



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

**ADVISORY PLANNING COMMISSION
MINUTES
TUESDAY, SEPTEMBER 20, 2011
7:00 P.M.
ESQUIMALT COUNCIL CHAMBERS**

MEMBERS: Christopher Smith, A/Chairperson
Lorne Argyle
Amy Higginbotham
Wes Nelson

REGRETS: Pete Hartman
Joanne Kimm
Joy Palmeter

COUNCIL LIAISON: Meagan Brame

STAFF LIAISON: Trevor Parkes, Senior Planner

SECRETARY: Marie Letham

There were no members of the public present.

1. CALL TO ORDER

The meeting was called to order by the Alternate Chairperson.

II. LATE ITEMS

**Memorandum from Administration Department Regarding 2012
Appointments to Advisory Committees, Commissions and Board**

A memorandum dated 16 September, 2011, regarding Appointments to Advisory Committees, Commissions and Board was distributed to the Commission members for information only.

III. ADOPTION OF THE AGENDA

Moved by Wes Nelson, seconded by Lorne Argyle, that the agenda be adopted as circulated.
The Motion **CARRIED**.

IV. ADOPTION OF MINUTES

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

Moved by Lorne Argyle, seconded by Amy Higginbotham, that the June 21st, 2011 be adopted.

The motion **CARRIED**: 1 Opposed

Minutes – August 16, 2011

The Secretary apologized that these minutes were not available for adoption.

V. BUSINESS FROM MINUTES

VI. STAFF REPORTS

- (1) **DEVELOPMENT VARIANCE PERMIT
605 Canteen Road – Yard & Garden Waste Transfer Facility
[Lot 1, Suburban Lot 26, Esquimalt District, Plan VIP63502]**

Staff Liaison, Trevor Parkes, gave a brief history of the facility advising that the proposal was for a 10 square metre utility/office use for the Yard & Garden Waste operation at 605 Canteen Road.

Gary Bartlett, General Manager, Ellice Recycle, informed the Commission members that his organization was the new operator, under contract from Esquimalt, to operate the facility on Canteen Road.

Gary Bartlett, advised that they removed the old building that was there, as it was part of the previous operation and erected a utility/office building for the use of the on-site staff to shield them from the weather and to provide lavatory and wash-up facilities. This structure will be temporary, as their contract is for a five-year period.

APC Discussion:

Wes Nelson, commented that as this is a large vacant lot, cannot understand the need for a variance. Can the building not be sited without a variance? If the Township of Esquimalt is not following its own bylaws, why should anyone else?

Staff Liaison, Trevor Parkes, advised that if the previously existing building had been retained it would have been treated as an existing, non-conforming building. As a new building is proposed a variance is required. He commented that the proposed siting of the structure allows for an easy and safe, flow of traffic through the facility and maximizes material storage opportunities on the site. He also indicated the site is located in an industrial area and adjacent to lands owned by the Department of National Defence and that there are plantings adjacent to Canteen Road which would screen the building from the street.

When questioned about staff consideration of variances, Trevor Parkes advised that staff evaluate each variance application on its own merit and clarified that the *Local Government Act* contains language permitting consideration of non-conforming siting to allow special consideration of regulations on a property specific basis.

Christopher Smith commented that this is a good facility, which he uses frequently. He commented he considered it an improvement over the old shack that was there. It makes good sense.

Wes Nelson re-iterated his position that with such a large lot the building could be sited without requiring a variance.

RECOMMENDATION:

Moved by Lorne Argyle, seconded by Amy Higginbotham, that the Esquimalt Advisory Planning Commission (APC) resolves that the application for a Development Variance Permit for Lot 1, Suburban Lot 26, Esquimalt District, Plan VIP63502 [605 Canteen Road] to allow the following relaxation to Zoning Bylaw, 1992, No. 2050 be forwarded to Council with a **recommendation of approval**

Zoning Bylaw, 1992, No. 2050, Section 54(5)(c) – Side Setback – an exemption from the required 4.5 metre setback from an Exterior Side Lot Line [i.e. from 4.5 metres to 0 metres].

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

(2) DEVELOPMENT PERMIT

1026 Tillicum Road

[Lot 23, Block 2, Section 10, Esquimalt District, Plan 11214]

Staff Liaison, Trevor Parkes, advised the Commission that this property is an RD-3 zoned lot which requires a Development Permit to allow a duplex to be constructed. The proposal presented meets the requirements of the Zoning Bylaw and OCP guidelines.

In attendance was Amanda Longcroft representing Ram3 Development Properties Group to present the proposal and answer any questions of the Commission.

