



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

Agenda - Final-revised

Council

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

Monday, August 15, 2022

7:00 PM

Esquimalt Council Chambers

In person attendance is permitted.

Members of the public are encouraged to submit their support or opposition in writing by emailing comments to corporate.services@esquimalt.ca or mailing or delivering comments to 1229 Esquimalt Rd, Esquimalt, BC, V9A 3P1 before 12:00 p.m. (noon) on the day of the meeting.

To provide comments to Council electronically during the meeting, please contact the Corporate Officer for inclusion on the Speakers' List at 250-414-7135 before 4:30 p.m. on the day of the meeting.

*The Regular Meeting of Council will be streamed on the following link:
<https://esquimalt.ca.legistar.com/Calendar.aspx>.*

1. CALL TO ORDER

2. LATE ITEMS

1) [22-350](#) Late Items

Attachments: [Summary Page - Additional Correspondence](#)
[Public Hearing - 553 Paradise - Additional Correspondence](#)
[Public Hearing - 602, 608 and 612 Nelson St - Additional Correspondence](#)
[812 Craigflower - Additional Correspondence](#)

3. APPROVAL OF THE AGENDA

4. MINUTES

1) [22-385](#) Minutes of the Regular Council meeting held on July 4, 2022

Attachments: [Minutes of the Regular Council meeting held on July 4, 2022](#)

2) [22-386](#) Minutes of the Special Meeting of Council held on July 5, 2022

Attachments: [Minutes of the Special Meeting of Council held on July 5, 2022](#)

3) [22-387](#) Minutes of the Special Meeting of Council held on July 11, 2022

Attachments: [Minutes of the Special Meeting of Council held on July 11, 2022](#)

4) [22-388](#) Minutes of the Regular Council Meeting held on July 11, 2022

Attachments: [Minutes of the Regular Council Meeting held on July 11, 2022](#)

5. PUBLIC HEARING - OCP AMENDMENT AND REZONING APPLICATION - 553 PARADISE STREET

The Public Hearing is to afford all persons who deem their interest in property affected by the Bylaw an opportunity to be heard or to present written submissions before the Municipal Council on matters contained in the Bylaw.

Attendance at Public Hearing:

In person attendance is permitted at the Public Hearing and an opportunity for public input will be provided during the hearing.

Written Submissions:

Written comments may be sent to corporate.services@esquimalt.ca or delivered to 1229 Esquimalt Rd, Esquimalt, BC, V9A 3P1. Written comments received by noon on the day of the hearing will be included in the revised meeting agenda. Written submissions received after noon on the day of the hearing will be circulated at the hearing. All correspondence submitted will form part of the public record.

Sign Up to Speak:

If you wish to provide comments to Council electronically via telephone during the Public Hearing, please contact the Corporate Officer for further details and scheduling at 250-414-7135 prior to 4:30 p.m. on the day of the meeting. You will be invited to speak when it is your turn based on the order that requests were received.

Once the Public Hearing has closed there will be no further opportunities to provide public input on this agenda item.

- 1) [22-412](#) Public Hearing Notice - OCP Amendment and Rezoning Application - 553 Paradise Street

Attachments: [Public Hearing Notice - OCP Amendment and Rezoning Application - 553 Paradise Street](#)

2) Background Information - Available for Viewing Separately

3) Director of Development Services - Overview of Application

- a) [22-409](#) Official Community Plan Amendment and Rezoning Application – 553 Paradise Street DEV-22-071

Recommendation:

1. That Council resolves that Official Community Plan Bylaw, 2018, No. 2922 Amendment Bylaw, 2022, No. 3059, attached as Appendix 'A' to Staff Report DEV-22-071, which would amend Official Community Plan Bylaw, 2018, No. 2922, by changing Schedule H being the Development Permit Areas Map by changing the designation of 553 Paradise Street [PID 009-172-971, Lot 3, Block G, Section 11, Esquimalt District, Plan 292], shown cross-hatched on Schedule 'A' of Bylaw No. 3059, from DPA No. 6 Multi-Family Residential to DPA No. 3 Enhanced Design Control Residential be given third reading; and

2. That Council resolves that Zoning Bylaw, 1992, No. 2050, Amendment Bylaw, 2022, No. 3060 attached as Appendix 'B' to Staff Report DEV-22-071, which would amend Zoning Bylaw, 1992, No. 2050, by changing the zoning designation of 553 Paradise Street [PID 009-172-971, Lot 3, Block G, Section 11, Esquimalt District, Plan 292], shown cross-hatched on Schedule 'A' of Bylaw No. 3060, from Single Family Residential [RS-1] to Single Family DADU Residential [RS-6] be given third reading.

