



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

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

Monday, August 27, 2018

7:00 PM

Esquimalt Council Chambers

1. CALL TO ORDER

2. LATE ITEMS

3. APPROVAL OF THE AGENDA

4. MINUTES

- 1) [18-365](#) Minutes of the Special Meeting of Council, August 20, 2018

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

5. PUBLIC INPUT on Housing Agreement Bylaw - 1379 Esquimalt Road / 520 Foster Street (St. Peter and St.Paul's Church)

6. STAFF REPORT

- 1) [18-354](#) Housing Agreement - 1379 Esquimalt Road / 520 Foster Street (St. Peter and St. Paul's Church), Staff Report DEV-18-063

Recommendation:

1. That Council resolves to **rescind second and third reading** of Housing Agreement (1379 Esquimalt Road/ 520 Foster Street) Bylaw, 2018, No. 2935, attached as **Appendix 'A'** of Staff Report DEV-18-063, for 1379 Esquimalt Road / 520 Foster Street, [PID 024-848-905; Lot A (DD EP75276), Suburban Lot 27, Esquimalt District, Plan 5092]; and

2. That Council resolves that Housing Agreement (1379 Esquimalt Road/ 520 Foster Street) Bylaw, 2018, No. 2935, with the revised schedule attached as **Appendix 'B'** of Staff Report DEV-18-063, for 1379 Esquimalt Road / 520 Foster Street, [PID 024-848-905; Lot A (DD EP75276), Suburban Lot 27, Esquimalt District, Plan 5092], be **amended and read anew a second and third time.**

Attachments: [Appendix A - Bylaw No. 2935 - Housing Agreement - 1379 Esquimalt Road](#)
[Appendix B Housing Agreement - \(Revised to Aug. 22.18\) \(LRL EDITS SIDELINED\)](#)

7. 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) [18-361](#) Notice of Public Hearing - Official Community Plan Amendment and Rezoning, 1379 Esquimalt Road and 520 Foster Street (St. Peter

and St. Paul's Church)

Attachments: [Public Hearing Notice - 1379 Esquimalt Road and 520 Foster Street](#)

2) Background Information - Available for Viewing Separately

3) Director of Development Services - Overview of Application

- a) [18-355](#) Official Community Plan Amendment and Rezoning (Comprehensive Development District No. 23) - 1379 Esquimalt Road / 520 Foster Street (St. Peter and St. Paul's Church), Staff Report DEV-18-064

Attachments: [Appendix A - Bylaw 2932 - OCP Amendment \(1379 Esquimalt Road 520 Foster St\)](#)
[Appendix B - Bylaw 2933 - Zoning Bylaw Amendment \(1379 Esquimalt Road 520 Foster St\)](#)
[Appendix C - Covenant Terms - 1379 Esquimalt RD - CD-23](#)
[Appendix D - Maps, Air Photo, Current OCP Designations and Current CD-23 zone](#)
[Appendix E - Heritage Values, Statement of Significance, Designation](#)
[Appendix F - OCP Consultation - Mailed May 10, 2018](#)
[Appendix G - Applicants Letters and Neighbourhood Meeting Feedback](#)
[Appendix H - Architects Plans - June 7 Site Survey Subdivision Plan Landscape Plan](#)
[Appendix I - Heritage Conservation Engineers Letter, Parking Study, Green Checklist, Tree Inventory](#)
[Appendix J - Notice Mailed Aug 14, 2018 - Newspaper Advertisement August 17 & 22](#)
[Appendix K - Public Comment - including July 16 Council Agenda Late Items](#)

4) Applicant or Authorized Representative - Overview of Application

5) Public Input

6) Adjournment of Hearing

7) Consideration of Staff Recommendation

1. That Council, upon considering comments made at the Public Hearing, resolves that Bylaw No. 2932 attached as Appendix 'A' of Staff Report DEV-18-050, which would amend Official Community Plan Bylaw, 2018, No. 2922 by adding a new section to 'Section 5. Housing and Residential Land Use', changing Schedule 'A' being the 'Present Land Use Designations' map, Schedule 'B' being the 'Proposed Land Use Designations' map, thereby changing the designation of 1379 Esquimalt

Road / 520 Foster Street, [PID 024-848-905; Lot A (DD EP75276), Suburban Lot 27, Esquimalt District, Plan 5092] shown cross-hatched on Schedule 'A', from 'Institutional' to 'St. Peter and St. Paul's' be considered for third reading; and

