



# CORPORATION OF THE TOWNSHIP OF ESQUIMALT

## Agenda - Final

### Council

Municipal Hall  
1229 Esquimalt Road  
Esquimalt, B.C. V9A 3P1

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Monday, November 16, 2015

7:00 PM

Esquimalt Council Chambers

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#### 1. CALL TO ORDER

#### 2. LATE ITEMS

#### 3. APPROVAL OF THE AGENDA

#### 4. MINUTES

- 1) [15-525](#) Minutes of the Regular Meeting of Council, October 26, 2015

**Attachments:** [2015 10 25 Regular Council Minutes - Draft](#)

- 2) [15-526](#) Minutes of the Special Meeting of Council, November 2, 2015

**Attachments:** [2015 11 02 Special Council Minutes - Draft](#)

- 3) [15-527](#) Minutes of the Regular Meeting of Council, November 2, 2015

**Attachments:** [2015 11 02 Regular Council Minutes - Draft](#)

#### 5. PRESENTATIONS

- 1) [15-523](#) Dan Dagg, Greater Victoria Development Agency, Economic Development

- 2) [15-524](#) Michael Lowry, Western Canada Marine Response Organization, Marine Oil Spill Response on the West Coast

**Attachments:** [Presentation Application - Western Canada Marine Response Organization](#)

#### 6. PUBLIC INPUT (On items listed on the Agenda)

Excluding items which are or have been the subject of a Public Hearing.

#### 7. STAFF REPORTS

##### *Administration*

- 1) [15-485](#) 2016 Council Meeting Schedule, Staff Report ADM-15-039

**Recommendation:** That Council approve the 2016 Regular Meeting Schedule of Council

and Committee of the Whole as attached to Staff Report No. ADM-15-039.

**Attachments:** [Staff Report ADM-15-039](#)  
[Council & COTW Meeting Schedule 2016](#)

### **Community Safety Services**

- 2) [15-455](#) Bylaw Notice Enforcement Bylaw Amendment, Staff Report CSS-15-018

**Recommendation:** That Council gives first, second and third readings to the Bylaw Notice Enforcement Bylaw, 2014, No. 2839, Amendment Bylaw [No. 2], 2015, No. 2859

**Attachments:** [Staff Report CSS-15-018](#)  
[Bylaw 2859 - Bylaw Notice Bylaw Amendment No.2](#)

### **Finance**

- 3) [15-506](#) Funding for Public Art Purchase, Staff Report FIN-15-019

**Recommendation:** It is accepted procedure that staff not make recommendations on requests for funding. Options available to Council are listed below under **ALTERNATIVES**

**Attachments:** [Staff Report FIN-15-019](#)  
[Photo of Sculpture - "Pearl"](#)

- 4) [15-512](#) 2016-2020 Financial Plan and Budget Schedule, Staff Report FIN-15-020

**Recommendation:** That Council approve the 2016-2020 Financial Plan and Budget Schedule attached to Staff Report FIN-15-020

**Attachments:** [Staff Report FIN-15-020](#)  
[2016 Budget Schedule](#)

### **Development Services**

- 5) [15-503](#) DEVELOPMENT VARIANCE PERMIT No. DVP00039, 712 Warder Place, Staff Report DEV-15-058

**Recommendation:** That Council resolves that Development Variance Permit No. DVP00039 authorizing the construction as shown on the architectural plans prepared by Josh Collins, stamped "Received September 29, 2015" [attached as Schedule 'A'] and as sited on the survey plan prepared by Wey Mayenburg Land Surveying Inc., stamped 'Received September 29, 2015' [attached as Schedule 'B'] and including the following relaxations to Zoning Bylaw, 1992, No. 2050 **be approved, and staff be**

**directed to issue the permit and register the notice on the title of** PID 001-558-675, Lot 14, Sections 10 and 11, Esquimalt District, Plan 42363 [712 Warder Place].

**Zoning Bylaw, 1992, No. 2050, Section 34(9)(a)(iii) - Rear**

**Setback:** a 4.42 metre reduction to the required 7.5 metre rear setback [i.e. from 7.5 metres to 3.08 metres] to the eastern rear setback as detailed on the survey plan attached as Schedule 'B'.

