



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

Minutes - Draft

Advisory Planning Commission

Municipal Hall
1229 Esquimalt Road
Esquimalt, B.C. V9A 3P1

Tuesday, June 16, 2020

7:00 PM

Esquimalt Council Chambers

Present: 6 - Chair Graeme Dempster
Vice Chair Michael Angrove
Member Chris Munkacsi
Member Duncan Cavens
Member Filippo Ferri
Member Helen Edley

Absent: 1 - Member Marie Fidoe

Commission Members Michael Angrove and Helen Edley attended via conference call.

Council Liaisons: Councillor Meagan Brame (via conference call)
Councillor Jacob Helliwell (via conference call)

Staff: Bill Brown, Director of Development Services, Staff Liaison
Karen Hay, Planner
Alex Tang, Planner
Pearl Barnard, Recording Secretary

1. CALL TO ORDER

Chair Dempster called the Advisory Planning Commission meeting to order at 7:02 PM.

2. LATE ITEMS

There were no late items.

3. APPROVAL OF THE AGENDA

Moved by Member Cavens, seconded by Member Ferri: That the agenda be approved as circulated. Carried Unanimously.

4. MINUTES

1) [20-253](#) Minutes of the Advisory Planning Commission Meeting, May 19, 2020

Moved by Member Ferri, seconded by Member Munkacsi: That the minutes of the Advisory Planning Commission, May 19, 2020 be adopted as circulated. Carried Unanimously.

5. STAFF REPORTS

1) [20-223](#) Zoning Text Amendment - 836 (834) Devonshire Road

(Lighthouse Brewery)
Report No.: APC-20-004

Anthony Mazzei & Ben Thomas, Lighthouse Brewing Company provided an overview of the Zoning Text Amendment Application for 836 (834) Devonshire Road via telephone.

Commission comments and questions included (*Response in italics*):

* Members liked the plan and appreciate what Lighthouse Brewing Company have done for the community over the years.

* What feedback did you get from the residents during your neighbourhood consultation? *Generally, the feedback was positive, while many residents were not aware that a brewery existed at that location. A direct neighbouring business just wanted to ensure that this did not affect their business in regards to parking and safety around forklifts.*

* What are the hours of operation? Currently, the tasting room is open Tuesday to Saturday from 12:00pm to 6:00pm. Typically, it would stay open till 9:00pm in the summer. With an endorsement license, it would probably be open everyday.

* What is the reason for the restriction of a “tasting room”? *Staff advised that liquor lounges are a permitted use in some commercial zones but not a permitted use in the light industrial zone.*

* Can we restrict that liquor lounges be connected to the manufacturing of beverage on site? *Staff advised the provincial licenses requires that they have manufacturing, and zoning would likewise tie the lounge to the manufacturing.*

Moved by Chair Dempster, seconded by Member Munkacsi:

1. That the application for rezoning, authorizing the conversion of the ‘Tasting Room’ at the Lighthouse Brewing Company to a ‘Liquor Lounge’, as illustrated in the drawings stamped Received March 2, 2020 for 836 (834) Devonshire Road [PID 000-047-341; Lot 1, Section 10, Esquimalt District, Plan 27158] be forwarded to Council with a recommendation by the Advisory Planning Commission to approve as a liquor lounge in the Industrial Zone will support the Township’s economic activity and the local business.

2. That the staff proposal to add a 50 square metre Liquor Lounge as a permitted use for every Beverage Manufacturing operation in Esquimalt be forwarded to Council with a recommendation by the Advisory Planning Commission to approve as a liquor lounge in the Light Industrial Zone will support the Township’s economic activity and local businesses. Carried Unanimously.

2) [20-278](#) Development Variance Permit Application - 955 Colville Road
Staff Report No.: APC-20-007

Ryan Jabs, Lapis Homes Ltd. provided an overview of the Development Variance Application for 955 Colville Road via telephone.

Members expressed no concerns.

