



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

**ADVISORY PLANNING COMMISSION
MINUTES**

TUESDAY, AUGUST 16, 2011

7:00 P.M.

ESQUIMALT COUNCIL CHAMBERS

MEMBERS: Amy Higginbotham
Pete Hartman
Wes Nelson
Lorne Argyle

COUNCIL LIAISON: Meagan Brame

STAFF LIAISON: Trevor Parkes, Senior Planner

SECRETARY: Marie Letham

There were four members of the public present.

I. CALL TO ORDER

The meeting was called to order by the Staff Liaison, Trevor Parkes, due to the absence of the Chair and Alternate Chair.

II. ELECTION OF CHAIR FOR MEETING

Lorne Argyle, was elected as Acting Chair for this meeting of the Advisory Planning Commission.

III. LATE ITEMS

It was moved and seconded to add the late item for an OCP Amendment Application to correct the designation of 521-529 Comerford Street, identified in the OCP as "DND Federal Land" instead of the intended designation of "Commercial Mixed-Use" under New Business.
The Motion **CARRIED**.

IV. ADOPTION OF THE AGENDA

V. ADOPTION OF MINUTES

- (1) Minutes of the Regular Meeting, May 17, 2011
Moved by Pete Hartman, seconded by Wes Nelson that the Minutes of the regular meeting of May 17, 2011 be adopted as distributed.

The Motion **CARRIED**.

(2) Minutes of the Regular Meeting, June 21, 2011 [distributed at meeting]

The adoption of the June 21st, 2011 minutes was postponed to the next meeting.

V. BUSINESS FROM MINUTES

SAFERhome STANDARDS SOCIETY MEMBERSHIP

Trevor Parkes provided an update to a report detailing additional information as requested by APC.

Moved by Pete, Hartman, seconded by Amy Higginbotham, that the Esquimalt Advisory Planning Commission (APC) resolves that the request for Municipal Membership in the SAFERhome Standards Society be forwarded to council with a recommendation of denial.

The Motion **CARRIED UNANIMOUSLY**.

VI. STAFF REPORTS

(1) DEVELOPMENT VARIANCE PERMIT

472 / 474 Nelson Street

[Strata Lot 1 Suburban Lot 48 Esquimalt District Strata Plan VIS1031]

[Strata Lot 2 Suburban Lot 48 Esquimalt District Strata Plan VIS1031]

The owner, Jean Wilkinson, was in attendance to present the proposal for a Development Variance Permit to facilitate the construction of a small deck within the front setback. She indicated that the existing staircase is rotten therefore, as part of the construction of the new staircase, they wish to add a small deck.

Trevor Parkes, advised the Commission members, that prior to the adoption of the current Zoning Bylaw in 1993, stairs were not considered in the building calculations.

APC Discussion:

Pete Hartman stated he had no concerns.

Amy Higginbotham asked if there had been any conversations with the neighbours.

The applicant responded that they will not be able to see the deck as it is all hidden. From the street one cannot see the front door or the proposed deck.

Lorne Argyle stated he had no questions for the applicant. He asked the Staff Liaison whether they were being asked to legitimize the siting of all buildings or just the Principal Building?

Trevor Parkes, Staff Liaison, responded the variances accommodated the

Principal Building only.

Public Input

There was no public input.

RECOMMENDATION:

Moved by Wes Nelson, seconded by Amy Higginbotham, that the Esquimalt Advisory Planning Commission (APC) resolved that the application for a Development Variance Permit authorizing the construction of a new deck as indicated on the survey provided by Richard J. Wey & Associates stamped 'Received June 24, 2011', at Lot 1 Esquimalt District Plan VIS1031 Subsidy Lot 48 [472 Nelson Street] including the following relaxation to Zoning Bylaw No. 2050, be forward to Council with a **recommendation of approval**.

Section 38 (8)(a) – Lot Coverage – a 7 % increase to the requirement that all Principal Buildings, Accessory Buildings and Structures combined shall not cover more than 30% of the Area of a Parcel. i.e. from 30% to 37%.

Section 38 (9)(a)(i) – Front Setback – a 3.3 metre relaxation to the requirement that no Principal Building shall be located within 7.5 metres of a Front Lot Line. i.e. from 7.5 metres to 4.2 metres.

Motion **CARRIED UNANIMOUSLY**

**(2) OCP AMENDMENT AND REZONING APPLICATION
1037 Lyall Street [Lot B, Section 11, Esquimalt District, Plan VIP17210]
1039 Lyall Street [Lot A, Section 11, Esquimalt District, Plan VIP17210]**

Staff Liaison gave a brief explanation for the request to amend the OCP and Zoning. The OCP allows for Group Homes within the Single and Two Family Residential designation, however, as the proposed building is inconsistent with single and two family built form, staff are recommending the designation change to Institutional. As this proposal is specific to this site, a new zone, P-5 "Community Care Facility", would be applied..

Pam Edwards, Acting Director, Capital Mental Health Association, John Gauld, City Spaces Consulting, and Douglas Sollows, Architect, were in attendance. Mr. John Gauld presented the proposal to consolidate the two parcels to construct one 3 storey, 30 client, group home replacing the existing group home building which does not appropriately meet the needs of the residents.

