



**CORPORATION OF THE TOWNSHIP OF ESQUIMALT**

**ADVISORY PLANNING COMMISSION  
MINUTES  
TUESDAY, FEBRUARY 15, 2011  
7:00 P.M.  
ESQUIMALT COUNCIL CHAMBERS**

<b>MEMBERS:</b>	Amy Higginbotham	Lorne Argyle
	Joanne Kimm	Pete Hartman
	Christopher Smith	Wes Nelson
		Joy Palmeter
<b>COUNCIL LIAISON:</b>	Meagan Brame	
<b>STAFF LIAISON:</b>	Trevor Parkes, Senior Planner	
<b>SECRETARY:</b>	Marie Letham	

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There were 36 members of the public in attendance.

**I. CALL TO ORDER**

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

**II. LATE ITEMS**

Moved by Lorne Argyle, seconded by Wes Nelson, that the Commission receive the letter from the West Bay Residents' Association concerning item (2) of the Staff Reports for the road closure West Bay Investments Ltd. And Triangle Estates.

**III. ADOPTION OF AGENDA**

Moved by Christopher Smith, seconded by Lorne Argyle, that the agenda be amended by reversing the order of the items. Item (2) Road Closure proposal to be heard first. The Motion **CARRIED**.

**IV. ADOPTION OF MINUTES – Regular Meeting January 18, 2011**

**V. BUSINESS FROM MINUTES**

**VI. STAFF REPORTS**

**(1) ROAD CLOSURE APPLICATION  
Closure of southern portion of Head Street adjacent to Lot A, Section 11,  
Esquimalt District, Plan 26076 [453 Head Street]**

Trevor Parkes, gave a brief overview of the proposal.

Mr. Mark Lindholm, applicant, West Bay Investments Ltd, and Triangle Estates, was in attendance to outline his request to close the southernmost portion of Head Street and consolidate the road right of way with the adjacent lands to facilitate a future comprehensive development of the West Bay Commercial node

By way of a site plan Mr. Lindholm outlined the area to the Commission members. He outlined the legal issues as he saw them, commenting that the CRD main trunk sewer is under one of the homes he owns, and that the trunk line cannot be moved. He commented that some form of compensation will have to be agreed to, and eventually someone will have to pay him to resolve this issue.

He commented that he has been talking to officials representing CFB Esquimalt and that they would like Peter Street that intersects with Lyall Street to be their access to the Work Point Married Quarters.

He stated that Gore and Peter Street do not line up, but he confirmed that he would commit to re-align Gore Street with Peter Street at Lyall Street.

Mr. Lindholm commented that a Traffic Plan for their proposed development would be completed when the development application comes forward.

In response to a question from a Commission member about the proposed development, Mr. Lindholm replied, that he was not prepared to go into the details of the project at this time, details have not yet been finalized but that the road closure is an important part of his proposed development.

Amy Higginbotham, Commission member commented that she finds it hard to consider the road closure without the details of the type of development, size, density being considered.

The applicant commented that this was not the right forum for him to discuss the details of the proposed project.

Joy Palmetter commented that the sewer is an issue, however the applicant must deal with the CRD not Esquimalt to resolve it.

Christopher Smith inquired about the cul-de-sac, if there was a Right-of-Way.

The applicant responded that it meets the emergency vehicles requirements, and that is the best solution and that access to the RV Park is being accommodated.

Christopher Smith also inquired if the applicant had liaised with Transit.

The applicant responded that the buses do not go through Gore Street.  
*[Staff have confirmed that the Number 25 Transit Bus runs along Gore Street]*

Lorne Argyle inquired about Fire Lanes.

Trevor Parkes commented that EFD will require a 6.0 metre fire access to the waterfront off the south end of Head Street as well as off Lyall Street accessing the RV Park.

Mark Lindholm stated that they had their own fire systems on the Docks and 7 fire hydrants.

**Public Input**

Charles Lavoie, 559 Paradise Street, commented that:

- a traffic impact study be done;
- with recommendations reviewed and approved by a committee comprised of a least one resident of each street impacted prior to its submission to the Esquimalt APC;
- at the charge of the applicant.