**Zoning Bylaw, 1992, No. 2050, Section 34(9)(a)(iii) - Rear**

**Setback:** a 4.23 metre reduction to the required 7.5 metre rear setback [i.e. from 7.5 metres to 3.27 metres] to the western rear setback, as detailed on the survey plan attached as Schedule 'B'.

**Attachments:** [Staff Report DEV-15-058](#)

[712 Warder Place - DVP00039, Schedule A & Schedule B](#)

[Appendix C - Subject Property Map](#)

[Appendix D - Aerial Photo](#)

[Appendix E - RS-1 Zone](#)

[Appendix F - Arborist Report](#)

- 6) [15-505](#) Development Variance Permit No. DVP00038, 1019 Colville Road, Staff Report DEV-15-059

**Recommendation:** That Council resolves that Development Variance Permit No. DVP00038 authorizing the construction as shown on the plans prepared by Andrew Akehurst and Lys Hermanski, stamped 'Received September 25, 2015' [attached as Schedule 'A'] and as sited on the survey plan prepared by Powell & Associates, stamped 'Received October 1, 2015' [attached as Schedule 'B'] and including the following relaxations to Zoning Bylaw, 1992, No. 2050, **be approved, and staff be directed to issue the permit and register the notice on title** of PID 006-328-661, Amended Lot 10, (DD 114302-I), Block 20, Section 10, Esquimalt District, Plan 2546 [1019 Colville Road].

**Zoning Bylaw, 1992, No. 2050, Section 34(9)(b)(ii) - Side**

**Setback - Accessory Building:** a 0.9 metre reduction to the required 1.5 metre side setback [i.e. from 1.5 metres to 0.6 metres].

**Zoning Bylaw, 1992, No. 2050, Section 34(9)(a)(ii) - Side**

**Setback - Principal Dwelling:** a 0.75 metre reduction to the required 1.5 metre side setback [i.e. from 1.5 metres to 0.75 metres] for the principal dwelling.

**Attachments:** [Staff Report DEV-15-059](#)[1019 Colville Road - DVP00038, Schedule A Plans, Schedule B Survey](#)[Appendix C - Subject Property Map](#)[Appendix D - Aerial Photo](#)[Appendix E - RS-1 Zone](#)

- 7) [15-513](#) Draft Minister's Bylaw Standards on Agri-tourism and Farm Retail Sales, Staff Report No. DEV-15-063

**Recommendation:** That Council receive Staff Report DEV-15-063 for information

**Attachments:** [Staff Report DEV-15-063](#)

- 8) [15-517](#) Interim Amendment to Zoning Bylaw 1992, No. 2050 – Amendment Bylaw No. 2861, Staff Report: DEV-15-062

**Recommendation:** That Council resolves that AMENDMENT BYLAW NO. 2861 attached as Appendix 'A' to Staff Report DEV-15-062, which would amend Zoning Bylaw, 1992, No. 2050, by replacing text and figures as detailed in the content of the amending bylaw be considered for **first and second reading**; and

That Council authorizes the Corporate Officer to schedule a Public Hearing for Zoning Amendment Bylaw No. 2861, and advertise for same in the local newspaper.

**Attachments:** [Staff Report DEV-15-062](#)[Appendix A - Amendment Bylaw 2861 - Interim Amendment to Zoning Bylaw 1992, No. 2050](#)

- 9) [15-519](#) DEVELOPMENT VARIANCE PERMIT - 513 Sturdee Street [PID 006-375-201, Lot 53, Suburban Lot 53, Esquimalt District, Plan 2854], Staff Report: DEV-15-061

**Recommendation:** That Council resolves that this application for Development Variance Permit No. DVP00041 [Appendix A] shall not be referred to the Advisory Planning Commission; and

That Council, having considered Section 5.2.1 (a) of the Official Community Plan, resolves that Development Variance Permit No. DVP00041 [Appendix A], authorizing the following relaxations to Subdivision and Development Control Bylaw, 1997, No. 2175 be **approved, and staff be directed to issue the permit and register the notice on the title** of PID 006-375-201, Lot 53, Suburban Lot 53, Esquimalt District, Plan 2854 [513 Sturdee Street]:

**Section 14.01 Underground wiring** - The owner of 513 Sturdee Street will not be required to install underground wiring for the new two-unit dwelling.

