering the design.

Gerald Froese inquired about arrangements for catchment of oil.

Ken Tanguay advised that all repairs will be in the bays inside the building. By law they must contain spillage; oils and radiator fuel are disposed of by regulations and are recycled.

Public Input

There was no public input.

Ed Williams commented it was a good design, sensitive to neighbours.

Christopher Smith commented that he liked the proposal.

Jamie Hilbert stated she had no concerns, commended the architect on the green design features.

Joanne Kimm stated she had no concerns.

Amy Higginbotham stated it was a good fit.

Gerald Froese stated he had no issues, likes the bike racks.

RECOMMENDATION

Moved by Joanne Kimm, seconded by Christopher Smith, that the Esquimalt Advisory Planning Commission [APC] resolves that the application for a Development Permit, limiting the form and character of development to that shown on architectural plans provided by Structure Design & Management, stamped "Received October 6, 2010" and the landscaping plan provided by Forget Me Not Gardens, stamped "Received October 6, 2010", and including the following variances to Zoning Bylaw No. 2050 and Parking Bylaw No. 2011, be forwarded to Council with a **recommendation of approval**.

Zoning Bylaw, 1992, No. 2050, Section 26(1)(b) – Accessory Residential Use in Commercial and Industrial Zones – a waiver from the requirement that an Accessory Residential Use be located over or behind the Principal Use.

Zoning Bylaw, 1992, No. 2050, Section 26(1)(d) – Accessory Residential Use in Commercial and Industrial Zones - an 65.0 square metre increase to the maximum floor area per dwelling unit from 60.0 square metres to 125.0 square metres.

Zoning Bylaw, 1992, No. 2050, Section 53(5)(a) – Building Separation from Residential Use – a 4.5 metre reduction to the 7.5 metre setback requirement from any parcel zoned for residential use on the eastern and southern Lot Lines [ie. from 7.5 metres to 3.0 metres].

Zoning Bylaw, 1992, No. 2050, Section 53(5)(b) – Front Setback – a 3.5 metre reduction to the required 7.5 metre setback from the front lot line [ie. from 7.5 metres to 4.0 metres].

Parking Bylaw, 1992, No. 2011, Part 5(13)(c) Number of Off-Street Parking Spaces - a reduction in the required number of parking spaces for the proposed uses from 7 spaces to 4 spaces.
The motion **CARRIED UNANIMOUSLY**.

**(2) REZONING APPLICATION and DEVELOPMENT PERMIT
354 Lampson Street
[Amended Lot 1, Section 11, Esquimalt District, Plan 4150, Except
that part in Plan 16255]**

Trevor Parkes, Staff liaison, gave a brief outline of the proposal commenting that a change in zoning from RD-3 [Two Family/ Single Family Residential] zone to a Comprehensive Development zone [CD] was required to allow one additional Single Family Residence to be constructed on the rear portion of this site. The existing residence would be retained on a separate lot. This application is subject to the OCP Guidelines for Single Unit Infill Housing.

Jane Ferguson, owner and applicant was in attendance to present the proposal. She gave a brief background of the property which is a Single Family residence built in 1936. She stated that the property actually fronts onto Munro Street. Jane Ferguson stated that she talked with the neighbours to the north and reviewed the plans with them.

APC Discussion

Christopher Smith commented that the angle of the existing house made it appear small, though it looked a bit odd the house should be situated more square to the property. He commented about the Single Family Dwelling across that had been redeveloped.

Ed Williams commented that the Staff Report was quite extensive in its comparison with the setbacks and the angle of the house.

Jaime Hilbert inquired about the boundary.

Trevor Parkes responded that the Engineering Department would be provided a copy of the survey to review the dimensions of this lot. He stated the survey demonstrates that the fence is on the property line.

Joanne Kimm commented on the appropriateness of the parking spot for the existing house facing west. She questioned if there is enough visibility around the shrubbery when backing out but supported the visual buffer minimizing the effect of the parking area.

Amy Higginbotham stated she had no questions.

Gerald Froese stated he had no questions.

Public Input

Sylvia Palmer, 106 Munro Street expressed the following concerns:

- that Esquimalt is beginning to see more little houses squeezed onto lots;
- that this causes a devaluation of surrounding properties;
- 690 square feet is too small an area for a house

Andrew Brazier, 363 Lampson Street expressed the following:

- residents were concerned at the time the project across the street at 349 Lampson Street came forward for rezoning that there would be suites in the Single Family Dwellings;
- there are no suites there;
- commented that there was a suite at 354 Lampson Street;
- concerned about the additional bathroom in basement lending itself to additional suite;
- parking is limited and additional cars will add to the already very limited parking.

APC Discussion

Amy Higginbotham commented that in her opinion the small size is an attribute, it is more affordable. She indicated she likes that it is a corner

lot, good proposal. She commented that she did understand Mr. Brazier's concerns.

Joanne Kimm stated she echoed Amy Higginbotham's comments.

