



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

**ADVISORY PLANNING COMMISSION
MINUTES
HELD ON
DECEMBER 21, 2010
COUNCIL CHAMBERS**

MEMBERS PRESENT:	Gerald Froese, Chair Joanne Kimm Christopher Smith Ed Williams
REGRETS:	Ramona Scott Jaime Hilbert Amy Higginbotham
STAFF LIAISON:	Trevor Parkes, Senior Planner
COUNCIL LIAISON:	Meagan Brame
SECRETARY:	Karen Hay

There was 1 member 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 Ed Williams that the agenda as distributed be adopted.
The motion **CARRIED**.

IV. ADOPTION OF MINUTES

Moved by Ed Williams, seconded by Christopher Smith that the minutes of the regular meeting of October 19th, 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 VARIANCE PERMIT

630 Head Street

[Lot 1 Section 11 Esquimalt District Plan 29010]

Trevor Parkes, Staff Liaison gave a brief overview of the proposal and explained that the area in question was surrounded by building on three sides that the building was presently non-conforming in terms of lot coverage and the new covered area would only increase the lot coverage by 2 percent.

Bill Ward represented the applicants and emphasized that covering the area and raising the beam would be a substantial improvement for tenants of the building.

Chair Gerald Froese questioned whether the proposed changes would result in any loss of parking.

Mr. Ward explained that it would not.

Public Input

There were no questions from the public.

APC Discussion

Ed Williams commented that it was an improvement.

Christopher Smith stated he had no comments.

Joanne Kimm stated she had no comments.

Gerald Froese stated he agreed it would be an improvement to the building.

RECOMMENDATION

Moved by Christopher Smith, seconded by Joanne Kimm, that the Esquimalt Advisory Planning Commission [APC] resolves that the application for a Development Variance Permit authorizing the construction shown on the attached site plan stamped "Received November 22, 2010", and including the following variance, at Lot 1, Section 11, Esquimalt District Plan 29010 [630 Head Street] be forwarded to Council with a **recommendation of approval**.

Approval of this proposal requires the following relaxation of Zoning Bylaw 1992, No. 2050:

Section 44(5)(a) – Lot Coverage – a five percent (5%) increase to the thirty percent (30%) lot coverage limit for all Principle Buildings, Accessory Buildings and Structures, ie. from 30% to 35%.

The motion **CARRIED UNANIMOUSLY**.

(2) DEVELOPMENT VARIANCE PERMIT

948 Aral Road

[Proposed 'Lot B' of parent parcel Lot 12, Section 2, Esquimalt District, Plan 5837]

Chair Gerald Froese introduced the report then requested Trevor Parkes, Staff Liaison, elaborate. Mr. Parkes explained that the lot met all requirements for a two lot subdivision; except that the one lot would be too shallow to provide an adequate building envelope. The variance would apply to the proposed 'Lot B'.

Brad Cunnin (Brad Cunnin Land Surveying Inc., 100 - 407 Swift St, Victoria), was in attendance for the owner, to present the proposal. Mr. Cunnin reiterated on the need for a suitable building envelope and that the requested 5.5 metre front yard setback would result in a gradual transition on Aral Street from the required 3.6 metre exterior setback on the corner to the required 7.5 metre front setback for the neighbouring lots to the north.

APC Questions

Christopher Smith questioned the definition of front yard.

Trevor Parkes explained that the Front Lot Line was the shortest lot line abutting a highway.

Christopher Smith asked about neighbourhood consultation.

Mr. Cunnin stated he believed his client had spoken to some of the neighbours.

Trevor Parkes explained the notification process with every Development Variance Permit application.

Ed Williams questioned whether there would be a hearing.

Trevor Parkes explained the application process. If Council decides to endorse the application then staff would prepare notifications to properties within 50 metres of the subject property.

Ed Williams questioned what would happen to the trees on the site.

Mr. Cunnin explained he can not speak for his client on this but expects the trees in the central area of the lot will disappear with those around the edges being kept.

Trevor Parkes explained that Esquimalt does have a Tree Protection Bylaw that allows trees within building envelopes to be removed, and requires permits for the removal of any tree over a certain size. Compensation must also be paid to the Municipality for the trees that are removed.

Joanne Kimm questioned why the applicant was not rezoning to a Comprehensive Development zone and to the size of the houses.

Mr. Cunnin responded that rezoning was a much more involved process and his client would prefer to simply subdivide the property and let others build the houses. He estimated each lot would have approximately a 2000 -2500 square foot house.

