

# TOWN OF SIDNEY

## ADVISORY PLANNING COMMISSION MEETING MINUTES

August 21, 2018

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### **PRESENT:**

Chairperson: Don Carscadden

Members: Art Finlayson, Brian Losie, Debbie Gray, Denny Gelinias, Graden Sol, Jane Hall, Jason Rodd and Jordan Templeman

Council Liaison: Councillor Mervyn Lougher-Goodey

Staff: Corey Newcomb, Acting Manager of Planning  
Yazmin Hernandez Banuelas, Municipal Planner  
Alissa McCrea, Administrative Assistant

Absent: Terry Johnston

### 1. **ADOPTION OF AGENDA:**

Moved by Brian Losie, seconded by Art Finlayson, that the Agenda be adopted as circulated.

**MOTION CARRIED UNANIMOUSLY**

### 2. **ADOPTION OF MINUTES:**

Moved by Graden Sol, seconded by Jordan Templeman, that the Minutes of August 7, 2018 be adopted as circulated.

**MOTION CARRIED UNANIMOUSLY**

### 3. **DEVELOPMENT PERMIT APPLICATION NO. DP100762 AND DEVELOPMENT VARIANCE PERMIT APPLICATION NO. DV100265:**

9861 Third Street

#### **PROPOSAL:**

- The proposal is for a 4-storey multi-family residential development containing a total of 34 multi-family dwelling units.
- The proposal is consistent with the Town's density regulations and is within the range of "bonus density" for the RM7 zone.
- Variances are requested to allow: balconies and eaves to project into required setbacks, a reduction in the drive aisle width, and changes to the adaptable unit requirements.
- The proposal is consistent with key objectives and policies contained within the Official Community Plan that support higher densities of residential development in the areas near Sidney's downtown.

- This proposal was originally scheduled for Council's review at the June 4<sup>th</sup>, 2018 Committee of the Whole Meeting. The staff report for the original proposal recommended a project redesign. Upon review of the report recommendation, the applicant requested the item be removed from the June 4<sup>th</sup> meeting agenda in order to address Staff concerns. The revised set of plans were submitted on July 16, 2018 and were reviewed by Council on August 13, 2018 and forwarded to APC for review and comment.

Yazmin Hernandez Banuelas gave an overview of the proposed development.

*Commission Member J. Hall arrived at 3:06 p.m.*

Presenter: Charles Kierulf, Project Architect

Mr. Charles Kierulf, Architect, presented the proposal for a 4-storey multi-family development at the corner of Third Street and Sidney Avenue, highlighting the following:

- 34 residential units of varying sizes, all to be constructed to the District of Saanich's adaptable unit standards;
- The corners of the building have been stepped in rather than stepping back the floors in order to make the building feel narrower;
- The Lobby entrance will be located on Third Street;
- Access to parking will be off of Sidney Avenue;
- 34 underground parking spaces are proposed, each with bicycle parking;
- The sidewalk on third street will be extended to the north and additional trees will be planted along Sidney Avenue;
- The existing trees on the boulevards facing onto Third Street and Sidney Avenue are to be retained; and
- Exterior materials will include fibre cement paneling, stone veneer, cedar siding, sandblasted concrete and a metal roof.

Mr. Charles Kierulf advised that 4 variances are being requested; to reduce the width of the driveway aisle, to allow the balconies to project into the setbacks, to allow eaves to project into the setbacks and to allow changes to the adaptable units (to the District of Saanich's adaptable unit standards).

Members of the Commission had no concerns regarding the variance requested for the balconies and eaves projecting into the setbacks.

Members discussed the reduction in drive aisle width and questioned the applicant on any proposed measures to manage vehicular flow. The applicant advised a light system, similar to a traffic signal, would most likely be part of the underground parking.

Extensive discussion was had by the Commission in regards to the variance request to alter the adaptable unit requirements. Specific concern was raised in regards to the accessibility of the kitchen, washroom and laundry facilities. As outlined by Member A. Finlayson, the current adaptability requirements respond to a careful assessment of the accessibility needs of residents, as well as the need to ensure adaptability is an integral part of the local housing stock. Members recognized the Town of Sidney's requirements set a higher standard of adaptability than those in the District of Saanich.

Members of the Commission expressed mixed opinions on the asymmetry of the proposed building design but generally most liked the overall design. Several Members of the Commission commented that they would prefer the stone veneer be carried into the centre of the front elevation,

replacing the white fibre cement siding. Additionally, Members expressed a desire for the southeast and southwest corner patios to wrap around to the south elevation and connect to Sidney Avenue, providing additional street presence on the south side of the property.

**Moved by Brian Losie, seconded by Jane Hall, that the Advisory Planning Commission recommends to Council that:**

- 1. The variance to relax the adaptable unit requirements be denied;**
- 2. Owners and tenants in occupation of property within 75m (246ft) of the property that is the subject of Development Variance Permit Application No. DV100265 (to allow balconies and eaves to project into required setbacks and to reduce the drive aisle width) be notified regarding the proposed variances and that any written correspondence received be forwarded to Council at the time of consideration of approval of the variance;**
- 3. Development Permit Application No. DP100762 (for the form and character of a 4-storey multi-family residential development containing 34 multi-family dwelling units) be brought before Council for consideration of approval if Council authorizes the issuance of the Development Variance Permit; and**
- 4. As conditions of approval of Development Permit Application No. DP100762, the property owner shall, prior to the issuance of Building Permit:**
  - a) Provide additional information prepared by a Professional Engineer confirming the functionality of the reduced drive aisle width prior to the application being presented to Council for approval;**
  - b) Alter the building design to add stone veneer in place of the white panel siding on the west elevation and wrap the patios around the south elevation of the building to provide more connection to Sidney Avenue;**
  - c) Submit a report by a certified Consulting Arborist to the satisfaction of the Director of Development Services, Engineering, Parks and Works and the applicant complies with the report recommendations to protect the three existing boulevard trees on the Third Avenue frontage as well as protect the fir trees located on the adjacent property to the east of the proposed development;**
  - d) Pay to the Town a deposit in the amount of 115% of the estimated cost to complete the hard and soft landscaping for the development; and**
  - e) Register a restrictive covenant on the title of the property prior to the issuance of Building Permit, prohibiting the future strata council from passing any bylaws that may restrict occupancy of the building based on age.**

