



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

**ADVISORY PLANNING COMMISSION
MINUTES**

TUESDAY, NOVEMBER 15, 2011

7:00 P.M.

ESQUIMALT COUNCIL CHAMBERS

MEMBERS: Joanne Kimm, Chairperson
Lorne Argyle
Pete Hartman
Amy Higginbotham
Wes Nelson
Joy Palmeter
Christopher Smith

COUNCIL LIAISON: Meagan Brame

STAFF LIAISON: Trevor Parkes, Senior Planner

SECRETARY: Marie Letham

There were three members of the public present.

1. CALL TO ORDER

The meeting was called to order at 7:00 p.m. by the Chairperson who outlined the meeting procedures.

II. LATE ITEMS

Correspondence regarding Rezoning Application at 616 Lampson Street

Two letters were handed to the Secretary from neighbouring property owners at 612 Lampson Street and 620 Lampson Street.

It was moved by Wes Nelson, seconded by Lorne Argyle to accept the late items and review them under Item VI.(i) Staff Reports, Rezoning and Development Permit application for 616 Lampson Street.

The motion **CARRIED UNANIMOUSLY.**

III. ADOPTION OF THE AGENDA

Moved by Lorne Argyle, seconded by Amy Higginbotham that the agenda as amended be approved.

The Motion **CARRIED UNANIMOUSLY.**

IV. ADOPTION OF MINUTES

Minutes – Regular Meeting October 18th, 2011

Moved by Joy Palmeter, seconded by Lorne Argyle that the minutes be approved as distributed.

The Motion **CARRIED UNANIMOUSLY.**

V. BUSINESS FROM MINUTES

There was no business from the Minutes.

VI. STAFF REPORTS

(1) Rezoning and Development Permit

**Ron Warrington [Van-Isle Project Management Ltd] Owner/Applicant
616 Lampson Street
[Lot 5, Section 11, Esquimalt District, Plan 4619]**

Trevor Parkes, outlined the request for rezoning from RD-3, Two Family Residential to a Comprehensive Development Zone to put a second dwelling at the front of the lot. This project meets the intent of the OCP guidelines for an Infill project.

Ron Warrington, Van-Isle Project Management Ltd., accompanied by his son, and John Keay, Architect, Keay & Associates were in attendance to present the proposal to the Commission.

John Keay described the project to the Commission members, referring to the streetscape, reviewed the site, and state of the retaining wall.

Using the elevation drawings and colour board, the architect explained the choice of colours, illustrating that they are sympathetic to the other buildings in the neighbourhood. The colour on the new proposed building would replica those on the existing building. He also explained the choice of materials and the use of batten board and shingles.

He advised that the interior of the new building would be an open plan with 3 bedrooms, and would suit the neighbourhood.

Ron Warrington commented that the existing building is a charming, 1930's dwelling, in its original state on the exterior. The interior has been almost completely re-done, the bathroom has been redone and painted throughout. New windows have been installed keeping in character with the vintage of the house. He commented that this is good house to keep, still affordable for young families.

He commented about the landscaping; large trees to be retained, they will be removing the evasive plants and replanting with native plants. He referred the Commission members to the landscape plan.

APC QUESTIONS

Wes Nelson inquired if the proposed lot would have greenery between it and the driveway.

The applicant, referring to the landscape plan, commented that it is open between the 2 lots with a narrow landscape strip.

Joy Palmetter referred to Mr. East's concern regarding losing his view.

Ron Warrington replied that he is not sure how much a view he has, as the lot is heavily treed.

John Keay advised that the tree screening for new house would be very heavy in summer. It would be different in the winter time. They are not going to be thinning out any trees.

Lorne Argyle, referred to the Green Checklist No. 37, regarding heating efficiency and inquired of the applicant the type of heating.

Ron Warrington responded that there is a gas-fired furnace and it is intended to install a heat pump system.

Lorne Argyle, referred to No. 38 on the Green Checklist and asked if the house would be solar ready?

Staff Liaison commented that the Provincial Government requires that all new single family dwellings and single family dwellings with a suite must be Solar Hot water ready. He commented that it makes a retrofit easier, and it is not insurmountable.

The applicant commented that the building would be solar ready as required.

John Keay, architect, added that in the design, that the location of the windows captures solar energy in a comfortable way – passive solar element.

The applicant advised that the hydro would be underground.

Lorne Argyle commented to the applicant that taking the hydro underground must be difficult.

The applicant responded that it was but Esquimalt's Development Control Bylaw regulates that all new construction, hydro must go underground.

JoAnne Kimm commented she had no major concerns.

Public Input

Sarah Cook, owner, 612 Lampson Street, stated that she had a conversation with Ron Warrington on Sunday, November 13, 2011. She commented that she is not totally against the development. She would like some assurance that if the development is approved that there would be some improvements – installation of new hedging along the property line, replacement of trees, construction of a more robust retaining wall. With referral to her letter she outlined the following concerns:

- Loss of privacy;
- Increased noise (construction and street traffic);
- Loss of green space, bird habitat, lovely views, significant privacy and mitigation of noise from Lampson Street;
- Further collapse of existing retaining wall with increase in use;
- Maintenance of property as a non-owner-occupied development;
- Possible reduction in property value resulting from increase in density, loss of privacy.