Mr. Gauld outlined the history of the CMHA and the background of this site over the past 40 years. He also outlined the plans for the project and the streetscape and neighbouring properties.

He commented that there would be ten units per floor, with a lounge and dining area on each floor.

The consultant advised the Commission members that they had held an informational meeting with the neighbours as well as talked to the School Principal.

He indicated that the taller portions of the building would be sited on the eastern side of the property and only the lower entrance wing, located at the southwest corner of the building would be adjacent to the west residential neighbours. He also indicated that they would be preserving most of the existing vegetation, with an addition of a rain garden. There is good solar aspect and outdoor amenity space. There would also be safe, secure bicycle storage and washrooms with showers for staff.

APC Discussion.

Peter Hartman inquired as to the staff levels.

John Gauld advised there were 8 on a shift.

Peter commented that if the staff is increased, there is a decrease of the parking. He noted that he had observed that it is a crowded area. He expressed concern that the 5 proposed parking spaces were insufficient to meet the needs of the facility.

John Gauld replied that currently staff are tandem parking. He replied that the proposed parking arrangement will function better than the current situation.

Amy Higginbotham stated that the proposed facility blends in well. She inquired if the new facility will be publicly identified.

John Gauld responded that the facility has not been signed in the past, and it is not practice to do so.

Wes Nelson inquired about how recycle and garbage pick-up would be handled and also food delivery.

Lorne Argyle commented that he had no problem with the proposal. He indicated concern regarding the parking.

Trevor Parkes, Staff Liaison, commented that the current parking arrangement is non-conforming and that the proposed parking is an improvement of the current arrangement.

Public Input

Jack Rohm, resident, (Lyll & Lampson) commented he knew many of the residents and his concern is for the residents during the transition period.

Pam Edwards, A/Director, CMHA, advised that they are very sensitive to the concerns of the residents and their priority is to mitigate the impact on residents during the transition period.

RECOMMENDATION

Moved by Amy Higginbotham, seconded by Pete Hartman, that the Esquimalt Advisory Planning Commission resolves that the application for an OCP Amendment changing the OCP land use designation from Single and Two Unit Residential to Institutional. and zoning designation from RS-1 [Single Family Residential] and P-1 [Public/ Institutional] respectively to P-5 [Community Care Facility] for Lot B, Section 11, Esquimalt District, Plan VIP17210 [1037 Lyall Street] and Lot A, Section 11, Esquimalt District, Plan VIP17210 [1039 Lyall Street], be forwarded to Council with a **recommendation of approval.**

The Motion **CARRIED UNANIMOUSLY.**

**(3) DEVELOPMENT PERMIT
1149 Esquimalt Road
Lot A, Section 11, Esquimalt District, Plan 42081**

James McNally, Money Mart Financial Group, (Philadelphia) representing Money Mart Financial, and Bob Herr, contractor, were in attendance to outline the proposal.

Mr. McNally gave a brief overview of the company and the services offered.

The applicant advised that the office space at the McDonald's building is vacant at this time and Money Mart will be leasing the space. Some interior alterations are required; removal of a skylight, opening of the front wall, an internal security wall added, new signage front and side.

PROPOSAL

McDonald's Restaurant has surplus commercial square footage within their existing structure which they wish to lease out to a new tenant, National Money Mart Company [Money Mart]. The parcel is zoned C-2 [Neighbourhood Commercial] therefore the proposed commercial use is permitted. This commercial proposal is subject to Development Permit Area No. 2 – Commercial; therefore a Development Permit is required before a Building Permit can be issued.

Public Input

No members of the public spoke to the application.

APC Discussion

Amy Higginbotham stated that she was not in favour of a "*money lending business*" she felt that the nature of this type of business was detrimental to the community.

Staff Liaison, Trevor Parkes, advised the Commission that this application is for a Development Permit. This application is not for a rezoning as the proposed use of the property is not in debate. The use

is permitted by the current zoning of the property. This application is to be evaluated on the form and character of the proposed changes to the exterior of the building.

In response to a question, John McNally, commented that the company is not just a lending institution, they offer other services: (i.e) foreign exchange, Western Union, debit cards, telephone cards, cell phones.

Wes Nelson, commented that he, like the other Commission members was struggling with just zeroing in on the Development, as there is a “image problem” associated with the type of business.

Peter Hartman, commented that there is a “stereo-typing” associated with the nature of the business.

RECOMMENDATION

Moved by Pete Hartman, seconded by Lorne Argyle, that the Esquimalt Advisory Planning Commission, resolved that the application for a Development Permit limiting the form and character of development to that shown on architectural plans provided by Kneider International Architecture and Interior Design, stamped “Received July 14, 2011”, and on the sign plans prepared by Enseignes Pattison Sign Group, stamped “Received July 14, 2011”, for the proposed tenant improvements and signage located at Lot A, Section 11, Esquimalt District, Plan 42081 [1149 Esquimalt Road], be forwarded to Council with a **recommendation of approval**

The Motion **CARRIED: 3 For 1 Opposed**

(4) OCP AMENDMENT APPLICATION

521-529 Comerford Street

[Lot 266, Suburban Lot 40, Esquimalt District, Plan 2854]

[Lot 267, Suburban Lot 40, Esquimalt District, Plan 2854]

Trevor Parkes, Staff Liaison, presented the application on behalf of the Township of Esquimalt.