Dean Polvi, 537 Paradise Street, commented that:

- there will be an increase of volume of cut-through traffic;
- a traffic study should be done;
- a speed hump should be installed to slow the traffic

Nigel Mitchell, 502 Gore Street commented that:

- his house is near the cul-de-sac;
- he found the attitude of the applicant condescending;
- this road closure will be an expense to the citizens;
- problems with traffic; only coming to a "California Stop" at the corner;
- the potential development is not consistent with the neighbourhood.

Spencer Tickner, 506 Gore Street comment that:

- significant amount of work needs to be done to add a lane off Lyall Street
- he indicated the lands adjacent to the lane should be enhanced at a cost to the Developer including landscaping, etc.

Emmy Labonte, 873 Dunsmuir Road, speaking on behalf of the West Bay Residents Association outlined the history of the West Bay Residents Association founded in 1995 comprising of residents primarily in the area between Dominion and Lampson Streets. The West Bay Residents Association oppose the proposal for the following reasons:

- closing of a public street, even if only a part of it, is a very serious issue. Streets belong to everyone and significant changes such as this call for extensive public consultation;
- this area is a heritage sensitive area [Work Point Barracks]. Closure of Head Street will prevent access by bus (no turn-around) and may lead to loss of tourism potential;
- this proposed closure will prevent access in the eventual continuance of the West Bay Walkway connecting with Macaulay Point Park;
- has DND been consulted? This is a major access route to their lands;
- this closure would affect the traffic pattern to the detriment of residential streets, which would carry the traffic that would normally use Head Street;
- a street closure such as this would set a dangerous precedent;
- it is suggested that prior to this proposal being sent to the Committee of the Whole, the develop consult with the community and the Residents Association in a timely fashion;
- this proposal should not be treated like rezoning of private property, as it will have serious and permanent consequences for the residents of West Bay.

Emmy Labonte stated that she would like to make one more comment personally, and that is that the sewer line belongs to the CRD and not the Municipality, the applicant must negotiate with the CRD.

Wes Nelson asked the Staff Liaison, Trevor Parkes, exactly what they were to vote on.

Trevor Parkes responded that tonight they were reviewing the application on its merit as presented and whether the road closure would positively benefit the community and the at the APC should make a recommendation to the Committee of the Whole accordingly.

He clarified that, as with all APC recommendations, this recommendation is not binding on Council and should Council disagree, it would be up to Council to make the final decision.

He also clarified that an application for the proposed development will come forward for Rezoning and a Development Permit at a future date.

Wes Nelson indicated that he would like a Traffic Study done that would include Paradise Street.

Pete Hartman commented that this is a main exit out of DND lands, there is a lot of traffic. The traffic rarely stops before turning, etc. He commented that he too is struggling with the traffic issue.

### **RECOMMENDATION**

Moved Wes Nelson, seconded by Pete Hartman, that the Esquimalt Advisory Planning Commission (APC) resolves that the application for Road Closure which would permanently close the southernmost 1421.5 square metres of Head Street and see the lands consolidated with Lot 9 and Lot 10, Block H, Section 11, Esquimalt District, Plan 292 [460 and 464 Head Street] and Lot A, Section 11, Esquimalt District, Plan 26076 [453 Head Street], be forwarded to Council with a **recommendation of approval** subject to:

1. A traffic study be provided, which would include any impact on Paradise Street; and
2. The issue of appropriate compensation is resolved [i.e. the establishment of value for the portion of road proposed for closure versus the value of lands being offered in return].

The Motion **CARRIED: 6 For 1 opposed**

Most of the public departed the meeting prior to the next presentation. Only 10 members of the public remained.

## **(2) AMENDMENTS TO OFFICIAL COMMUNITY PLAN AND ZONING BYLAW TO ACCOMMATE PHASE 1 OF THE ESQUIMALT VILLAGE PROJECT**

### **PROPOSAL**

Barbara Snyder, Director of Development Services, was in attendance to present the proposal on behalf of the Municipality. The Director gave a brief overview

and history of the EVP. She advised the Commission members that in October, 2010, Esquimalt Council approved the preferred option for development of Phase 1 of the plan. This development scheme established criteria for mixed use development on the Old Town Hall, Town Square and the old Public Works Yard lands.

Changes to the Esquimalt's Official Community Plan and Zoning Bylaw must be done by amending bylaws. The content of these amending bylaws includes the Development Permit Guidelines for [DPA No.6] and a new Zoning District to be included in the Zoning Bylaw which will ensure that the development of phase 1 occurs as envisioned in the preferred option.