Gerald Froese questioned whether the house was to be removed.

Mr. Cunnin stated that it would be removed.

Gerald Froese questioned what the houses would look like.

Mr. Cunnin stated that since the application was not for a Development Permit there would be no form and character requirements asked for, or provided. He expected a typical two storey house, but it would be up to the eventual owner and their designer.

Public Input

There were no questions from the public.

APC Discussion

Joanne Kimm stated she would like more information about the future landscaping and that the 2 metre variance could be setting a negative precedence.

Ed Williams said he had some concerns with the proposal but others would have to make the decision.

Christopher Smith commented that the result will be two, 6000 square foot lots so he had no issues with the proposal.

Gerald Froese stated that there are a lot of unknowns but believes it is doable, that Aral is a quiet street and that this subdivision would not have a negative impact.

RECOMMENDATION

Moved by Ed Williams, seconded by Christopher Smith, that the application for a Development Variance Permit reducing the required Front Setback for a Principal Building for Proposed 'Lot B' as detailed on the site plan prepared by Brad Cunnin Land Surveying, stamped "Received December 1, 2010" [Attachment 1], including the following relaxation to Zoning Bylaw, 1992, No. 2050, be forwarded to Council with a **recommendation of approval**.

Zoning Bylaw, 1992, No. 2050, Section 34(9)(a)(i) – Front Setback – a 2.0 metre reduction to the required setback for a Principal Building from the Front Lot Line from 7.5 metres to 5.5 metres.

The motion **CARRIED**: 3 – In favour; 1 - Against

(3) REZONING APPLICATION and DEVELOPMENT PERMIT 363 Kinver Street [Lot 1, Section 11, Esquimalt District, Plan 6063]

Chair Gerald Froese introduced the report and Trevor Parkes gave a brief overview of the proposal. The applicants wish to create a CD zone at the corner of Hadfield Avenue and Kinver Street which would add one additional house and keep the existing house.

Though the proposal would result in one lot being larger than the other, the floor area ratios and lot coverage proposed are consistent with a duplex being built on the property.

David Lunt (Mesa Design Group) representing the owners stated that the proposed house would be one and half storey's, on a crawl space. He explained that the existing house's exterior will be updated with the use of 'hardiplank' siding and belly band detail. He stated they proposed to keep the deck on the existing house and did not believe it would impact greatly on the neighbours privacy as it was off the bedroom. The owners would like to keep the grassy areas in the backyard. He explained that they would like to keep the parking area on the North side of the building as this space is not as useful as amenity space; as it gets less sunlight. Moving the driveway to conform to the zoning requirements would result in loss of amenity space. He also stated that though the area is short for a parking space, trucks would only protrude a little into the boulevard.

APC Questions

Ed Williams had no questions.

Christopher Smith commented that he is in favour but had a few concerns. First, he would like to see information on the upgrades that could be made to the existing house. Second, since the parcels were of a decent size they should be able to provide adequate parking on site. Sidewalks are a good idea, should not default to street parking. Finally expressed concern about possible shadowing into the neighbours yard from the new house asked if the neighbours had been consulted.

Mr. Lunt responded that there has been consultation but can not speak to the outcome. In regard to parking stated they only needed to provide one space per parcel and would like to keep on the North side the least useful side in terms of amenity space.

Christopher Smith questioned the proximity to the corner of the driveway entrance.

Mr. Lunt stated he did not believe it was too close to the corner to be unsafe.

Christopher Smith asked about the potential for secondary suites.

Staff Liaison, Trevor Parkes, explained that; as this was a CD zone, covenants would be required on the properties, disallowing suites. He conceded that it may be possible to install a suite in the existing house however it is unlikely in the proposed house as it will be on a crawl space. Regardless, suites are specifically prohibited in CD zones.

Joanne Kimm expressed concern about the hedging between the houses, how wide it could get and the impact it would have on the amount of usable side yard.

Mr. Lunt explained that they proposed a fairly narrow growing species of hedge and that the area along the new house would be a dead space anyhow.

Joanne Kimm expressed concern about the parking for the existing house; that some trucks would stick out over the sidewalk.

Mr. Lunt replied that parking is adequate though some may stick out two feet.

Gerald Froese commented that the parking for the existing house was also a concern for him. He was in favour of the development as it would meet the Official Community Plan

[OCP] guidelines, liked the look of the proposed building but would like to see more refreshment proposed for the existing house.

Mr. Lunt explained that the owners have done substantial improvements to the existing house including windows, doors, a recent roof and will do some further trim upgrades.