Attachments: [Appendix A: Bylaw No. 3059 - OCP Amendment Bylaw \(553 Paradise Street\)](#)
[Appendix B: Bylaw No. 3060 - 553 Paradise Street \(Zoning Bylaw Amendment\)](#)
[Appendix C: Architectural Plans Concept Landscape Plan and BCLS Site Plan](#)
[Appendix D: Site plan Air photo OCP DP area Zoning map](#)
[Appendix E: Applicant's Green Building Checklist](#)
[Appendix F: Official Community Plan Amendment Consultation Responses](#)
[Appendix G: Applicants Open House Summary of Feedback](#)
[Appendix H: Staff Presentation to Council](#)
[Appendix I: Applicant's Presentation 553 Paradise DADU Public Hearing Aug 15](#)
[Appendix J: Public Input](#)

- 4) **Applicant or Authorized Representative - Overview of Application**
- 5) **Public Input**
- 6) **Adjournment of Hearing**
- 7) **Consideration of Staff Recommendation**
6. **PUBLIC HEARING - OCP AMENDMENT AND REZONING APPLICATION - 602, 608 AND 612 NELSON STREET**

The Public Hearing is to afford all persons who deem their interest in property affected by the Bylaw an opportunity to be heard or to present written submissions before the Municipal Council on matters contained in the Bylaw.

Attendance at Public Hearing:

In person attendance is permitted at the Public Hearing and an opportunity for public input will be provided during the hearing.

Written Submissions:

Written comments may be sent to corporate.services@esquimalt.ca or delivered to 1229 Esquimalt Rd, Esquimalt, BC, V9A 3P1. Written comments received by noon on the day of the hearing will be included in the revised meeting agenda. Written submissions received after noon on the day of the hearing will be circulated at the hearing. All correspondence submitted will form part of the public record.

Sign Up to Speak:

If you wish to provide comments to Council electronically via telephone during the Public Hearing, please contact the Corporate Officer for further details and scheduling at 250-414-7135 prior to 4:30 p.m. on the day of the meeting. You will be invited to speak when it is your turn based on the order that requests were received.

Once the Public Hearing has closed there will be no further opportunities to provide public input on this agenda item.

- 1) [22-413](#) Public Hearing Notice - OCP Amendment and Rezoning Application - 602, 608 and 612 Nelson Street

Attachments: [Public Hearing Notice - OCP Amendment and Rezoning Application - 602, 608 and 612 Nelson Street](#)

2) Background Information - Available for Viewing Separately**3) Director of Development Services - Overview of Application**

- a) [22-407](#) Official Community Plan Amendment and Rezoning Application – 602, 608 and 612 Nelson Street, Staff Report No. DEV-22-069

Recommendation:

That Council:

1. give third reading to Official Community Plan Bylaw, No. 2922, Amendment Bylaw, 2022, No. 3061;
2. give third reading to Zoning Bylaw, 1992, No, 2050, Amendment Bylaw, 2022, No. 3062;
3. direct that a Section 219 Covenant be registered on title to secure the items outlined in Staff Report No. DEV-22-069 prior to consideration of adoption of Bylaw No. 3062.

Attachments: [Appendix A: Official Community Plan Bylaw, 2018, No. 2922, Amendment Bylaw, 2022, No. 3061](#)
[Appendix B: Zoning Bylaw, 1992, No. 2050, Amendment Bylaw, 2022, No. 3062](#)
[Appendix C: Aerial Map](#)
[Appendix D: Architectural Drawings and Landscape Plan](#)
[Appendix E: Green Building Checklist](#)
[Appendix F: Parking Study](#)
[Appendix G: Official Community Plan Amendment Consultation Response](#)
[Appendix H: Developer's Public Consultation Summary](#)
[Appendix I: Public Input](#)
[Appendix J: Applicant's Presentation](#)
[Appendix K: Staff's Presentation](#)

4) **Applicant or Authorized Representative - Overview of Application**

5) **Public Input**

6) **Adjournment of Hearing**

7) **Consideration of Staff Recommendation**

7. **DELEGATION**

- 1) [22-414](#) Mike Heenan - Gorge Vale Golf Club - Noise Bylaw Exemption

Attachments: [Delegation Application - Gorge Vale Golf Club](#)

8. **PUBLIC INPUT ON ANY ITEMS LISTED ON THE AGENDA**

Address Council on any item included on this Agenda, including Staff Reports and Communications (excluding items which are or have been the subject of a Public Hearing). Limit 2 minutes per speaker.