Barbara Snyder presented a power-point presentation encompassing the Phase 1 Development of the Esquimalt Village Core. This presentation included the following:

- An Introduction of the project;
- Outlined Community Consultation;
- Outlined graphically Phase 1 development of the Esquimalt Village Core;
- Artists Renderings;
- Massing Model; and
- Design Guidelines.

#### **APC QUESTIONS**

Christopher Smith expressed concerns regarding the traffic flow.

Barbara Snyder commented that there is a good road network and traffic flow should not be an issue.

Joy Palmetter commented she was okay with the project.

Amy Higginbotham inquired how many residential units would this bring to the area.

Barbara Snyder responded that exact numbers have not been established, but it is intended that there be a diversity of units, probably approaching 200. The project would bring a substantial number of new residents into the area.

Pete Hartman commented that he has been following this project of the past couple of years. He stated that he has traffic concerns. This will bring a great deal of traffic to the area. He commented that he feels there would be a lot more than 200 people in the area. Concerned about the traffic issues on Lyall Street.

Barbara Snyder commented that there will be an increase in traffic over what we have now, also there will be persons without cars. She commented that local services can support the increased density and that new residents would likely support local businesses. The project will generate a different kind of community.

Pete Hartman commented that he has concerns about the height and the overall size. This is a large development for this area at 8-12 stories. He commented that he likes the idea of cafes and walking areas.

Wes Nelson commented that he like the overall plan. Feels that a real problem will be parking.

Barbara Snyder commented that the underground parking will be designed to accommodate all proposed uses including parking for the retail users. Part of this process is to encourage people to leave their car at home and encourage other transport.

Wes Nelson stated he would like a closer look at bicycle storage facilities.

Barbara Snyder responded that they will look at bicycle storage.

Joann Kim commented that when she reviewed the plans she felt it had a "Tuscany Village" feel to it. She too had concerns regarding parking.

### **Public Input**

Garry Mullins, 1215 Carlisle Avenue, commented that:

- in 2007/2008 he viewed the plans and liked the concept;
- again viewed in November, 2009, the footprint is bigger;
- he will lose his view through the square;
- concerned about the loss of the playground;
- the a realtor advised that his property value will decrease;
- the design looks like a cruise ship.

Jim Hesketh, 1207 Carlisle Avenue, commented that:

- feels like this is a done deal;
- has issues with the lack of communication with Carlisle residents who will be affected the most;
- his lot and house will be devalued;
- concerned about the height of the project;
- concerned about parking

Brian Smith, 1217 Carlisle Avenue, commented that;

- he felt it was off to give up green space;
- that this is a big gain for a few individuals;
- loss for local residents;
- feels this is being ram-rod job.

Christine Cunningham, 512 Fraser Street, commented that:

- this is a "cash-cow" for a developer;
- 12 storeys is too intrusive;
- does not fit the area.

Georgina Hesketh, 1207 Carlisle Avenue, commented that:

- there could be 440 residents in the 3 buildings;
- this is unrealistic;
- buildings will look like little tents;
- extreme for Esquimalt;
- concerned over the shortening of green space;
- take a look at the Ovation – 15 units not sold;
- Esquimalt will never be Oak Bay.

Raj Shota, consultant, commented he used to live on Carlisle many years ago. He commented that:

- the proposal had a “great Cook Street village feel”;
- would enhance property values;
- he was surprised at the scale of the development, 8 – 12 storeys is dramatic;

Brian Smith, 1217 Carlisle Avenue, commented that:

- there is a need to look at why Esquimalt can not keep businesses;
- what is going to change?

#### **APC DISCUSSION:**

Pete Hartman commented that he was not in support of this project. The scale is too aggressive for the downtown core. With reference to the Cook Street Village feel, he commented it is not like it. Even after three to four Open Houses he stated he has struggled with this.

Amy Higginbotham stated she had no comment other than that she is in support.

Joy Palmeter stated overall she is in support, has concerns about 12 storeys; and understands the Carlisle residents position.

Christopher Smith stated that he is in overall support. Height is an issue, but commented that redevelopment is necessary to improve that part of Esquimalt.

Lorne Argyle comment he is in support but does have concerns around parking and the height.

Staff Liaison, Trevor Parkes, commented that the issue of height in Esquimalt was recently reviewed by Council, including public consultation, and Council established new guidelines. The EVP is consistent with these OCP guidelines.