Moved by Member Munkacsi, seconded by Member Ferri: That the application for a Development Variance Permit authorizing an increase to the height of the retaining wall in the south-west corner of the property as sited on the survey plan prepared by Summit Land Surveying, the Engineering drawings by Farhill Engineering Ltd., and consistent with the architectural plans provided by T-Square Design, all stamped "Received June, 3, 2020" and including the following variance for the property located at 955 Colville Road [PID 030-922-852; Lot A, Section 10, Esquimalt District, Plan EPP96394], be forwarded to Council with a recommendation by the Advisory Planning Commission to approve as the retaining wall is appropriate to the land use and will only be visible by those visiting the townhouse complex and not from Lampson Street.

Zoning Bylaw, 1992, No. 2050, Section 67.99 (12)(a) Retaining Walls: A 0.5 metre increase to the permitted height of a retaining wall provided they are located within 4.3 of the Rear Lot Line [i.e. from 1.5 metres to 2.0 metres]. Carried Unanimously.

3) [20-292](#) Development Permit and Development Variance Permit - 923 Craigflower Road, Staff Report No. APC-20-009

Matthew H. Smith, Inner Vision Design and Mark Ollerton, owner provided an overview of the Development Permit and Development Variance Permit Application for 923 Craigflower Road via telephone.

Commission comments and questions included (*Response in italics*):

- * Members praised the design as it compliments the existing house.
- * The proposal will be a nice addition to the neighbourhood. Members liked that the applicant is preserving an arts and crafts house in the area.
- * Is the lot next door part of the 874 Fleming Street project? No, it is a vacant lot, zoned medium density residential
- * Members liked the native species plantings.
- * Members had mixed opinions about the variances requested. Some members felt that the applicant has done a good job of siting the building as variances would be required due to the unique shape of the lot. Others felt that the magnitude of the variances is too much and the justification for the variance wasn't sufficient. The applicant's desire to have more cars contradicts with the guidelines in the natural environment development permit area.
- * Members thought that the impact on neighbouring properties would be lesser since they are not Single Family Homes.

Moved by Member Ferri, seconded by Member Cavens: That the application for a Development Permit and a Development Variance Permit, authorizing construction of a detached garage as illustrated in the plans prepared by Matthew Smith representing Inner Vision Design, stamped "Received April 30, 2020" and sited in accordance with the BC Land Surveyor's Site Plan prepared by Explorer Land Surveying, stamped "Received May 6, 2020", and including the following variances for the

property located at 923 Craigflower Road [PID 003-795-284 Lot D, Section 10, Esquimalt District, Plan 1027] be forwarded to Council with a recommendation by the Advisory Planning Commission to approve as the proposal fits in with the neighbourhood and the variances will not impinge on the residents on adjacent properties.

Zoning Bylaw, 1992, No. 2050, Section 34 (6)(b) - Building Height: A 1.0 metre increase to the requirement that no Accessory Building shall exceed a Height of 3.6 metres [i.e. from 3.6 metres to 4.6 metres].

Zoning Bylaw, 1992, No. 2050, Section 34 (8)(b) - Lot Coverage: A 1.3% increase to the requirement that all Accessory Buildings and Structures combined, shall not cover more than 10% of the Area of a Parcel [i.e. from 10% to 11.3%].

Zoning Bylaw, 1992, No. 2050, Section 34 (9)(a)(i) - Siting Requirements - Principal Building: A 5.0 metre reduction to the requirement that no Principal Building shall be located within 7.5 metres of the Front Lot Line [i.e. from 7.5 metres to 2.5 metres].

Zoning Bylaw, 1992, No. 2050, Section 34 (9)(b)(ii) - Siting Requirements - Accessory Building: A 0.5 metre reduction to the requirement that no Accessory Building shall be located within 1.5 metres of an Interior Side Lot Line nor 3.6 metres of an Exterior Side Lot Line [i.e. from 1.5 metres to 1.0 metre].

Zoning Bylaw, 1992, No. 2050, Section 34 (9)(b)(iii) - Siting Requirements - Accessory Building: A 0.5 metre reduction to the requirement that no Accessory Building shall be located within 1.5 metres of a Rear Lot Line [i.e. from 1.5 metres to 1.0 metre].

Zoning Bylaw, 1992, No. 2050, Section 34 (9)(b)(iv) - Siting Requirements - Accessory Building: A 0.8 metre reduction to the requirement that no Accessory Building shall be located within 2.5 metres of a Principal Building [i.e. from 2.5 metres to 1.7 metres].