Ron Warrington, replied that he would work with the neighbours. They would be retaining the natural and native plants. The hedging in the front is unruly, they will be cleaning and trimming it.

Pete Hartman inquired if the hedging was on 612 Lampson Street or 616 Lampson Street.

Sarah Cook replied that the hedging is on the property at 616 Lampson Street.

The applicant commented that they will retain the mature hedging along the sidewalk.

Amy Higginbotham commented to Sarah Cook that there does not appear to be much privacy in the back yard.

Sarah Cook commented that 612 and 616 Lampson Street share an easement, which has only left a narrow strip (approximately 12 ft) in the back yard.

Sarah Cook, also presented the concerns of Mr. Howard East, owner 620 Lampson Street. His concerns are:

- Loss of views (currently enjoys views of ocean and mountains)
- Loss of natural light;
- Loss of privacy;
- Increased noise;

Mr. East requests that the developer consider building at the west end so he can maintain a view and as much sunlight as possible.

APC Discussion

Pete Hartman commented that he thought it was a great development that he could support, clean, details. The existing property needs to be cleaned up.

Lorne Argyle, Christopher Smith, Joy Palmetter and Amy Higginbotham had no further questions or comments.

RECOMMENDATION

Moved by Pete Hartman, seconded by Wes Nelson that the Esquimalt Advisory Planning Commission [APC] resolved 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 Keay and Associate, Architecture Ltd., stamped "Received October 25, 2011", and on the landscape plan prepared by LADR Landscape Architects, stamped "Received October 25, 2011", be forwarded to Council with a **recommendation of approval**.

The Motion **CARRIED UNANIMOUSLY**.

VII. PLANNER'S STATUS REPORT

1054 Colville Road: [DP for Two Family Residence] At the regular meeting held November 14, 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.

601/605 Canteen Road: [DVP for exemption from the Exterior Side Setback requirement] At the special meeting held October 24, 2011 COTW moved that the application be forwarded to Council with a recommendation of approval, subject to staff completing appropriate notification and a Variance Hearing being held. Hearing was held November 7, 2011 and the DVP was approved.

1026 Tillicum Road: [DP for Two Family Residence] At the special meeting held October 24, 2011 COTW forwarded the application 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 November 7, 2011 and the DP was approved.

521-529 Comerford Street: [DP Including siting and Parking Variances] COTW disagreed with the staff recommendation and forwarded the application to Council with a recommendation of approval, subject to staff completing appropriate notification, a Variance Hearing being held and staff returning a Development Permit to Council for consideration. COTW encouraged the applicant to consider improving the parking ratio by reducing the number of units and providing transit passes or a Car Share vehicle to offset the proposed parking reduction. Hearing was held November 7, 2011 and staff presented the amended Development Permit [40 units] including variances to Council. The application was denied.

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. Staff presented the amending bylaw for 1st and 2nd reading at the regular meeting of Council on October 3, 2011. Council considered the amending bylaw and directed staff to schedule a Public Hearing, send notification, and advertise as required. The Public Hearing occurred November 7, 2011 and the amending bylaws were given 3rd reading and adoption.

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.

The applicant was unable to successfully negotiate a resolution to outstanding traffic issues. Accordingly, modifications to the proposed site layout and landscaping were required. The updated amending bylaw accommodating these changes was presented to Council October 17, 2011. First and 2nd reading was given to the bylaw and staff were directed to schedule a Public Hearing, send notification, and advertise as required.

The Public Hearing occurred November 7, 2011. The amending bylaw was given 3rd reading and staff was directed not to return the amending bylaw and development permit to Council prior to the applicant entering into a legal agreement to ensure that the developer assumes responsibility for the costs for the off-site works on Esquimalt Road and lost infrastructure on Esquimalt Road. Staff are working with the applicant to resolve this issue and return the application to Council.

VIII. COUNCIL LIAISON

Councillor Brame advised the Commission that the project at 856 Esquimalt Road (the Cambie) had third reading. The Comerford project was declined, Council was concerned about the lack of parking spaces.

A general discussion took place regarding the project for 521 Comerford Avenue. Members queried, if the plans were amended between being reviewed by the APC and the Committee of the Whole, why the amended plans were not brought back to the APC.

Staff Liaison, Trevor Parkes advised that the plans reviewed are concept plans, and if significant changes are made to the form and character of the project, the revised plans would come back to the APC for review. As this application was denied, the applicant will have to come back with a new application which will come to the APC for review.

IX. NEW BUSINESS

There was no new business presented.

X. NEXT REGULAR MEETING

Tuesday, December 20th, 2011

XI. ADJOURNMENT

On motion the meeting adjourned at 8:30 p.m.

Certified Correct
Chairperson