



CORPORATION OF THE TOWNSHIP OF ESQUIMALT
ADVISORY PLANNING COMMISSION MEETING MINUTES
HELD ON
TUESDAY, MAY 16, 2017
ESQUIMALT COUNCIL CHAMBERS

MEMBERS PRESENT:	David Schinbein (CHAIR)	Berdine Jonker
	Graeme Dempster	Nick Kovacs
REGRETS:	Christina Hamer, Lorne Argyle and Amy Higginbotham	
STAFF LIAISON:	Bill Brown, Director of Development Services	
STAFF:	Karen Hay, Planner	
COUNCIL LIAISON:	Councillor Olga Liberchuk	
SECRETARY:	Pearl Barnard	

I. CALL TO ORDER

The Chair called the meeting to order at 7:00 p.m.

II. LATE ITEMS

No late items

III. ADOPTION OF AGENDA

Moved by Nick Kovacs, seconded by Graeme Dempster, that the agenda be adopted as circulated. The Motion **CARRIED UNANIMOUSLY.**

IV. ADOPTION OF MINUTES – February 21, 2017

Moved by Graeme Dempster, seconded by Nick Kovacs, that the minutes of the Advisory Planning Commission held February 21, 2017 be adopted as circulated. The Motion **CARRIED UNANIMOUSLY.**

V. BUSINESS FROM MINUTES

There was no outstanding business from the Minutes.

VI. STAFF REPORTS

1) DEVELOPMENT VARIANCE PERMIT

398 Constance Avenue

PID 009-337-288, Lot 6, Suburban Lot 51, Esquimalt District, Plan 61A

Karen Hay outlined that the applicant is seeking a Development Variance Permit to repair the existing deck which is deteriorating. Ms. Hay explained that the deck was built by a previous owner, without a permit, and is located partially on the neighbour's property. The applicant is proposing to remove the sections of deck that are currently on the neighbour's property. Due to the topography of the site, moving the deck any further from the property line would prove difficult and require removal of the stairs that access the backyard. Therefore, a variance is being requested. A development variance permit is required before a building permit can be issued for the repairs to the deck.

In attendance:

Attila Meszaros, owner / applicant

Will Nikl and William Ross, adjacent property owners in support of the application

Attila Meszaros outlined that they are proposing to keep the existing deck and also the portion of the stairs that are close to the property line.

APC Questions and Comments:

- A member applauded the applicant for coming forward and addressing this. The member then asked if the applicant had considered other options for the stairs. Mr. Meszaros advised that if the deck was cut back to meet the requirements, a new set of stairs with a landing would have to be built, which would be quite costly.
- A member asked staff if the house was also located over the property line. Ms. Hay advised that the corner of the house is located on the other property and clarified that there is an easement agreement for the house, but not for the deck.
- A member asked if the neighbours were aware of the plans to repair the deck. The two neighbours present advised they are aware of the work and are 100% supportive of the project. Everything that is being done will make a vast improvement to the neighbourhood.

RECOMMENDATION:

Moved by Nick Kovacs, seconded by Graeme Dempster: The Advisory Planning Commission recommends to Council that the application for a Development Variance Permit authorizing the construction as shown on plans prepared by MTG Drafting, stamped "Received April 27, 2017", and sited as detailed on the survey plans prepared by Kenneth Ng, BCLS stamped "Received April 27, 2017 and including the following relaxations to Zoning Bylaw, 1992, No. 2050, for the development located at PID 009-337-288, Lot 6, Suburban Lot 51, Esquimalt District, Plan 61A [398 Constance Avenue], be forwarded to Council **with a recommendation of approval;**

Zoning Bylaw, 1992, No. 2050, Section 36. (9)(a)(ii) – Siting Requirements – Principal Building - A 2.9 metre decrease to the requirement that no principal building shall be located within 3.0 metres of an Interior Side Lot Line, specifically for the deck located at the rear of the principal building. [ie. from 3.0 metres to 0.1 metres]

For the following reason:

1. The proposal fits within the form and character of both the building and the neighbourhood. **The Motion CARRIED UNANIMOUSLY**

2) DEVELOPMENT PERMIT AND DEVELOPMENT VARIANCE PERMIT

1151 Colville Road

PID 006-327-800

Lot 10, Block 17, Section 10, Esquimalt District, Plan 2546

Bill Brown outlined that the applicant is proposing to remove the existing dwelling and construct a new side by side strata titled Two Family Residential dwelling on the subject property. The applicant has requested a variance to the side yard setback and has also interpreted the floor area calculation differently than the way the Township's staff has traditionally interpreted it. The property is currently zoned Two Family / Single Family Residential [RD-3]. This two-unit dwelling is subject to Development Permit Area No. 5 – Enhanced Design Control Residential; therefore a Development Permit is required before a Building Permit can be issued.