Public Input

Dan Webber, 1118 Hadfield made the following comments:

- he had no concern with shadowing from the proposed house
- he was concerned with the proposed parking
- he got a package in his mail box but no one approached them

Mr. Webber asked about a Comprehensive Development [CD] zone, would the result be a strata development.

Trevor Parkes explained that a CD zone was a custom zone that for this proposal would create two fee simple lots and that subdivision would be required.

Mr. Webber questioned how they would be held to no suites in the properties.

Trevor Parkes replied that a covenant would be required on the existing and the new house and that; should a suite be reported, bylaw enforcement would be undertaken.

Mr. Webber asked about sewer and storm drain connections, was concerned the connections were uphill and across the street from the proposed lot.

Mr. Lunt replied that they would hire a civil engineer to configure the drainage systems and he believed they were doable.

There were no further questions from the public.

APC Discussion

Joanne Kimm stated she is concerned with parking as the exiting space is too small.

Ed Williams commented that he was in favour, that he did not see the need for much improvement to the 1950's façade of the existing house; as he likes to see variety in a neighbourhood. He does not see parking as an issue as there was lots of room on the street, on the day he visited the site.

Christopher Smith commented that they should look into improving the parking. That the existing house is looking a little tired that they could refresh it without making it look like a brand new house. He supports the intent of the infill development.

Gerald Froese said he agreed with Ed Williams that there was no shortage of street parking in the area. He supports the development as it fits with the OCP.

RECOMMENDATION

Moved by Christopher Smith, seconded by Joanne Kimm that the Esquimalt Advisory Commission 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 Mesa Design Group stamped "Received December 14, 2010", the landscape plan prepared by Koi Dragon Enterprises Ltd., stamped "Received December 14, 2010", and sited as detailed on the survey plan prepared by Robert Hartnell Land Surveyor stamped "Received November 19, 2010", 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:

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 occurred for November 1, 2010 and the application was approved by Council

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. The Public Hearing was scheduled for November 15, 2010 at the request of the applicant however due to an error present on the public notification the Public Hearing was delayed until December 6, 2010 to ensure appropriate notification occurred. The application was approved by Council

1127 Wychbury Ave: [Rezoning and DP for 2 new SFDs on an Interior Lot] COTW supported staff recommendation that the application be forwarded to Council with a recommendation of approval, subject to appropriate notification, preparation of amending bylaws and a public hearing being held. Staff presented the amending bylaw for 1st and 2nd reading at the regular meeting of Council on December 6, 2010. Council considered the amending bylaw and directed staff to schedule a Public Hearing. The Public Hearing is scheduled to occur on January 17, 2010.

354 Lampson Street: [Rezoning and DP for 1 new SFDs] COTW supported staff recommendation that the application be forwarded to Council with a recommendation of approval, subject to appropriate notification, preparation of amending bylaws and a public hearing being held. Staff presented the amending bylaw for 1st and 2nd reading at the regular meeting of Council on December 6, 2010. Council considered the amending bylaw and directed staff to schedule a Public Hearing. The Public Hearing is scheduled to occur on January 17, 2010.

823 Viewfield Road: [DVP for Live/Work Industrial Building] COTW supported staff recommendation that the application be forwarded to Council with a recommendation of approval, subject to appropriate notification, preparation of Development Variance Permit and a Variance Hearing being held. A Hearing was held at the regular meeting of Council on December 6, 2010 and Council approved the application.

Green Checklist for Development Proposals: Staff presented the Green Checklist to COTW for consideration at the regular meeting held December 13, 2010. Staff requested Council provide feedback on any suggested changes to items on the list. Staff will return the Green Checklist to Council for consideration on January 10, 2010.

Trevor Parkes also mentioned there would be four new APC members in January and thanked current members for their participation at the meetings.

IX. COUNCIL LIAISON

Councillor Meagan Brame thanked the Commission members for their input over the past year and wished exiting members, Ed Williams and Gerald Froese well and looked forward to their work with the Board of Variance.

Councillor Brame reported on the motion made by Councillor McIlldoon and endorsed by Council to review the Single-unit Infill Housing Guidelines in the OCP. Council has directed staff to undertake a comprehensive review including public consultation, and that a report be presented to Council before June 2011.

X . NEW BUSINESS

No new business.

XI. NEXT REGULAR MEETING

The next regularly scheduled meeting is Tuesday, January 18, 2011.

XII. ADJOURNMENT

On motion the meeting adjourned at 8:20 p.m.

Certified Correct

Gerald Froese, Chairperson