The applicant commented that the proposed duplex would be stratified.

APC Discussion

Lorne Argyle expressed concern surrounding vehicle entrance off Tillicum Road, which is a very difficult road to get onto.

The applicant responded that the driveway was originally designed to access the back of the building as there was available open space

available close by in Esquimalt Gorge Park. This design was changed to a two driveway accesses at the request of the Planner to meet on-site green space requirements. The 'yoke' driveway design was intended to allow vehicles to nose out onto Tillicum Road.

When questioned why staff recommend the change to the driveway design, Trevor Parkes responded that front yards on Tillicum Road do not offer a desirable, safe and secure amenity space for residents. The single driveway 'yoke' design was recommended as it would provide significantly larger on-site amenity space for residents at the rear of the building. Staff supported the preservation of vehicular access off Gosper Crescent for the north unit as a concrete parking area would be provided in the rear yard for recreational vehicle or visitor parking.

Wes Nelson commented on the height of the plants either side of the proposed driveway.

The applicant replied that Portuguese Laurel can grow quite high and that they would be open to changing the type of plant to a lower growing planting.

Amy Higginbotham commented that she thought it was a good design.

Christopher Smith commented that it was a good design, and that traffic is always an issue on Tillicum Road.

Public Input

No public was in attendance.

RECOMMENATION:

Moved by Wes Nelson, seconded by Amy Higginbotham, 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 Coching Home Design, stamped "Received September 13, 2011", and on the landscape plan prepared by Jane Waters Landscape Design, stamped "Received September 13, 2011", and sited as detailed on the site plan prepared by Powell and Associates BC Land Surveyors, stamped "Received August 31, 2011", for the proposed duplex located at Lot 23, Block 2, Section 10, Esquimalt District, Plan 11214 [1026 Tillicum Road], be forwarded to Council with a **recommendation of approval with the condition that the landscape plan be reviewed to replace the Prunus lusitanica [Portuguese Laurel] with a lower growing species.** The motion **CARRIED UNANIMOUSLY.**

**(3) DEVELOPMENT PERMIT
521 – 529 Comerford Street
[Lot 266, Suburban Lot 40, Esquimalt District, Plan 2854]
[Lot 267, Suburban Lot 40, Esquimalt District, Plan 2854]**

Trevor Parkes advised the Commission members that this proposal was a Development Permit including variances for siting and parking. The applicant is applying for 43 units, one commercial and 42 residential units.

Leonard Cole, Urban Core Ventures, owner, and Des Bazett of Vic Davies Architect Ltd., attended to outline the proposal.

Leonard Cole commented that he has done a similar type of development in the City of Victoria. He commented that the building is a four storey, mixed commercial/residential use, permitted within the zone. The unit sizes are small, offering affordability.

The applicant commented that the proposal is in keeping with the guidelines of the Official Community Plan.

Des Bazett outlined the design of the building, indicating the lobby, garbage and recycling areas. He described the layout of the units, that there were 14 units per floor, 310 to 410 sq. feet, including full bath, kitchen/sleeping areas. Second floor units were larger.

He also outlined the roof top patio area, furniture and plantings. This space is for use by all residents. He also outlined the landscape plan for the members.

The designer described the finishes, colours and materials proposed for use on the building. He indicated that the building would be constructed to meet "Built Green" silver standards.

Des Bazett outlined the reason for the parking variances were being requested. He indicated that the nature of suites lent themselves to single occupancy. The project was providing 1 bicycle space per unit and 1 locker per unit. The location is well served by 4 transit routes, with easy access to every part of the City.

Des Bazett commented that the OCP encourages various types of housing, an affordable Core, high amenities, allows people to mix, bicycle and additional storage, he feels that this proposal appropriate for this area.

APC Discussion:

Amy Higginbotham asked the applicant what segment of the market was being targeted.

Leonard Cole informed the Commission that he expected interest from many groups, not just young persons and military personnel. He indicated he had met with Henry Kamphof, Capital Region Housing Corporation, to inquire about their involvement in assisting in financing the project.

He commented that the size of the units and the location makes it affordable and that not everyone needs a car.

In response to a question from Amy Higginbotham inquiring how will the parking spaces be controlled, the applicant responded that he was exploring a number of options including residents renting a spot from the commercial unit owner who would control all the parking spaces, spots would be allocated on a first come, first serve basis to renters, or spaces being sold with individual units.

Lorne Argyle inquired about accessibility.