Daniel Brewster and Baldev Lalli, Owners and Guneet Lalli were in attendance.

Daniel Brewster and Guneet Lalli presented the application. Ms. Lalli and Mr. Brewster advised that they purchased their first home in Esquimalt and are very excited about it. They are proposing to remove the existing house and construct a new duplex to accommodate their family needs. They then gave an overview of the proposed building design, colours and materials and landscape plan for the project.

APC Questions and Comments:

- Members liked the design of the house.
- A member asked the applicants if they purchased the property with the intention to build. Mr. Brewster advised that the existing house doesn't meet their needs and the current zoning allows for two family dwelling units. A member then asked if they had considered splitting the lot and making two separate buildings. Mr. Brewster advised that that would require rezoning.
- Is solar ready being consider? Mr. Brewster advised that they are considering it. Another member commented that it is a requirement in Esquimalt.
- A member suggested they consider plug-ins for electric vehicles.
- Are you considering a basement suite? The applicants advised that the entire house is to be used as a family home.
- A member asked staff to elaborate on the specifics of the floor area calculation. Mr. Brown advised as per the Zoning Bylaw the calculation of floor area is measured from the inside walls (inside the exterior wall) and Storey is defined as the area from the floor to ceiling. The proposed plan has a big void area on the second floor, so the question is, is there a second floor in this void area or not? Member then commented that they thought the applicants interpretation of the floor area seemed reasonable
- A member asked about the height of the proposed home and expressed concerns that it might not fit in with the neighbouring homes. Mr. Brown clarified that it does not exceed the height requirement.
- A concern was raised that the heritage along Colville Road is not being preserved. Members commented to the Township that the neighbourhood along and around Colville Road is a unique neighbourhood in terms of the housing, it tells part of the story that is connected to military history and heritage. The neighbourhood is at the risk of being lost if we continue to hear arguments that small houses are not feasible. Would like to see some kind of consideration be given to looking at where a representative streetscape in that neighbourhood can be conserved as a place where these small homes are appreciated and considered to be viable and useable. Just because a building is old doesn't mean that is not viable or salvageable. Some caution has to be used in this neighbourhood otherwise; a whole part of our communities mid 20th century story and heritage will be lost.

RECOMMENDATION:

Moved by Berdine Jonker, seconded by Nick Kovacs: The Advisory Planning Commission recommends to Council that the application for a Development Variance Permit and a Development Permit limiting the form and character of the development, and authorizing the construction as shown on architectural plans prepared by Virtual Home Design stamped "Received January 31, 2017", and sited as detailed on the survey plans prepared by Explorer Surveying Inc., stamped "Received January 31, 2017", and including the following variance for the development located at 1151 Colville Road [PID 006-327-800] and legally described as Lot 10, Block 17, Section 10,

Esquimalt District, Plan 2546, be forwarded to Council **with a recommendation of approval**;

Zoning Bylaw, 1992, No. 2050, Section 40 (9) (a) (ii) Siting Requirements - Principal Building - Side Setback. A 0.83 metre reduction to the requirement that, "In the case where a Parcel is not served by a rear lane, one (1) Side Yard shall not be less than 3 metres" from 3.0 metres to 2.33 metres.

For the following reasons:

1. The proposal will be a positive contribution to the residential development in Esquimalt; and
2. The floor area calculation as put forward by the applicants is reasonable and acceptable. **The Motion CARRIED UNANIMOUSLY**

3) Interim Amendments To Zoning Bylaw 1992, No. 2050

To be brought back to the Advisory Planning Commission, due to loss of quorum.
Chair Schinbein needed to leave the meeting at 7:55 pm.

VII. STAFF LIAISON

No updates given

VIII. COUNCIL LIAISON

No updates given

IX. INPUT FROM APC TO STAFF

The Township should consider looking at a part of the Colville Road/Lockley Street neighbourhood (the wartime housing area) to be conserved as an historic part of Esquimalt, as it speaks to the Military history of our community. Bill Brown advised that they are currently reviewing the OCP and will add that into the OCP review and then bring it back.

X. NEW BUSINESS


XI. NEXT REGULAR MEETING

Tuesday, June 20, 2017

XII. ADJOURNMENT

On motion the meeting adjourned at 7:55 P.M.

CERTIFIED CORRECT:



CHAIR, ADVISORY PLANNING COMMISSION
THIS 20th DAY OF JUNE 2017



ANJA MURVO, CORPORATE OFFICER