**MOTION CARRIED 8:1**  
**OPPOSED: D. GELINAS**

*Commission Member A. Finlayson left the meeting at 4:17 p.m., citing a potential conflict of interest as his business partner is the Architect for the following development.*

**4. DEVELOPMENT PERMIT APPLICATION NO. DP100768 AND DEVELOPMENT VARIANCE PERMIT APPLICATION NO. DV100270:**

9824 Third Street

**PROPOSAL:**

- The proposal is for a 6-storey mixed-use building consisting of ground floor commercial and five upper floors containing a total of 12 multi-family dwelling units, with the building to be constructed on top of a two level parking garage.

- The development would have a Floor Area Ratio (FAR) of 2.99, which is in the “bonus density” range for the C1 (Downtown Commercial) zone and below the maximum permitted density of 3.0 FAR.
- The proposal is consistent with key objectives and policies contained within the Official Community Plan that support pedestrian-oriented commercial development, increased residential uses and additional height/storeys in certain locations in Sidney’s downtown.
- Parking for the building is located both in the first storey and underground, with the latter accessed via a vehicle lift. A total of 14 vehicle parking spaces would be provided on the property.
- The applicant is requesting variances for the height and number of storeys for the building. A parking variance has also been requested to allow more than 50% of the lot area to be utilized for parking and vehicle access.

Corey Newcomb gave an overview of the proposed development.

Presenter: Silvia Bonet, Finlayson Bonet Architecture, (Project Architect)

Ms. Silvia Bonet, Architect, presented the proposal for a 6-storey, mixed-use development along Third Street, highlighting the following:

- 12 residential units, with 1 commercial unit on the ground floor;
- Building will step back initially at the 4<sup>th</sup> floor and again at the 6<sup>th</sup> floor;
- 10 ft property dedication (at the rear) to the Town for mid-block connections;
- Lobby entrance and access to parking proposed to be located off of Third Street;
- Surface parking is to be located at the rear with a vehicle lift to the underground parking (14 spaces total);
- The Exterior colors are intended to compliment the new Cameo building to the north and the existing Meridian building to the south;
- Exterior materials will include panel siding, glass, stone veneer, wood grain synthetic material and a sloped roof.

Ms. Bonet advised that 3 variances are being requested to increase height, increase the number of storeys and to allow more than 50% of the lot area to be utilized for parking and vehicle access. Ms. Bonet noted that although the proposed building would have 6 storeys similar to the Cameo building to the north, the building would not be as high.

Members of the Commission liked the design of the building and several commented that it would fit well with current, approved and proposed developments. Members had conversation regarding parking, storage, stairways, the rear balconies and whether Hydro powerlines could be relocated underground. Additional discussion was had by the Commission as to whether the canopy at the building entrance could be extended across the property line and over the sidewalk; a condition was added to the motion to that effect.

**Moved by Brian Losie, seconded by Debbie Gray, that the Advisory Planning Commission recommends to Council:**

- 1. That owners and tenants in occupation of property within 75m (246ft) of the property that is the subject of Development Variance Permit Application No. DV100270 (to vary the requirements for height, number of permitted storeys and area of the lot used for parking and access) be notified regarding the proposed variance and that any written correspondence received be forwarded to Council at the time of consideration of approval of the variance.**

2. That Development Permit Application No. DP100768 (for the form and character of a 6 storey mixed-use building consisting of ground floor commercial space and 12 dwelling units) be brought before Council for consideration of approval if Council authorizes the issuance of the Development Variance Permit.
3. That as conditions of approval of Development Permit Application No. DP100768, the property owner shall, prior to the issuance of Building Permit:
  - a) Address Design Guidelines No. 21.3.27 (awnings and canopies) and 21.3.40 (utility kiosk location) to the satisfaction of the Director of Development Services, Engineering, Parks and Works;
  - b) Review and address any areas where adjacent windows or balconies may overlook one another and adjust window locations or provide screening to mitigate privacy impacts; and
  - c) Pay to the Town a deposit in the amount of 115% of the estimated cost to complete the hard and soft landscaping for the development; and
4. That as conditions of approval of Development Variance Permit Application No. DV100270, the property owner shall, prior to the issuance of Building Permit:
  - a) Register a restrictive covenant on the title of the property with the Town as a signatory, prohibiting the future strata council from passing any bylaws that may restrict occupancy of the building based on age; and
  - b. Register a statutory right-of-way for future public access over the portion of the property measuring 3 metres in width and running parallel with the west lot line, for the full extent of the property between the north and south lot lines.

**MOTION CARRIED UNANIMOUSLY**

5. **ITEMS DISPOSITION BY COUNCIL:**

Councillor Mervyn Lougher-Goodey gave an update on Council's decisions with regard to recent development applications.

*Commission Member J. Hall left the meeting at 5:13 p.m.*

**ADJOURNMENT:**

**Moved by Brian Losie, seconded by Jordan Templeman, that the meeting be adjourned.**

**MOTION CARRIED UNANIMOUSLY**

Meeting adjourned at 5:16 p.m.

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CHAIRPERSON