



**CORPORATION OF THE TOWNSHIP OF ESQUIMALT**  
**ADVISORY PLANNING COMMISSION MEETING MINUTES**  
**HELD ON**  
**TUESDAY AUGUST 18, 2015**  
**ESQUIMALT COUNCIL CHAMBERS**

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<b>MEMBERS PRESENT:</b>	Nick Kovacs Lorne Argyle Amy Higginbotham	Mark Salter Christina Hamer David Schinbein
<b>REGRETS:</b>	Blair Bouchier Councillor Tim Morrison	
<b>STAFF LIAISON:</b>	Trevor Parkes, Senior Planner	
<b>COUNCIL LIAISON:</b>	Councillor Susan Low	
<b>SECRETARY:</b>	Simone Manchip	

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**I. CALL TO ORDER**

The meeting was called to order at 7:00 p.m. by the Staff Liaison

**II. ELECTION OF CHAIR**

Nominations were called for and Nick Kovacs was elected by acclamation as Chair for the year 2015/2016.

**III. ELECTION OF VICE CHAIR**

Nominations were called for and David Schinbein was elected Vice Chair by a 3 – 2 vote for the year 2015/2016.

**IV. LATE ITEMS**

None

**V. ADOPTION OF AGENDA**

Moved by Mark Salter to amend the agenda to move item VIII. Staff Reports ahead of item VII. APC 2015 Orientation, seconded by David Schinbein.  
The Motion **CARRIED UNANIMOUSLY.**

Moved by Mark Salter seconded by Christina Hamer that the agenda, as amended be adopted.  
The Motion **CARRIED UNANIMOUSLY.**

**VI. ADOPTION OF MINUTES – June 16, 2015**

Moved by Lorne Argyle seconded by Mark Salter that the minutes of the Advisory Planning Commission held June 16, 2015 be adopted as distributed.  
The Motion **CARRIED UNANIMOUSLY.**

**V. BUSINESS FROM MINUTES**

There was no outstanding business from the Minutes.

**VI. STAFF REPORTS**

**DEVELOPMENT VARIANCE PERMIT**

**464 Grafton Street**

**PID 007-474-032 Lot 17, Suburban Lot 29, Esquimalt District, Plan 1428**

**Purpose of the Application**

Trevor Parkes, Staff Liaison, outlined that the applicants are requesting approval of a Development Variance Permit [DVP] to authorize an existing fence, constructed 1.85 metres [6.1 feet] in height, in the front yard of 464 Grafton Street. Mr. Parkes confirmed that the applicant has stated that the purpose of the fence is to protect plants, shrubs and trees located in the front yard from the negative impacts of deer.

Mr. Parkes elaborated that Zoning Bylaw, 1992, No. 2050 restricts the height of fences in front of the front face of the Principal Building to 1.2 metres [4 ft.]. This regulation to fence height allows property owners to clearly demarcate private property yet still provide a neighbourly appearance to the street.

As detailed in the Fence Location Certificate and the site photos forming part of the staff report, the 1.85 metre, white, powder-coated aluminum fence has already been installed in the front yard of 464 Grafton Street and within the municipal boulevard. The RS-1 zoning only applies to that section of the fence located on private property, therefore a Development Variance Permit, should it be approved, would only apply to the portion of the fence located between the front lot line and the house.

The fencing located on public land is subject to a Boulevard Alteration Permit [BAP], for which the applicant has applied. Engineering Services staff have indicated the BAP must be approved by Council. Staff will ensure that both the BAP application and the DVP application will be considered concurrently at the same meeting of Council.

Kristina Weiss, Applicant/Owner presented the application.

Ms. Weiss explained that due to the destruction and decimation of the front garden and two fruit trees by the deer, the new fence was installed in May 2015 in order to keep the deer out of the yard.

Ms. Weiss commented that Canada Post plans to install a new community mailbox on the opposite side of her driveway on her neighbour's property. As such there will be an increase in foot traffic in front of her home and the new fence provides better sight lines than a hedge would.

**APC Questions/Comments:**

- Empathize with the applicant's plight and what they have been going through with the deer damaging their vegetation.
- Suggest that applicant move fence back onto private property prior to going to Council.

**RECOMMENDATION:**

Moved by David Schinbein, seconded by Mark Salter that the Advisory Planning Commission recommends to Council that the application for a Development Variance Permit authorizing the installation of a 1.85 metre fence in front of the front face of the Principal Building, constructed as shown on photographs submitted with the application stamped "Received July 24, 2015", and sited as detailed on the Fence Location Certification prepared by Glen Mitchell Land Surveying Inc., stamped "Received July 24, 2015", and including the following relaxation to Zoning Bylaw, 1992, No. 2050, be forwarded to Council with a recommendation for approval.

