



**CORPORATION OF THE  
TOWNSHIP OF ESQUIMALT**  
**Agenda - Final**  
**Council**

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

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Monday, September 17, 2018

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) [18-391](#) Minutes of the Regular Meeting of Council, August 20, 2018

*Attachments:* [2018 08 20 Regular Council Minutes](#)

- 2) [18-392](#) Minutes of the Regular Meeting of Council, August 27, 2018

*Attachments:* [2018 08 27 Regular Council Minutes](#)

**5. PUBLIC HEARING**

*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.*

- 1) [18-389](#) Notice of Public Hearing - Rezoning Application, 833 Dunsmuir Road and 835 Dunsmuir Road

*Attachments:* [Public Hearing Notice - 833 & 835 Dunsmuir Road](#)

- 2) **Background Information - Available for Viewing Separately**

- 3) **Director of Development Services - Overview of Application**

- a) [18-375](#) Rezoning Application - 833 and 835 Dunsmuir Road, Staff Report DEV-18-067

*Attachments:* [Appendix A - Zoning Bylaw 1992 No. 2050 Amendment Bylaw No. 2924](#)  
[Appendix B - Subject Property Map, Aerial Map, OCP Policies](#)  
[Appendix C - Architectural Drawings, Landscape Plan, and Surveyor's Site Plan](#)  
[Appendix D - Green Building Checklist](#)  
[Appendix E - Applicant's Letter](#)  
[Appendix F - Traffic Impact Assessment](#)  
[Appendix G - Parking Study](#)  
[Appendix H - Developer's Public Consultation Summary](#)  
[Appendix I - Owner's Letter to Mayor and Council](#)  
[Appendix J - Public Comments](#)

- 4) **Applicant or Authorized Representative - Overview of Application**
- 5) **Public Input**
- 6) **Adjournment of Hearing**
- 7) **Consideration of Staff Recommendation**

1. That Council resolves that Zoning Bylaw, 1992, No. 2050, Amendment Bylaw No. 2924, attached to Staff Report DEV-18-067 as Appendix A, which would amend Zoning Bylaw, 1992, No. 2050 by changing the zoning designation of 833 Dunsmuir Road [PID 005-388-899, Lot 3, Section 11, Esquimalt District, Plan 9757], shown cross hatched on Schedule 'A' of Bylaw No. 2924, from RM-4 [Multiple Family Residential] to CD No. 108 [Comprehensive Development District No. 108], and by changing the zoning designation of 835 Dunsmuir Road [PID 005-388-881, Lot 2, Section 11, Esquimalt District, Plan 9757], also shown cross hatched on Schedule 'A' of Bylaw No. 2924, from RD-3 [Single Family/Two Family Residential] to CD No. 108 [Comprehensive Development District No. 108] be given third reading; and

2. That, as the applicant wishes to assure Council that uses and development will be restricted and amenities provided as identified in Staff Report DEV-18-067, the applicant has voluntarily agreed to register a Section 219 Covenant, and Council has accepted it as a condition of rezoning, on the title of 833 Dunsmuir Road [PID 005-388-899, Lot 3, Section 11, Esquimalt District, Plan 9757] and 835 Dunsmuir Road [PID 005-388-881, Lot 2, Section 11, Esquimalt District, Plan 9757] in favour of the Township of Esquimalt providing the lands shall not be subdivided, built upon or used (as appropriate to the requirement, as drafted by the Township's solicitor at the applicant's expense) in the absence of all of the following:

- Lot consolidation of 833 Dunsmuir Road [PID 005-388-899, Lot 3, Section 11, Esquimalt District, Plan 9757] and 835 Dunsmuir Road [PID 005-388-881, Lot 2, Section 11, Esquimalt District, Plan 9757] prior to development as the proposed CD No.108 Zone does not work unless the parcels are consolidated
- The building to be constructed to include two 3-bedroom dwelling units
- Three visitor parking spaces will be provided and remain as illustrated in the parking plan, attached as Appendix C to Staff Report DEV-18-067
- \$500 per unit car shares from Modo car share services
- All of the parking stalls wired for Level 2 (240V, AC plug with a dedicated 40 amp circuit) electric vehicle charging stations
- Provision of one-year BC Transit bus passes for the Victoria Regional Transit System to all the residents
- No restriction on rentals to ensure that all the strata units in this building can be used as long-term residential rentals

Council direct staff and legal counsel for the Township to coordinate with the property owner to ensure a S.219 Covenant addressing the aforementioned issues is registered against the property title, in priority to all financial encumbrances, prior to returning Amendment Bylaw No. 2924 to Council for consideration of adoption.

## 6. PRESENTATIONS

- 1) [18-395](#) Victoria Police Department Quarterly Report, Framework Agreement, Chief Del Manak

*Attachments:* [VicPD 2018 Q2 Report to Esquimalt](#)

## 7. DELEGATIONS

- 1) [18-348](#) Karen Shirley, Re: Protection for Esquimalt's Low-Income Renters

*Attachments:* [Delegation Application - K. Shirley](#)

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

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

## 9. STAFF REPORTS

### *Administration*

- 1) [18-338](#) Revisions to Council Meeting Schedule for October 2018, Staff Report ADM-18-025

### ***Recommendation:***

That the 2018 Regular Meeting Schedule be revised as follows:

1. the Committee of the Whole meeting scheduled for October 15th, 2018 be cancelled; and
2. the Regular Council meeting scheduled for October 15th, 2018 be cancelled.