**Schedule E - 5.01(c)** - The connections for electrical power, telephone and television communications not be required to be installed underground.

**Attachments:** [Staff Report DEV-15-061](#)

[Appendix A - DVP00041 - 513 Sturdee Street](#)

[Appendix B - letter from owner - Angus Denny](#)

[Appendix C - Subject Property Map and Photos](#)

[Appendix D - OCP - Utilities Policies](#)

[Appendix E - Mail Notice sent November 2, 2015](#)

- 10) [15-522](#) West Bay Neighbourhood Design Guildelines - Results of Public Consultation, Staff Report DEV-15-065

**Recommendation:** That Council adopt the West Bay Neighbourhood Design Guildelines (Schedule "A" to Staff Report DEV-15-065) by resolution with the following changes:

- 1) The addition of a note on page 21 (Height): "Six (6) stories may be allowed on the Triangle Lands where it is clearly demonstrated that the siting of the building and the additional storey does not significantly increase the sun shadow beyond what is contemplated by these guidelines based on the "Conceptual Siting, Form and Massing" illustrated on page 33".
- 2) Add the word "historical" between "built" and "and" in the last sentence of the Vision on page 7.
- 3) Change the word "waterfront" to "harbourfront" throughout the document.
- 4) Delete the reference to "public phone" on page 24.
- 5) Change the description in the caption on page 31 from "northeast" to "southeast".
- 6) That the text for the final bullet on page 16 be amended to indicate that "sun shade diagrams for the Winter Solstice will be required only when significant impacts are expected such as shading solar panels."
- 7) That the concept of "urban village" be used where appropriate to clarify meaning.

**Attachments:** [Staff Report DEV-15-065](#)

[Schedule A West Bay Neighbourhood Design Guildelines](#)

[Schedule B Pubilc Comments](#)

## 8. MAYOR'S AND COUNCILLORS' REPORTS

## 9. COMMUNICATIONS

- 1) [15-529](#) Letter from Kevin Murdoch, Chair, Greater Victoria Public Library Board, dated October 28, 2015, Re: 2016 Budget and Five Year Financial Plan - Provisional  
  
**Attachments:** [Letter - GVPL](#)
- 2) [15-530](#) Letter from Minister Peter Fassbender, Ministry of Community, Sport and Cultural Development and Minister Responsible for Translink, dated November 5, 2015, Re: Service and Governance Integration in the Capital Region  
  
**Attachments:** [Letter - Min of C.S &CD](#)
- 3) [15-531](#) Email from Bill Rowe, dated November 1, 2015, Re: Council Meeting - November 2, 2015 - Agenda Item 6 (9) - Rezoning Application - 322 Plaskett Place - Omission of Neighbours' Letters and Materials  
  
**Attachments:** [Email - B Rowe](#)
- 4) [15-532](#) Email from Bill Rowe, dated November 5, 2015, Re: Letter from Neighbour Jennifer Halbert  
  
**Attachments:** [Email - Letter from Jennifer Halbert](#)
- 5) [15-533](#) Letter from Marianne Kimmitt and Bill Rowe, dated November 9, 2015, Re: Proposed Rezoning of 322 Plaskett Place - Discussion Points Update - November 2015  
  
**Attachments:** [Letter - Kimmitt & Rowe](#)
- 6) [15-528](#) Email from Dan Dagg, Greater Victoria Development Agency, dated November 9, 2015, Re: November 7th Meeting Follow Up  
  
**Attachments:** [Email - GVDA](#)

## 10. RISE AND REPORT

- 1) [15-515](#) Appointment to Advisory Planning Commission  
  
**Attachments:** [Appointment to APC](#)

## 11. PUBLIC QUESTION AND COMMENT PERIOD

Excluding items which are or have been the subject of a Public Hearing  
Limit of two minutes per speaker.

## 12. ADJOURNMENT