

TOWN OF SIDNEY



ADVISORY PLANNING COMMISSION MEETING MINUTES

November 16, 2021

Meeting held via Zoom

PRESENT:

Chair: Kelly Bull-Tomer

Vice Chairperson: Clarence Bolt

Members: Lucina Baryluk, Denny Gelinas, Bernadine van der Meer, Richard Novek,
Andrew Tidman, Douglas Watt

Council Liaison: Councillor Chad Rintoul

Staff: Alison Verhagen, Senior Manager of Current Planning
Richard Roy, Municipal Planner
Ruth Howell, Administrative Assistant

Absent: John Crowhurst

1. CALL TO ORDER:

The Chair called the meeting to order at 2:00 pm.

2. ADOPTION OF AGENDA:

Moved by D. Watt, seconded by R. Novek that the Agenda be adopted as circulated.

CARRIED

3. ADOPTION OF MINUTES:

Item 3D. Policy Direction – Implementing a Cycling Network across Sidney. Cycling D:
Add bullet point: “Facilities for bike parking also be encouraged in the downtown core.”

Moved by D. Gelinas, seconded by R. Novek that the Minutes of October 05, 2021 be adopted as amended.

CARRIED

4. **DEVELOPMENT PERMIT APPLICATION NO. DP100825**

2313 Orchard Avenue

Proposal:

- The proposed development would involve the construction of two single-family small lot dwellings, each on a new fee simple lot resulting from the subdivision of the subject property.
- There are no variances requested for this development as proposed.

Richard Roy gave a brief overview of the proposed development.

Ryan Hoyt, Ryan Hoyt Designs, gave a brief summary of the proposed development.

- Two 2-storey 3-bedroom houses are proposed.
- The initial design for these houses required variances which were denied by Council, so the proposal was redesigned to not require variances. The footprints of the detached accessory buildings were reduced from garage-sized to sheds in order to make lot coverage comply.
- Several smaller boulevard trees would be removed as part of the frontage work; however there are no protected trees on the property that would be removed through development of the site.
- Exterior design reflects a modern European farmhouse design, with outdoor living space and landscaping.

Record of Decision:

- Overall, the commission thought the design and layout was attractive and well thought out. Some liked the simplicity; others thought some variation between the two buildings would be appropriate.
- Some members were concerned regarding the length of the dormer and roof pitch.
- Generally APC was happy about two small lots being achieved with 35% lot coverage.
- Questions regarding replacement trees were addressed by staff.
- Significant discussion regarding flood construction levels (FCL) and “buyer beware” covenant on title as being an appropriate or inappropriate solutions to the very real problem of habitable space below FCL.
- Concerns regarding insurability of property and resources regarding municipality being tied up in future litigation despite covenants.
- Commission commended applicant for well thought-out use of storage and avoiding awkward garages in back yards.
- Positive recognition of design incorporating future solar panels, EV chargers, etc.

Moved by D. Watt, seconded by K. Bull-Tomer, that the Advisory Planning Commission recommend to Council:

1. **That Development Permit Application No. DP100825 (to permit the construction of two small lot single-family dwellings) be brought before Council for consideration of approval; and**

2. That as conditions of approval of Development Permit Application No. DP100825, the property owner shall, prior to the issuance of Building Permit:
 - a. Register a flood hazard covenant on the title of the property referencing the submitted Engineer's report.
 - b. 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
Opposed: B. van der Meer

6. **ITEMS DISPOSITION BY COUNCIL:**

Councillor Chad Rintoul advised Commission members that at the November 8 Council meeting there was nothing back to Council from APC so there are no decisions to relay back on recommendations from APC. An update was provided on Council's recent decision regarding Beacon Wharf.

7. **ADJOURNMENT:**

Moved by C. Bolt, seconded by R. Novek, that the meeting be adjourned.

CARRIED

Meeting adjourned at 3:08 pm.

CHAIRPERSON