Des Bazett advised that 10 units were fully accessible with doors wide enough for walkers and wheelchairs, push button electric doors, grab bars, and appropriate flooring to accommodate wheelchairs. There is a place for electric scooters to be plugged in down with the bicycle storage. Laundry facilities are located in all in the suites.

Lorne Argyle inquired if there was a handicap drop in front to service handi-dart.

Des Bazett commented that there could be a comfortable drop-off in front of the building.

Lorne Argyle asked the applicant if the units were rental or strata?

Leonard Cole advised that the building would be stratified and that he may be forced to sell some of the units to make the project financially viable.

Christopher Smith asked about neighbourhood consultation in the general area and the area of the Esquimalt Village Plan. He would prefer to look at the bigger picture and not development in isolation.

Trevor Parkes, Staff Liaison, advised that Commission that this application was for a Development Permit, reviewing the form and character. The proposed use is permitted under the existing C-3 zone. He advised the Commission that as this is not a rezoning application, Council Policy PLAN-25 does not apply. As there are variances required for the project to be approved, should Committee of the Whole support the application, notices would be sent out regarding the variance to owners/occupiers within 50 metres of the subject property indicating the date of the Variance Hearing.

Trevor Parkes advised that the design is consistent with the general direction within the OCP. The proposal has units that are accessible, the first one of this type.

Amy Higginbotham asked for clarification, that he was going to sell off part of the building.

The applicant responded that he may have to sell some of the units off. He suggested that he could register a Covenant that there would always be some units available for rental.

Amy Higginbotham inquired about the C-3 density.

Trevor Parkes, Staff Liaison, commented the C-3 zone has no density regulation, rather, development is controlled by building height and the size of site.

Amy Higginbotham commented that creating rental accommodations was great. She expressed concern about the proposed size of the units; indicating she felt they were too small. Her concern is that the small units may not attract individuals that are tied to the community.

She also expressed concern regarding the number of parking variances. She stated she was not in favour.

RECOMMENDATION:

Moved by Lorne Argyle, second by Wes Nelson, 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 Vic Davies Architect stamped "Received September 14, 2011", and sited as detailed on the survey plan prepared Powell and Associates, BC Land Surveyors, stamped "Received September 14, 2011", and including the following relaxations to Zoning Bylaw, 1992, No. 2050 and Parking Bylaw, 1992, No. 2011, for the proposed development located at 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 Against**

VII. PLANNER'S STATUS REPORT

Trevor Parkes, presented the following status report on recent applications.

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, send notification, and advertise as required. The application has been placed in abeyance at the request of the applicant pending conclusion of negotiations with the neighbouring property owner relating to traffic issues.

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, send notification, and advertise as required. Public Hearing occurred September 19, 2011 and the amending bylaw received 3rd reading and adoption.

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, send notification, and advertise as required. Public Hearing occurred September 19, 2011 and the amending bylaw received 3rd reading and adoption.

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. Hearing occurred September 19, 2011 and the DVP was approved by Council

521-529 Comerford Street: [OCP Amendment] Staff presented the amending bylaw for 1st and 2nd reading at the regular meeting of Council on August 29, 2011. Council considered the amending bylaw and directed staff to schedule a Public Hearing, send notification, and advertise as required. Public Hearing occurred September 19, 2011 and the amending bylaw received 3rd reading and adoption.

472/474 Nelson Street: [DVP for increase to Lot Coverage and reduction to Front 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.

1037 and 1039 Lyall 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.

1149 Esquimalt Road: [DP for Commercial Renovation] COTW moved that the application be forwarded to Council with a recommendation of approval.

VIII. COUNCIL LIAISON

Councillor Brame reported that Council, like the Advisory Planning Commission, struggled with the decision, trying to focus on the DP versus the type of business for the Money Mart application for the office space at 1149 Esquimalt Road. Council determined that they had to be very careful about curtailing types of businesses, it could have a “back-firing” effect.

Councillor Brame informed the Commission, that Council has directed Staff to research diversification of Esquimalt business and limit repetitiveness of businesses within the community.

Councillor Brame informed the Commission that there would be a non-binding Referendum question regarding the EVP amendments at the November elections.

Also, there is an “All Candidates” debate on November 9th.

IX. NEW BUSINESS

Wes Nelson commented that he finds it difficult when minutes are distributed on at the evening of a meeting, not accompanying the previously distributed agenda. Minutes should never be two months late.

X. NEXT REGULAR MEETING

Tuesday, October 18th, 2011

XI. ADJOURNMENT

On motion the meeting adjourned at 8:45 p.m.