9. **STAFF REPORTS**

Administration

- 1) [22-416](#) 2022 Appointment - Local Grant Committee, Staff Report No. ADM-22-023

Recommendation:

That Council appoint Councillor Brame to the Local Grant Committee.

Development Services

- 2) [22-394](#) Development Variance Permit Application, 932 Arcadia Street, Staff Report No. DEV-22-065

Recommendation:

That Council resolves Development Variance Permit No. DVP00128 [Appendix A] authorizing a decrease to the south setback of the proposed building, consistent with the B.C. Land Surveyor's Certificate of Location of Foundation provided by Peter Broeren on Lot A, Section 10, Esquimalt District Plan EPP97808, stamped "Received July 08, 2022," 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 the property located at Lot A Section 10 Esquimalt District Plan EPP97808 [932 Arcadia Street].

Zoning Bylaw 1992, No. 2050, Section 67.105 Comprehensive Development District No. 188 [CD No. 118], (8)(ii) - Side Setback South - to decrease the allowed setback by .07 metres (i.e., from 2.1 metres to 2.03 metres).

Attachments: [Appendix A: DVP00128](#)
[Appendix B: 932 Arcadia Aerial Map](#)
[Appendix C: B.C. Land Surveyor's Certificate of Location of Foundation on Lot A, Section 10, Esquimalt District, Plan EPP97808](#)
[Appendix D: 932 Arcadia Notice of Varaince](#)

- 3) [22-400](#) Official Community Plan Amendment Consultation List - 906 Old Esquimalt Rd. DEV-22-066

Recommendation:

That Council, having considered Sections 475 and 476 of the *Local Government Act*, authorize staff to circulate the Official Community Plan and Zoning Amendment application and proposed development concept plan, attached as 'Appendix C' to Staff Report DEV-22-066, detailing a proposal requiring a change to Official Community Plan, Schedule H- Development Permit Areas, for the parcel identified as 906 Old Esquimalt Road [PID 009-286-292; Lot 6, Block 1, Section 11, Esquimalt District Plan 195 lying to the west of Plan 10832 except that part in Plan 16588], from 'Development Permit Area No. 3 - Enhanced Design Control Residential' to 'Development Permit Area No. 6 - Multi-Family Residential', for Council to consider approval of the concurrent Rezoning Application for the subject property to permit the use of the parcel for one duplex and one triplex, to those persons, organizations and authorities identified in 'Appendix B' of Staff Report DEV-22-066.

Attachments: [Appendix A 906 Old Esquiamlt Road - Key Map](#)
[Appendix B: Official Community Plan Amendment Consultation List](#)
[Appendix C: Proposed Development Concept Plan](#)

- 4) [22-406](#) Rezoning Application - 812 Craigflower Road, Staff Report No. DEV-22-068

Recommendation:

That Council:

1. give first, second and third readings to Zoning Bylaw, 1992, No. 2050,

Amendment Bylaw, 2022, No. 3077, attached to Staff Report No. DEV-22-068 as Appendix A, which would amend Zoning Bylaw, 1992, No. 2050, by changing the zoning designation of PID 005-987-164; Lot 2 Section 10 Esquimalt District Plan 5648 [812 Craigflower Road] from Single Family Residential [RS-1] to Comprehensive Development District No. 157 [CD No. 157].

2. direct that a Section 219 Covenant be registered on title to secure the items outlined in Staff Report DEV-22-068 prior to consideration of adoption of Bylaw No. 3077.

Attachments: [APPENDIX A: Draft Amendment Bylaw No. 3077](#)

[APPENDIX B: Aerial Map](#)

[APPENDIX C: Applicant Letter to Mayor and Council](#)

[APPENDIX D: Site Survey](#)

[APPENDIX E: Architectural Drawings](#)

[APPENDIX F: Landscape Drawings and Planting Plan](#)

[APPENDIX G: Green Building Checklist](#)

[APPENDIX H: Parking and Traffic Review](#)

[APPENDIX I: Applicant Presentation](#)

[APPENDIX J: Staff Presentation](#)

5) [22-408](#) Development Variance Permit Application – 615 Bryden Court, Staff Report No. DEV-22-070

Recommendation:

That Council approve Development Variance Permit No. DVP00129 [Appendix A] including the following variances to Zoning Bylaw, 1992, No. 2050, and staff be directed to issue the permit and register the notice on the title of the property located at PID 005-340-004, Lot A, Section 11, Esquimalt District, Plan 9543 [615 Bryden Court] for the northern lot of the proposed subdivision:

Zoning Bylaw, 1992, No. 2050, 67.109 (8)(a)(ii) - Principle Building: Side Setback:

The total Setback of all Side Yards not to be less than 4.29 metres [i.e. from 4.5 metres to 4.29 metres].