Joanne commented that she echo's Christopher Smith's comments. She stated that the height issue has been debated to death. She also considered the input from the public but it looks like it is time to move forward.

Wes Nelson stated he was in support. How high is too high? Purpose is to create a centre piece. Parking is a concern, needs to be re-visited, the bylaw needs to be more spelled out. The visitor parking requirements need to be addressed. Bicycle storage needs to be addressed also.

#### **RECOMMENDATION:**

Moved by Joy Palmeter, seconded by Wes Nelson,

1. That Bylaw No. 2756 which would amend Official Community Plan Bylaw No. 2646 by adding a new Development Permit Area [No. 6] specific to Phase 1 of the Esquimalt Village Project be forwarded to Council with a **recommendation of approval**  
The Motion **CARRIED**: 5 For 2 against

and

Moved by Lorne Argle, seconded by Wes Nelson,

2. That Bylaw No. 2757 which would amend Zoning Bylaw No. 2050 by adding a new zoning district, Esquimalt Village – Mixed Use Multiple Residential RM-EVP, be forwarded to Council with a **recommendation of approval**  
The motion **CARRIED: 5 For 2 against**

## VII. PLANNER'S STATUS REPORT

Trevor Parkes presented the following report on the status of recent applications:

**630 Head Street:** [DVP for Lot Coverage] At the regular meeting held January 10, 2011 COTW supported staff recommendation that the application be forwarded to Council with a recommendation of approval, subject to appropriate notification and a Variance hearing being held. Variance Hearing was held on February 7, 2011 and the DVP was **approved** by Council

**948 Aral Road:** [DVP for Front Setback] At the regular meeting held January 10, 2011 COTW supported staff recommendation that the application be forwarded to Council with a recommendation of approval, subject to appropriate notification and a Variance hearing being held. Variance Hearing was held on February 7, 2011 and the DVP was **approved** by Council subject to a covenant being registered on the title limiting driveway access for both properties to Aral Road.

**363 Kinver Street:** [Rezoning and DP for 1 new SFD] COTW directed Staff to notify applicant they should reconsider the parking alignment for the existing home and be prepared to provide a full presentation of the development proposal, utilizing the colour board and landscape plans at the next COTW meeting scheduled for February 14, 2011. The applicant repositioned the driveway to the southern property line, lowered the deck to 24 inches off the ground, decommissioned the existing driveway and removed the majority of the hedge proposed to shield the new home from the street addressing both Council and staff concerns. The application was presented to COTW on February 14<sup>th</sup> and was forwarded to Council with a **recommendation of approval**, subject to appropriate notification, preparation of amending bylaws and a public hearing being held.

**924 and 928 Selkirk Avenue:** [DVP for Fence Height in Front Yard] At the regular meeting held February 14, 2011 COTW moved that the application be forwarded to Council with a recommendation of approval, subject to appropriate notification and a Variance Hearing being held.

**946 Forshaw Road:** [DP with Variances for Accessory Building] At the regular meeting held February 14, 2011 COTW supported the staff recommendation that the application for a Development Permit authorizing an Accessory Building within 20 metres of the High Water Mark of the Gorge Waterway be **denied**.

## VIII. COUNCIL LIAISON

Council Brame gave a brief status report on 946 Forshaw Road, that Council had declined the requested variance and the boat shed is to be removed by May.

A presentation was given to Mayor and Council by the Urban Development Institute, which was well received.

Development Cost Charges (DCC's) were discussed and it was decided that DCC's were not a good fit for Esquimalt.

**IX. NEW BUSINESS**

**(i) Memorandum from Manager of Corporate Services dated January 20, 2011 Regarding Abstention Votes**

This correspondence was provided for information for information to all Commissions and Council Appointed Committees and to clarify that there is no provision for any voting member to abstain from voting.

Trevor Parkes clarified the bulleted item 3 "*If a voting member does not indicate how they vote, the vote is considered to bin the affirmative **of the motion.***"

Also the memorandum mentioned "Conflict of Interest" after a brief discussion amongst the members it was decided if "*if you have to ask yourself, am I in conflict*" then it is best to declare that and remove themselves from the discussion and vote.

**X. NEXT REGULAR MEETING**

Tuesday, March 15<sup>th</sup> 2011

**XI. ADJOURNMENT**

On motion the meeting adjourned at 9:30 p.m.