2. That Council, upon considering comments made at the Public Hearing, resolves that Bylaw No. 2933 attached as Appendix 'B' of Staff Report DEV-18-050, which would amend Zoning Bylaw, 1992, No. 2050 by changing Comprehensive Development District No. 23 [CD No. 23] (the existing zoning designation) of 1379 Esquimalt Road / 520 Foster Street, [PID 024-848-905; Lot A (DD EP75276), Suburban Lot 27, Esquimalt District, Plan 5092] shown cross-hatched on Schedule 'A', to accommodate a new ministry centre with twenty-four (24) residential units above be considered for third reading; and

3. As the owner wishes to assure Council that no building or subdivision of the lot will occur until the form and character of the new building is approved by Council in a future Section 219 covenant, the applicant has voluntarily agreed to register a Section 219 covenant on the title of 1379 Esquimalt Road / 520 Foster Street in favour of the Township of Esquimalt.

That, Council direct staff to coordinate with the property owner to ensure a Section 219 covenant restricting building and subdivision [Appendix 'C'] is registered against the property title prior to returning Amendment Bylaw's No. 2932 and 2933 to Council for consideration of adoption.

4. That Council direct staff to coordinate with the property owner to ensure that the development permit currently registered on title is discharged prior to adoption.

8. PRESENTATIONS

- 1) [18-363](#) Diana Studer, Re: Importance of Child-Centered Design in the Community

Attachments: [Presentation Application - D Studer](#)

- 2) [18-364](#) Rachael Montgomery and Carolyn Whittaker, Surfrider Foundation, Re: Plastic (Single-Use) Checkout Bag Regulation

Attachments: [Presentation Application, Surfrider Foundation](#)

9. PUBLIC INPUT (On items listed on the Agenda)

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

10. STAFF REPORTS

Administration

- 2) [18-337](#) Council Remuneration Bylaw and Amendment of Council Policies PER-05, ADMIN-58 and ADMIN-62, Staff Report ADM-18-024

Recommendation:

1. That Council give Council Remuneration Bylaw, 2018, No. 2941 first, second and third reading and repeal Council Remuneration Bylaw, 2014, No. 2836; and,
2. That Council approve amendments to Council Policies PER-05 (Terms and Conditions of Employment for Officers, Managers and Exempt Employees), ADMIN-58 (Independent Review and Market Analysis of Council Remuneration), and ADMIN-62 (Remuneration for Elected Officials), as attached to Staff Report ADM-18-024.

Attachments: [PER-05 \(Officers Managers and Exempt Employees\) draft](#)
[Bylaw 2941 - Council Remuneration Bylaw 2018](#)
[ADMIN-58 \(Review - Council Remuneration\) Draft](#)
[ADMIN-62 \(Remuneration for Elected Officials\) Draft](#)

Development Services

- 3) [18-269](#) 2017 Climate Action Revenue Incentive Program, Staff Report DEV-18-041

Recommendation:

That Council receive the 2017 Climate Action Revenue Incentive Program Report for information.

Attachments: [Schedule A CARIP Summary 2008 2017](#)
[Schedule B CARIP 2017 Public Report for website](#)
[Schedule C Summary of Energy and GHG 2012 to 2017](#)

- 4) [18-345](#) Amendment to Omnibus Zoning Bylaw Amending Bylaw No. 2938, Staff Report DEV-18-062 related to "Group Children's Day Care Centres".

Recommendation:

That Council rescind second reading of "Zoning Bylaw, 1992, No. 2050, Amendment Bylaw No. 2938", attached as Schedule "A" to Staff Report DEV-18-062, and amend the Bylaw by:

- (1) Deleting, the following wording in Section 2. (8) (b):

"Add the following new Section to Section 34, and renumber the remaining of Section 34:

(3) Size and Location of Group Children's Day Care Centre

The Floor Area dedicated to Group Children's Day Care Centre shall not exceed 105 square metres"

And replacing the wording in Section 2.(8) (b) with the following:

*Amend Section (4) **Floor Area Ratio** of Section 34 with the following so it reads:*

(4) Floor Area Ratio

(a) The Floor Area Ratio shall not exceed 0.35.

(b) Notwithstanding Section (4) (a) the Floor Area Ratio for the Group Children's Day Care Centre shall not exceed 0.50

and read the Bylaw anew as amended for a second time.