The proposal is a change to the Official Community Plan land use designation for 521-529 Comerford Street to correct a mapping error which caused this property to be mistakenly designated as “DND Federal Land” instead of the intended designation of “Commercial Mixed-Use” at the time Official Community Plan Bylaw, 2006, No. 2646 was adopted.

The DND Federal designation is a unique land designation, only applied to those lands owned by the Department of National Defence.

He advised the Commission members that when errors of this type are noticed they must be forwarded in an official manner in order to change the map designations.

APC Discussion

Pete Hartman expressed concern when a item as important as an OCP amendment is presented at a meeting as a late item.

Public Input

A resident (no name given) from 517 Comerford Street commented that he is not concerned by the change as this property was always understood to be a future commercial site.

RECOMMENDATION

Moved by Amy Higginbotham, seconded by Wes Nelson, that the Esquimalt Advisory Planning Commission resolved that the application to amend the Official Community Plan land use designation from “DND Federal Land” to “Commercial Mixed Use” for Lot 266, Suburban Lot 40, Esquimalt District, Plan 2854 and Lot 267, Suburban Lot 40, Esquimalt District, Plan 2854 [521-529 Comerford Street], be forwarded to Council with a **recommendation of approval**.

The Motion **CARRIED; 3 For 1 Opposed**

VII. PLANNER’S STATUS REPORT

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

Esquimalt Village Plan: OCP Amendment and Rezoning to accommodate development of two buildings, one 8 storeys and one 12 storeys in height]. Staff presented the amending bylaws for 1st and 2nd reading at the regular meeting of Council on March 7, 2011. Council considered the amending bylaws and directed staff to schedule a Public Hearing and complete an expanded notification, including properties well outside the buffer distance normally considered for applications of this type.

Council considered both EVP amending bylaws after the Public Hearing closed on May 16, 2011 and moved to postpone indefinitely further consideration of the EVP.

Subsequently, Council revisited this motion and has moved to postpone making a decision pending the results of a non-binding referendum questioning support for the project as currently envisioned asked as part of the 2011 election ballot. and a second Public Hearing being held in the Spring of 2012.

Council approved the tender to remove the old Municipal Hall and Public Works sheds on June 20, 2011. Work is expected to be completed by August 31, 2011. All that remains is the installation of turf and asphalt to cover the excavated areas.

1141 Bewdley Avenue: [Rezoning and DP for 2 new SFD]. 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 June 20, 2011. Council considered the amending bylaw and directed staff to schedule a Public Hearing, send notification and prepare a development permit. The Public Hearing occurred July 4, 2011 and the application was approved.

876/878 Lampson Street: [DP for Duplex] At the regular meeting held June 13, 2011 COTW moved that the application be forwarded to Council with a recommendation of approval, subject to staff completing appropriate notification and returning the Development Permit to Council for consideration. Staff presented the application to Council on July 4, 2011 and the DP was approved.

856/858 Esquimalt Road: [Rezoning and Development Permit] COTW supported staff recommendation that the application be forwarded to Council with a recommendation of approval, subject to preparation of amending bylaw, appropriate notification, and a public hearing being held. Staff presented the amending bylaw for 1st and 2nd reading at the regular meeting of Council on August 15, 2011. Council considered the amending bylaw and directed staff to schedule a Public Hearing.

537 Fraser Street: [Rezoning] COTW supported staff recommendation that the application be forwarded to Council with a recommendation of approval, subject to preparation of amending bylaw, appropriate notification, and a public hearing being held. Staff presented the amending bylaw for 1st and 2nd reading at the regular meeting of Council on August 15, 2011. Council considered the amending bylaw and directed staff to schedule a Public Hearing.

885 Lampson Street: [OCP Amendment and Rezoning] COTW supported staff recommendation that the application be forwarded to Council with a recommendation of approval, subject to preparation of amending bylaws, appropriate notification, and a public hearing being held. Staff presented the amending bylaws for 1st and 2nd reading at the regular meeting of Council on August 15, 2011. Council considered the amending bylaw and directed staff to schedule a Public Hearing.

1123/1125 Norma Court: [DVP for reduction to Rear Setback] COTW moved that the application be forwarded to Council with a recommendation of approval, subject to appropriate notification and a Variance Hearing being held. Hearing was postponed at request of applicant until September to ensure her attendance at the meeting.

VIII. COUNCIL LIAISON

Councillor Braeme reported that Council is reviewing the Pros/Cons of Smart Meters.

Also, Council is reviewing a bylaw for exemptions to new properties being constructed Solar Ready.

IX. NEW BUSINESS

X. NEXT REGULAR MEETING

Tuesday, September 20th, 2011

XI. ADJOURNMENT

On motion at 8:40 p.m.

Certified correct:

Chairperson