**Zoning Bylaw No. 2050, Section 34(10) – Fencing** - a 0.65 metre increase to the permitted fence height in front of the front face of the Principal Building from 1.2 metres to 1.85 metres.

The Motion **carried unanimously**.

**VII. APC ORIENTATION [Staff Liaison]**

Trevor Parkes presented a power-point orientation to the Commission members regarding planning principles and the general process for the Advisory Planning Commission.

The orientation clarified the differences between the OCP and the Zoning Bylaw and detailed the purpose of a Development Permit.

The presentation also informed the members of the conduct of APC meetings, the evaluation of proposed developments; the review of the project design; an explanation of the public process and neighbourhood involvement; type of recommendations that the Commission can make and how APC's minutes and recommendation are forwarded to Council.

**VIII. STAFF LIAISON**

**1038 Colville Road:** [Rezoning] APC recommended the application to change the zoning from RD-3 to a CD zone to allow the installation of two, single unit infill homes be approved on February 17, 2015. Application was presented to Council on May 25, 2015 and amendment bylaw was granted 1<sup>st</sup> and 2<sup>nd</sup> reading. Public Hearing occurred on June 22, 2015 and Council read the bylaw a third time withholding adoption pending registration of a S.219 Covenant prohibiting Secondary Suites. Staff are working with applicant to register covenant and will return to Council once covenant is registered.

**1360 Lyall Street:** [Development Permit] APC recommended the application for a duplex be approved subject to conditions. The applicant addressed the APC conditions and provided staff with required information so the application was presented to Council on July 6, 2015 and the Development Permit was approved.

**533 Admirals Road:** [Development Permit and Development Variance Permit] DRC reviewed application for a Retail Liquor Store last week and forwarded it to Council with a recommendation of approval with conditions. Applicant revised plans an application was presented to Council on July 6, 2015 and the Development Permit and the Development Variance Permit were approved.

**823 Macleod Ave:** [Development Variance Permit] APC forwarded the application for setback variances for an accessory building with a recommendation of approval. Application was presented to Council on June 22, 2015 and the Development Variance Permit was approved.



**1127 Lyall Street:** [Development Permit] APC recommended the application for a duplex be approved. Application was presented to Council on June 22, 2015 and Development Permit was approved.

**519 Foster Street:** [Rezoning] APC recommended the application to change the zoning from RM-1 to a CD zone to allow the installation of four townhomes be approved on May 19, 2015. Amendment Bylaw presented to Council on June 22, 2015 for consideration of 1<sup>st</sup> and 2<sup>nd</sup> reading which were granted and the Public Hearing occurred on July 13, 2015. After the Public Hearing closed Council read the bylaw a third time and adopted it.

**1102 Gosper Crescent:** [Development Permit] APC recommended the application for an infill home be approved on June 16, 2015. Council considered the application on July 6, 2015 and approved the Development Permit.

**Admirals Road Revitalization:** Road work scheduled for completion at the end of October 2015.

**973 Wollaston Street:** [Development Permit including Variances] On August 17, 2015 Council voted to allow the owner to re-apply for a Development Permit including Variances to authorize the retention of a deck constructed in contravention of an approved Development Permit and without the benefit of a Building Permit. Application will be presented at a future meeting of the APC.

#### IX. COUNCIL LIAISON

Councillor Low provided an update from the August 17, 2015 Council meeting.

- **856 Esquimalt Rd:** 2 Burley Men Moving have rented the commercial space to operate out of. Council tabled the Temporary Use Permit and requested that Staff review the hours of operation.
- **973 Wollaston Street:** Council is allowing the Applicant to re-apply one more time for a Development Permit (DP) to authorize the retention of a deck constructed in contravention of a Development Permit. Council waived the DP fees for the new application. The application will be presented again to the Advisory Planning Commission.

#### X. INPUT FROM APC TO STAFF

Staff confirmed that the next Design Review Committee (DRC) is scheduled for Wednesday September 9, 2015 at 3:00 pm. DRC meetings are held every second Wednesday of each month.

#### XI. NEW BUSINESS

None

#### XII. NEXT REGULAR MEETING

Tuesday, September 15, 2015

#### XIII. ADJOURNMENT

On motion the meeting adjourned at 9:00 P.M.

CERTIFIED CORRECT:



CHAIR, ADVISORY PLANNING COMMISSION

THIS 15 DAY OF September , 2015



ANJA NURVO,  
CORPORATE OFFICER