In response to a question regarding the presence of secondary suites, Trevor Parkes, Staff Liaison, commented that the Bylaw for Secondary Suites allows them in the RS (Single Family) zones as well as the RD-3 – Single Family/Two Family zones (when the records indicate there is only a single family dwelling, by building permit).

He clarified that secondary suites are not allowed in the Comprehensive Development zones. A 219 Covenant would be put on the title of the property, which alerts all future purchasers; suites are prohibited. Complaints regarding suites in CD zones are dealt with through Bylaw Enforcement, requiring the decommissioning of the suite; which may include seeking a court order.

Jaime Hilbert stated she had no questions.

Christopher Smith commented that he is struggling with this proposal. This is a nice area. Looking at the site from a long term perspective, he would like to see the single family dwelling relocated on the lot. He prefers a single family infill project over a duplex however he indicated he would have difficulty supporting the application.

Gerald Froese stated that he echo's the comments of other members,, he concurs with Amy Higginbotham's comments, as well as Ed's that this is a very thorough report, that there is a market for smaller homes. This kind of development is suited for corner lots. Likes the development.

RECOMMENDATION

Moved by Jaime Hilbert, seconded by Amy Higginbotham, that the Esquimalt Advisory Planning Commission (APC) resolves that the application for rezoning authorizing a new single family dwelling and development permit limiting the form and character of development to that shown on architectural plans provided by Hartman's Drafting and Design, stamped "Received September 28, 2010", the landscape plan prepared by Douglas McLean Landscape Design, stamped "Received September 28, 2010", and sited as detailed on the survey plan prepared by Michael Claxton Land Surveying Inc., stamped "Received September 28, 2010", be forwarded to Council with a **recommendation of approval**.

The motion **CARRIED**: 4 – For ; 2 - Against

(3) REZONING AND DEVELOPMENT PERMIT APPLICATIONS 1127 WYCHBURY AVENUE [Lot 2, Section 11, Esquimalt District, Plan 5564]

Trevor Parkes, gave a brief overview of the proposal. This is a duplex zoned interior lot and the applicants are requesting rezoning to two single family fee simple lots.

The OCP does not support this type of infill. This lot is narrow and would create two, 30 foot lots. These infill guidelines lend themselves to development of corner lots.

Jeff Jefford and Gordon Hadley, applicants were in attendance to present their proposal.

The applicant advised the Commission members that they had previously presented an application for a duplex. They listened to the suggestion of the Commission members at that previous meeting to develop two single family dwellings and had therefore withdrawn their Development Permit application for a duplex.

They had polled the neighbours on both sides and across the street and had received letters.

APC Discussion

Jaime Hilbert stated she had no questions.

Ed Williams referred to Trevor's comments, but the proposal should be given consideration. He stated what is proposed is exactly a mirror image of what is across the street. That development is not on a corner lot.

Christopher Smith commented to the applicants that it was nice to see them come back with this new proposal. This would have more economic value. There is a nice example across the road of the same type of development and prefers this proposal to "glued on" duplexes.

Gerald Froese commented on the positioning on the lot, which provides a lengthy back yard. He stated he would like to see more functional front yard.

Lorne Hadley commented the siting was consistent with the street standard and that the front yards design was intended to reduce clutter as boats and RV's would be inappropriate on these small lots.

Gerald Froese asked about storage areas.

The applicants responded that they would be happy to add a half basement (crawl space) to create a secure storage area.

Public Input

Darcy Yarymy, 431 Kinver Street made the following comments:

- his dwelling was one of the first small infill housing developments;
- would not like to see a large duplex on that lot;
- smaller dwellings would be a better fit within the neighbourhood.

APC Discussion

Amy Higginbotham commented that she had no questions.

Joanne Kimm stated she liked the look of the proposal, but noted in the Senior Planner's report on page 3, that this project is not in compliance with the OCP's Infill Guidelines.

Jaime Hilbert stated she had no significant concerns.

Ed Williams commented that it was a good project.

Christopher Smith commented that, although this type of development maybe for corner lots, he did not feel that this was a "glued-on" project.

RECOMMENDATION

Moved by Ed Williams, seconded by Christopher Smith that the Esquimalt Advisory Commission resolves that the application for rezoning authorizing two single family dwellings and a development permit limiting the form and character of development to that shown on architectural plans provided by Core Drafting Services stamped "Received October 12, 2010", and on the landscape plan prepared by DP Landscaping, stamped "Received September 28, 2010", and sited as detailed on the survey plan prepared by Michael J. McIlvaney Land Surveying Inc. stamped "Received September 28, 2010", for the proposed development located at Lot 2, Section 11, Esquimalt District, Plan 5564 [1127 Wychbury Avenue], be forwarded to Council with a **recommendation of approval**. The motion **CARRIED UNANIMOUSLY**.

(4) REVIEW OF REVISED GREEN BUILDING CHECKLIST

Trevor Parkes outlined the background regarding the Green Building Checklist.

Trevor Parkes indicated that the Director of Development Services commented that if individual members would like to provide feedback directly to her she should receive their comments by November 8, 2010.