Zoning Bylaw, 1992, No. 2050, 67.109 (8)(a)(iii) - Principle Building: Rear Setback:

No principal Building shall be located within 5.39 metres of the Rear Lot Line. [i.e. from 7.45 metres to 5.39 metres].

Attachments: [Appendix A: DVP00119](#)

[Appendix B: Aerial Map](#)

[Appendix C: Architectural Plan and Proposed Subdivision Site Plan](#)

6) [22-415](#) Zoning Amendment Bylaw, 842 Carrie Street and 850 Colville Road - Request not to hold a Public Hearing, Staff Report No. DEV-22-073

Recommendation:

1. That Council resolve to not hold a Public Hearing pursuant to the *Local Government Act*, Section 464(2) for Zoning Bylaw, 1992, No. 2050, Amendment Bylaw, 2022, No. 3085, attached to Staff Report No. DEV-22-073 as Appendix B, which would amend Zoning Bylaw, 1992, No. 2050, by changing the zoning designation of:

842 Carrie Street [PID 031-614-388], legally described as, Lot A, Plan EPP109801, Section 10, Esquimalt District; and

850 Colville Road [PID 031-614-396] legally described as, Lot B, Plan EPP109801, Section 10 Esquimalt District

shown cross-hatched on Schedule 'A' of Zoning Bylaw, 1992, No. 2050, Amendment Bylaw, 2022, No. 3085, from Single Family Residential [RS-1] to Comprehensive Development District No. 133 [CD. No. 133] and direct staff to proceed with appropriate public notification and return the Bylaw to Council for consideration of first, second, and third readings.

2. That Council authorize the Corporate Officer to schedule a special electronic (conference call) Council meeting on August 31, 2022, to consider adoption of Zoning Bylaw, 1992, No. 2050, Amendment Bylaw, 2022, No. 3085; time to be determined based on availability.

Attachments: [Appendix A: Key Plan](#)
[Appendix B: Zoning Bylaw Amendment \(842 Carrie St\) CD133](#)
[Appendix C: 850 COLVILLE - Drawings](#)
[Appendix D 850 COLVILLE BP - X - PLANS-COMPARISON](#)

10. BYLAWS

- 1) [22-393](#) Parks and Recreation Regulation Amendment Bylaw, Staff Report No. ADM-22-024

Recommendation:

That Council:

- 1) rescind third reading of Bylaw No. 3080; and
- 2) give third reading as amended to Parks and Recreation Regulation Bylaw, 2007, No. 2665, Amendment Bylaw, 2022, No. 3080.

Attachments: [Amendment Bylaw No.3080 Rev Sched C](#)

- 2) [22-383](#) Council Procedure Bylaw, 2022, No. 3081 - For Adoption

Attachments: [Attachment 1: Bylaw 3081](#)

11. COMMUNICATIONS**For Council's Consideration**

- 1) [22-391](#) Email from Shelley Werk - Prostate Cancer Foundation BC dated July 11, 2022 Re: Light Up Blue in September

Attachments: [Attachment 1 - Prostate Cancer Foundation of BC Light up in Blue](#)

- 2) [22-392](#) Email from James Munro - Greater Victoria Housing dated July 12, 2022 Re: Request for Letter of Support for FCM Green Municipal Fund

Attachments: [Attachment 1 - Greater Victoria Housing Request for Letter of Support](#)

For Council's Information

- 3) [22-389](#) Email from Gillian Lindquist - Restorative Justice Victoria dated July 11, 2022 Re: Initial Report - Restorative Justice Victoria - 2020 to July 2022

Attachments: [Attachment 1 - Restorative Justice Victoria Initial Report](#)

12. RISE AND REPORT

13. PUBLIC COMMENT PERIOD

Address Council on any topic that impacts Esquimalt (excluding items which are or have been the subject of a Public Hearing). Limit 2 minutes per speaker.

14. ADJOURNMENT