Attachments: [Bylaw 2938 - Interim Amendments to Zoning Bylaw](#)

- 5) [18-356](#) Development Permit, 480-482 Grafton Street, Staff Report
DEV-18-065

Recommendation:

That Council resolves that **Development Permit No. DP000105** [Appendix A] authorizing the form and character of the construction of a uniquely shaped duplex as per architectural and landscape plans prepared by Waymark Architecture, stamped "Received August 22, 2018", and site plan prepared by J.E Anderson & Associates, stamped "Received June 11, 2018" **be approved, and staff be directed to issue the permit and register the notice on the title** of the property 480-482 Grafton Street [PID: 000-127-833, Lot 5, Suburban Lot 29, Esquimalt District, Plan 1428

Attachments: [Appendix A - DP000105 - 480- 482 Grafton](#)
[Appendix B - Air Photo and Development Permit Area Guidelines](#)
[Appendix C- Green Building Checklist](#)

- 6) [18-357](#) Development Permit, 520 Comerford Street, Staff Report
DEV-18-066

Recommendation:

That Council resolves that **Development Permit No. DP000107** [Appendix A] authorizing the construction of an elevator and hoistway inside the existing office building on the property are consistent with the architectural plans provided by Joe Newell Architect Inc. and sited in the Land Surveyor's Site Plan prepared by J.E. Anderson & Associates all stamped "Received July 20, 2018"; **be approved, and staff be directed to issue the permit and register the notice on title of the property** at 520 Comerford Street, [PID: PID: 023-885-718,023-885-742,023-885-751, Strata Lot 1,2 & 3 of Suburban Lot 40 Esquimalt District Strata Plan VIS4397 Together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on form 1

Attachments: [Appendix A- DP000107 - 520 Comerford Street](#)
[Appendix B - Air Photo and Development Permit Area Guidelines](#)
[Appendix C - Green Building Checklist](#)

11. MAYOR'S AND COUNCILLORS' REPORTS

- 1) [18-360](#) Esquimalt High School's Sports Field Upgrade Report - Councillor Liberchuk

Attachments: [Esquimalt High School's Sports Field Upgrade Report, Councillor Liberchuk](#)

- 2) [18-362](#) Reconsideration of Motion re Rezoning Application for 1109 Lyall Street, from August 20, 2018 Council meeting - Councillor Hundleby

Attachments: [Reconsideration of Motion 1109 Lyall St Report - Hundleby](#)

12. COMMUNICATIONS

- 1) [18-366](#) Email from Jennifer Young, United Way Greater Victoria, dated August 14, 2018, Re: Proclamation Request

Attachments: [Email - United Way](#)

- 2) [18-367](#) Letter from Jason Elligott, BC Soccer, dated August 14, 2018, Re: #respect ALL Initiative

Attachments: [Letter - BC Soccer](#)

- 3) [18-368](#) Letter from Randall Garrison, MP, Esquimalt-Saanich-Sooke, dated August 14, 2018, Re: The Royal Canadian Legion - Esquimalt Dockyard Branch 172

Attachments: [Letter - MP Randall Garrison](#)

- 4) [18-369](#) Letter from Tara Faganello, Assistant Deputy Minister, Ministry of Municipal Affairs and Housing and Gary MacIsaac, Executive Director, UBCM, dated August 15, 2018, Re: Level 3 Climate Action Recognition

Attachments: [Letter - Climate Action Recognition](#)

- 5) [18-370](#) Email from Alannah Rodgers, City of Victoria, dated August 20, 2018, Re: Greater Victoria School Crossing Guard Association

Attachments: [Email - City of Victoria](#)

- 6) [18-371](#) Email from Cara Weirmier, Victoria Regional Transit Commission, dated August 22, 2018, Re: Transit Future Plan Update

Attachments: [DOC082318-006](#)

- 7) [18-372](#) Letter from Commander C.D. Foreman, CFB Esquimalt, dated August 23, 2018, Re: Request to Campaign in the Residential

Housing Areas

Attachments: [Letter - CFB Esquimalt](#)

13. NOTICE OF MOTION

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

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

- 2) [18-342](#) Notice of Motion re Modernizing the BC Motor Vehicle Act, Councillor Tim Morrison - For Discussion

Attachments: [Notice of Motion - BC MVA - Councillor Morrison](#)
[Attachment 1 - Position Paper - Modernizing the BC Motor Vehicle Act](#)
[Attachment 2 - Copy of City of Victoria Letter Nov 2017](#)

14. PUBLIC QUESTION AND COMMENT PERIOD

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

15. ADJOURNMENT