

TOWN OF SIDNEY



ADVISORY PLANNING COMMISSION MEETING MINUTES

August 3, 2021

Meeting held via Zoom Videoconferencing

PRESENT:

Chairperson: Kelly Bull-Tomer

Members: Andrew Tidman, Clarence Bolt, John Crowhurst, Bernadine van der Meer, Lucina Baryluk

Council Liaison: Councillor Chad Rintoul

Staff: Alison Verhagen, Senior Manager of Current Planning
Richard Roy, Municipal Planner

Absent: Douglas Watt, Richard Novek, Denny Gelinias

1. **CALL TO ORDER:**

The Chair called the meeting to order at 3:00 p.m.

2. **ADOPTION OF AGENDA:**

Moved by C. Bolt, seconded by L. Baryluk that the Agenda be adopted as circulated.

CARRIED

3. **ADOPTION OF MINUTES:**

Moved by A. Tidman, seconded by C. Bolt that the Minutes of July 6, 2021 be adopted as circulated.

CARRIED

Commission members B. van der Meer and J. Crowhurst recused themselves from the meeting at this point, citing conflicts of interest related to proximity of their respective properties to the subject property in the following agenda item.

4. **DEVELOPMENT PERMIT APPLICATION NO. DP100786 & DEVELOPMENT VARIANCE APPLICATION NO. DV100294**

9805 Seaport Place

PROPOSAL:

- The proposal is to construct a roof over the restaurant patio area located on the property's interior side yard setback (southeast corner).
- A variance to reduce the required interior side yard setback from 3.4m to 0.0 m is being requested in order to construct the patio to property line. The proposal is, otherwise, consistent with the regulations for the CD29 zone.

Due to recused members, there was no longer a quorum present to review this application. It will be added to a future APC meeting agenda.

Moved by C. Bolt, seconded by A. Tidman to table Development Permit Application No. DP100786 and Development Variance Application No. DV100294 for 9805 Seaport Place to a future Advisory Planning Commission meeting.

CARRIED

5. **DEVELOPMENT PERMIT APPLICATION NO. DP100823 & DEVELOPMENT VARIANCE APPLICATION NO. DV100301**

2356 & 2364 Orchard Avenue

PROPOSAL:

- The proposed development would involve the construction of four single-family small lot dwellings, each on a new fee simple lot resulting from the subdivision of the subject properties.
- Variances are requested to relax the lot coverage for each of the proposed lots as well as to reduce the rear setback for the detached garage on Lot B and the exterior side setback for the dwelling on Lot D, and increase the width of detached accessory garage structures in the rear yards of Lot A and B.

Alison Verhagen gave a brief overview on the proposed development.

Presenter Ryan Hoyt of Ryan Hoyt Designs Inc. gave an overview of the proposed development, highlighting the following elements:

- Ownership structure and lot boundaries have directed the lot orientation and layout of the proposed development.
- Proposed lot orientation keeps large boulevard with no driveways accessing Orchard Avenue.
- Proposed lot coverage variances are similar to what has been approved for other developments in the area, and large boulevard spaces would still provide open green space
- The requested garage setback variance would allow more space for patio on south side of garage, and the width of the garage is hidden by the house so should not impact the development as viewed from the street.

- Grade changes on the site will be required due to addressing flood hazard, and would be greater on the boulevard if more driveways were to access the boulevard rather than the lane.

Record of Decision:

- Committee was not in favour of retaining protected willow tree just because of size due to concerns that it was not appropriate, problematic, and invasive from an infrastructure point of view.
- Two replacement trees related to the removal of the protected tree should be located on site.
- Some committee members felt that open site space was being compromised with the parcel coverage increases as requested and precedent in the area was not sufficient justification, and that the amount of building on the small lots was excessive.
- Other committee members felt that the massing of the buildings was very creative and compensated for larger site coverage.
- Townhouses, duplexes or row-houses would be a better use of these small lots however the committee recognized the demand for single-family dwellings in Sidney is high and generally this proposal was deemed a creative way to meet that need.
- The new OCP should consider the addition of different forms of residential buildings in this area to provide a different way of increasing density.

Moved by C. Bolt, seconded by A. Tidman that owners and tenants in occupation of property within 75m (246ft) of the properties at 2356 and 2364 Orchard Avenue be notified regarding Development Variance Permit Application No. DV100301 (to relax the requirements for lot coverage, accessory building setback, exterior side setback, and width of accessory buildings) and that any written correspondence received be forwarded to Council at the time of consideration of approval of the variance.

**Opposed L. Baryluk and B. van der Meer
MOTION CARRIED 4:2**

Moved by C. Bolt, seconded by J. Crowhurst that Development Permit Application No. DP100823 (to permit the construction of four small lot single-family dwellings) be brought before Council for consideration of approval if Council authorizes the issuance of the development variance permit.

**Opposed B. van der Meer
MOTION CARRIED 5:1**

Moved by J. Crowhurst, seconded by A. Tidman that as conditions of approval of Development Permit Application No. DP100823, the property owner shall, prior to the issuance of Building Permit:

- a. Address Design Guideline 19.3.46 (hard-surfaced driveway, patio, and walkway materials) to the satisfaction of the Senior Manager of Current Planning;**

- b. **Install tree protection fencing around tree #116 to the satisfaction of the Director of Engineering, keep the fencing in place until such time that all construction on the property is complete, and have all work inside the tree protection fencing to be undertaken under the direct supervision of a certified Consulting Arborist;**
- c. **Register a private easement over Lot A in favour of Lot B for driveway access; and**
- 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.**

CARRIED UNANIMOUSLY

6. ITEMS DISPOSITION BY COUNCIL:

Councillor Chad Rintoul gave an update on Council's decisions with regard to recent Development Applications

7. ADJOURNMENT:

Moved by B. van der Meer, seconded by J. Crowhurst that the meeting be adjourned.

CARRIED

Meeting adjourned at 4:26 p.m.

CHAIRPERSON