Parking Bylaw, 1992, No. 2011, Section 14 (1) - Dimensions of Off-Street Parking Spaces: A 0.4 metre reduction to the requirement that Parking Spaces provided in conjunction with any single family or two family land use shall be a minimum of 2.6 metres wide by 5.5 metres deep provided that up to 50% of the total required Parking Spaces may be design for small cars by reducing the depth of the stall to 4.5 metres [i.e. from 2.6 metres wide to 2.2 metres wide]. Motion Carried

In Favour: 5 - Chair Graeme Dempster, Member Chris Munkacsi, Member Duncan Cavens, Member Filippo Ferri and Member Helen Edley

Opposed: 1 - Vice Chair Michael Angrove

Absent: 1 - Member Marie Fidoe

4) [20-276](#) Development Permit and Development Variance Permit Application - 1085 and 1093 Gosper Crescent

Natalie Saunders, Java Designs provided an overview of the Development Permit

and Development Variance Permit Application for 1085 and 1093 Gosper Crescent via telephone.

Commission comments and questions included (*Response in italics*):

- * Member noted that there may be daylight shading concerns with the rear setback, but it was also noted that the topography slopes upward such that the effect would be minimized. Furthermore, the variance to the rear setback is internal to the proposed development.
- * Members had mixed opinion about the placement of the parking space in the front of the house and the parking variance as some thought it was appropriate while others had concerns with the spillover.
- * Member noted that the parcel size is more than adequate as a variance for minimum parcel size would not be required in several neighbouring municipalities.
- * The proposed house is incongruent to the larger homes and lots in the neighbourhood. Concerns with the streetscape, as the design of the house doesn't fit in with the 1970s houses with carports.
- * Concern that mature trees will be removed.

Moved by Vice Chair Angrove, seconded by Member Munkacsi:

1. That the application for a Development Permit for a new single family dwelling, consistent with the architectural plans and landscape plan provided by Java Designs, both stamped "Received June 9, 2020", and sited in accordance with the surveyor's site plan provided by James Worton, B.C.L.S., stamped "Received May 26, 2020" as part of a 3-lot subdivision that includes 2 existing single family dwellings be forwarded to Council with a recommendation by the Advisory Planning Commission to approve as the variances are relatively minor and would not be variances in other Municipalities in the region.

2. That the Development Variance Permit including the following variances to Zoning Bylaw, 1992, No. 2050 and Parking Bylaw, 1992, No. 2011, specifically for the proposed Lot 'B' as delineated in the surveyor's site plan provided by James Worton, B.C.L.S., stamped "Received May 26, 2020" for the properties located at PID 005-164-194, Lot 1, Block 1, Section 10, Esquimalt District, Plan 11214 [1085 Gosper Crescent] and PID 005-916-445, Lot 40, Section 10, Esquimalt District, Plan 5726 [1093 Gosper Crescent] be forwarded to Council with a recommendation by the Advisory Planning Commission to approve as the variances are relatively minor and they would not be variances in other Municipalities in the region.

Zoning Bylaw, 1992, No. 2050, 34 (2) - Parcel Size: Reduction for the minimum Parcel Size for Parcels created by subdivision from 530.0 square metres to 472.0 square metres.

Zoning Bylaw, 1992, No. 2050, 34 (9)(a)(iii) - Rear Setback: A 3.5 metre reduction to the requirement that no Principal Building shall be located within 7.5 metres of a Rear Lot Line. [i.e. from 7.5 metres to 4.0 metres]

Zoning Bylaw, 1992, No. 2050, 34 (2) - Area, Shape and Dimension of

Lots: Exemption from the prohibition that no subdivision shall be created in any Zone so that any Parcel created by the subdivision has an area or dimension less than that set out for the Zone in which it is located as specified in the Zoning Bylaw

Parking Bylaw, 1992, No. 2011, (9)(4) - Exemption from the requirement that Parking Spaces in Residential zones shall be located no closer to the front lot line than the front face of the Principal Building.

Parking Bylaw, 1992, No. 2011, 13 (1)(i) - Number of Off-Street Parking Spaces: Specifically for Lot B, a reduction of required parking spaces from 1 space per dwelling unit to 1 space for a single family dwelling and its corresponding secondary suite. Carried.