*Attachments:* [Council and COTW Meeting Schedule 2018](#)

## **Finance**

- 2) [18-378](#) 2019 Permissive Tax Exemptions, Staff Report FIN-18-012

**Recommendation:**

That Council give first, second and third readings to the Tax Exemption (Non-Profit Organizations) Bylaw, 2018, No.2945 as attached to Staff Report FIN-18-012.

*Attachments:* [Permissive Tax Exemptions Bylaw, 2018, No. 2945](#)  
[Permissive Tax Exemption Bylaw, 2018, No. 2945 Schedule A](#)  
[2019 Permissive Tax Exemption Ad](#)  
[Council Policy FIN-16 \(Permissive Tax Exemption\)](#)

## **Development Services**

- 3) [18-376](#) Rezoning Application - 1109 Lyall Street, Staff Report DEV-18-068

**Recommendation:**

That Council resolves that Bylaw No. 2940 [Appendix A], which would amend Zoning Bylaw, 1992, No. 2050, by changing the zoning designation of 1109 Lyall Street [PID 006-001-009, Amended Lot 3 (DD 148436I), Section 11, Esquimalt District, Plan 4729] from RD-3 [Two Family/ Single Family Residential] to CD No. 111 [Comprehensive Development District No. 111], **be considered for first and second reading**; and

That Council authorizes the Corporate Officer to schedule a public hearing for Zoning Bylaw 1992, No. 2050, Amendment Bylaw No. 2940, and to advertise for same in the local newspaper.

*Attachments:* [Appendix A - Bylaw No. 2940 - 1109 Lyall Street](#)  
[Appendix B - Maps, Air Photo, RD-3 zone](#)  
[Appendix C - Site Plan and Architectural Drawings](#)  
[Appendix D - Applicants Letter and Green Building Checklist](#)  
[Appendix E - Applicants Public Consultation Results](#)

## **10. BYLAWS**

- 1) [18-374](#) Council Remuneration Bylaw, 2018, No. 2941 - For Adoption

*Attachments:* [Council Remuneration Bylaw, 2018, No. 2841](#)

## **11. MAYOR'S AND COUNCILLORS' REPORTS**

- 1) [18-377](#) Seniors Advocate Report 2018, Councillor Lynda Hundleby

*Attachments:* [Seniors Advocate Report - Councillor Hundleby](#)

## **12. REPORTS FROM COMMITTEES**

- 1) [18-396](#) Adopted Minutes from the APC Design Review Committee, August 8, 2018

*Attachments:* [2018 08 08 Design Review Committee Minutes](#)

- 2) [18-400](#) Draft Minutes from the Advisory Planning Commission, August 21, 2018

*Attachments:* [2018 08 21 Advisory Planning Commission Minutes](#)

- 3) [18-390](#) Minutes from the Local Grant Committee Permissive Tax Exemption Meeting, September 6, 2018

*Attachments:* [2018 09 06 Local Grant Committee Permissive Tax Exemption Minutes](#)

### 13. COMMUNICATIONS

- 1) [18-397](#) Letter from Director Wendy Booth, President, Union of BC Municipalities, dated August 31, 2018, Re: 2018 Late Resolution

*Attachments:* [Letter - UBCM](#)

- 2) [18-398](#) Email from Janelle Breese Biagioni, Founder, Constable Gerald Breese Centre for Traumatic Life Losses, dated September 5, 2018, Re: Invitation to Attend Symposium on PTSD

*Attachments:* [Email - Symposium Invitation](#)

- 3) [18-399](#) Letter from Cynthia Day, Chair, Victoria Family Court & Youth Justice Committee, dated September 5, 2018, Re: Committee Activities Update

*Attachments:* [Letter - Victoria Family Court & Youth Justice Committee](#)

- 4) [18-401](#) Letter from Lieutenant-Colonel M.F. Sandy, Commanding Officer, Real Property Operations Unit (Pacific), National Defence, dated September 7, 2018, Re: Transfer of Department of National Defence Property

*Attachments:* [Letter - Department of National Defence](#)

### 14. NOTICE OF MOTION

- 1) [18-359](#) Notice of Motion re Options for Below Market Accommodations, Councillor Olga Liberchuk - For Discussion

*Attachments:* [Notice of Motion re Options for Below Market Accommodations, Councillor Olga Liberchuk - For Introduction](#)

### 15. PUBLIC QUESTION AND COMMENT PERIOD

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

### 16. MOTION TO GO IN CAMERA

Motion to go In Camera pursuant to Section 90 of the Community Charter to discuss:

- Discussions with municipal officers and employees respecting municipal objectives,

measures and progress reports for the purposes of preparing an annual report under section 98 [annual municipal report]; and

- A matter that, under another enactment, is such that the public may be excluded from the meeting;

In accordance with Section 90 (1) (l) and (m) of the Community Charter, and that the general public be excluded.

## **17. ADJOURNMENT**