Jaime Hilbert commented that she thought it was great and had no difficulty in making a recommendation tonight.

Joanne Kimm commented that she had not had time to review in depth and would like an electronic version forwarded to her so she could review further and make her comments.

Amy Higginbotham commented that this was comprehensive to think about. Could be used as a tool for developments to sell their developments, a good marketing tool.

Gerald Froese commented that more outlets for cars are needed, electric cars not mentioned. Could be meters on the street would like to see a push forward with electric cars.

Christopher Smith commented that there was a lot to discuss. There should be an on-going review process be built in. Also requested that an electronic copy

be forwarded to him to allow more time to review and make comments directly to the Director of Development Services.

Ed Williams commented that this checklist should be treated the same way as the OCP, with periodic review and amendments.

RECOMMENDATION

Moved by Jaime Hilbert, seconded by Ed Williams that the Advisory Planning Commission consider the revised Green Building Checklist and forward any comments or suggested revisions to Development Services staff by November 8th, 2010; and

That the Advisory Planning Commission recommend to Council that the revised Green Building Checklist, **be approved.**
The motion **CARRIED UNANIMOUSLY**

VIII. PLANNER'S STATUS REPORT

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

1233 Juno Street: [DP for a Front – Back Duplex]. COTW considered the application at the regular meeting held June 14, 2010. The application was forwarded to Council however; staff were requested to provide additional information to address issues raised at the meeting prior to Council adopting the report from COTW. Staff presented the application to Council on July 5, 2010 when it was denied. At the Special Meeting of Council held July 12, 2010 Council agreed to reconsider the application at a future meeting. Council reconsidered the application, as it had been presented at the July 5, 2010 meeting, on September 7, 2010 and directed staff to send notices to surrounding owners and occupiers as required by the Development Approval Procedure Bylaw and return a Development Permit for Council consideration. Staff completed the required notification and returned the DP to Council on October 4, 2010. Council **denied** the Development Permit.

The applicant cannot apply for a Development Permit for a Duplex for a period of no less than 6 months.

855 Lampson Street: [5 Townhouse Units] Applicant choose to sell the subject property rather than return with a new application.

398 Fraser Street: [OCP Amendment and Rezoning to change permitted use to Park and Open Space]. COTW considered the application at the regular meeting held June 14, 2010. The application was be forwarded to Council, however, staff were requested to provide additional information to address issues raised at the meeting. Staff addressed COTW concerns in a report presented on July 5, 2010 and Council directed staff to return the necessary amending bylaws. Staff presented the OCP and Zoning amending bylaws for 1st and 2nd reading at the special meeting of Council held July 12, 2010. Council granted 1st and 2nd reading of the amending bylaw and directed staff to schedule a Public Hearing. The P.H. Occurred October 18, 2010 and the amending Bylaws were granted third reading and adoption. Staff will work with the executors of the estate to ensure the title of the property is transferred to the Township.

617 Admirals Road: [Rezoning and DP for 4 new TH]. 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 October 4, 2010. Council considered 1st and 2nd reading of the amending bylaw and forwarded the application to Public Hearing. Public Hearing is scheduled for November 1, 2010.

838 Admirals Road: [Rezoning and DP for 1 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 October 4, 2010. Council considered 1st and 2nd reading of the amending bylaw and forwarded the application to Public Hearing. Public Hearing is scheduled for November 15, 2010 at the request of the applicant.

1032/1034 Bewdley Avenue: [DVP Accessory Building Height]. COTW supported staff recommendation that the application be forwarded to Council with a recommendation of approval. Council received COTW report, and directed staff to mail notices. Application was **approved** by Council October 18, 2010.

IX. COUNCIL LIAISON

Councillor Gaul informed the Commission members that Council made recommendation to defer charging an annual registration fee for Secondary Suites in order to encourage more owners to come forward and legalize their suites. The registration fee now becomes effective April 19, 2011.

The application for a front to back duplex on Juno has been much debated by Council and the Development Permit has been denied.

Council Gaul made reference to 838 Admirals Road and the deliberations at a previous meeting. She advised the Commission members that as a body it is in order for them to make their own recommendation, if they feel they cannot support Staff recommendations.

Councillor Gaul commented on conservation of paper. A short discussion ensued regarding the single-siding of Commission agendas. The Secretary advised that she had been requested not to double-side these agendas.

It was decided that the agenda and the reports would be double sided, the 11 x 17 plans would be single sided, for ease in handling.

X. NEW BUSINESS

UDI Information

Commission Members were advised of the upcoming Luncheon meeting.

Council Appointments

Commission members were advised of Municipal Appointments to Commission, Committees and Boards. Deadline for submission of applications is November 12, 2010.

XI. NEXT REGULAR MEETING

The next regularly scheduled meeting for Tuesday, November 16, 2010.

XII. ADJOURNMENT

On motion the meeting adjourned at 9:00 p.m.

Certified Correct

Gerald Froese, Chairperson