In Favour: 5 - Vice Chair Michael Angrove, Member Chris Munkacsi, Member Duncan Cavens, Member Filippo Ferri and Member Helen Edley

Opposed: 1 - Chair Graeme Dempster

Absent: 1 - Member Marie Fidoe

- 5) [20-287](#) Development Permit Application - 485 Head Street, Staff Report No. APC-20-008

Deborah Douez, owner provided an overview of the Development Permit Application for 485 Head Street via telephone.

Commission comments and questions included (*Response in italics*):

* Is this a Bed and Breakfast? *The property has been used in the past as a Bed and Breakfast and has a current Business License to operate one; however, it, has not been used as a Bed & Breakfast for the last 6 months.*

* Is there a difference between a Bed and Breakfast and a house with a secondary suite? *Staff provided the definition of a Bed and Breakfast.*

* In terms of allowing a variance to something that is considered hazardous, what are its legal implications? Staff advised that a variance is not being considered here and that this proposed renovation does not change the habitable area.

* Is the APC only considering this application because it is in the Tsunami zone? Yes.

Moved by Chair Dempster, seconded by Member Ferri: That the application for a Development Permit for the Protection of Development From Hazardous Conditions for a proposed front porch and deck be forwarded to Council with a recommendation by the Advisory Planning Commission to approve as the proposal will improve the appearance of the house and the tsunami zone is not material to the changes being proposed as the house already exist. Carried Unanimously.

- 6) [20-277](#) Development Variance Permit Application - 856 Isbister Street, Staff Report No. APC-20-006

Devin Perfect, owner provided an overview of the Development Variance Permit Application 856 Isbister Street via telephone.

Commission comments and questions included (*Response in italics*):

* Concerns with the lack of windows for a recreation room. *There are two windows, one at the side and one at the front and there is also a skylight in the stairway.*

* Township of Esquimalt needs to review the Parking Bylaw.

* Could you park a car beside the carport? *The area is fenced off and is used as a secure storage area.*

Moved by Member Cavens, seconded by Chair Dempster: That the application for a Development Variance Permit including the following variance to Parking Bylaw, 1992, No. 2011 for the property located at PID 002-702-193, Lot 5, Section 2, Esquimalt District, Plan 27374 except that part in Plan 916 BL [856 Isbister Street] be forwarded to Council with a recommendation by the Advisory Planning Commission to approve as it codifies how the current parking configuration is on the parcel.

Parking Bylaw, 1992, No. 2011, (9)(4) - Exemption from the requirement that Parking Spaces in Residential zones shall be located no closer to the front lot line than the front face of the Principal Building. Carried Unanimously.

- 7) [20-297](#) Proposed Text Amendment to Zoning Bylaw, 1992, No. 2050 Section 67.100 (4) Comprehensive Development District No. 114 [CD No. 114] 1198 Munro Street

Bryon Rotgans provided an overview of the Proposed Text Amendment to Zoning Bylaw, 1992, No. 2050 Section 67.100 (4) CD 114 for 1198 Munro Street via telephone.

Commission comments and questions included (*Response in italics*):

* Could the property be subdivided again? *Staff advised the S. 219 convent only allows 2 lots.*

Moved by Chair Dempster, seconded by Member Munkacsi: That the application to amend Section 67.100 (4) of the Zoning Bylaw, 1992, No. 2050, that would increase the density of the number of Dwelling Units permitted on Lot 1, Section 11, Esquimalt District Plan 44436 and in the CD No. 114 Zone from a limit of two [2], for a minimum density of one [1] unit per 357 square metres to a limit of three [3], for a minimum density of one [1] per 290 square metres be forwarded to Council with a recommendation by the Advisory Planning Commission to approve as this formalizes an oversight while this constitutes no change to what was proposed during the rezoning application. Carried Unanimously.

6. ADJOURNMENT

The Advisory Planning Commission meeting adjourned at 8:50 PM.

GRAEME DEMPSTER, CHAIR
ADVISORY PLANNING COMMISSION
THIS DAY OF _____, 2020

RACHEL DUMAS, CORPORATE OFFICER
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