



# **CORPORATION OF THE TOWNSHIP OF ESQUIMALT**

## **Agenda - Final**

### **Council**

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

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Monday, June 12, 2017

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) [17-229](#) Minutes of the Special Meeting of Council, May 15, 2017  
*Attachments:* [2017 05 15 Special Council Minutes](#)
- 2) [17-230](#) Minutes of the Regular Meeting of Council, May 15, 2017  
*Attachments:* [2017 05 15 Regular Council Minutes](#)
- 3) [17-231](#) Minutes of the Special Meeting of Council, May 23, 2017  
*Attachments:* [2017 05 23 Special 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) [17-232](#) Notice of Public Hearing - Rezoning Application, 101 Island Highway, PID 000-025-569, Lot A, Section 2, Esquimalt District, Plan 39273  
*Attachments:* [Public Hearing Notice - 101 Island Highway](#)
- 2) **Background Information - Available for Viewing Separately**
- 3) **Director of Development Services - Overview of Application**
  - a) [17-226](#) Rezoning Application, 101 Island Highway, Staff Report DEV-17-035

*Attachments:* [DEV-17-035 Schedule A - Bylaw No. 2893 - CD-102](#)  
[DEV-17-035 Schedule B - Airphoto Zn GrnChkList](#)  
[DEV-17-035 Schedule C - Developer Narrative](#)  
[DEV-17-035 Schedule D - Architect Narrative](#)  
[DEV-17-035 Schedule E - Public Comments](#)  
[DEV-17-035 Schedule F - Parking Study and Tsunami Report](#)  
[DEV-17-035 Schedule G - Draft Public Trail SRW and](#)  
[Covenant - 101 Island Highway](#)  
[DEV-17-035 Schedule H - Draft Housing Agreement - 101](#)  
[Island Highway \(June 7 2017\)](#)  
[DEV-17-035 Schedule I - Public Hearing Mail Notice](#)  
[DEV-17-035 Schedule J - Drwgs ClrBrd BCLS](#)

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

**Recommendation:**

1. That Council, upon considering the comments made at the Public Hearing, resolves that Zoning Bylaw, 1992, No. 2050, Amendment Bylaw No. 2893, attached to Staff Report DEV-17-035 as Schedule "A", which would amend Zoning Bylaw, 1992, No. 2050 by changing the zoning designation of PID 000-025-569, Lot A, Section 2, Esquimalt District, Plan 39273 [101 Island Highway] shown cross hatched on Schedule "A" of Amendment Bylaw No. 2893, from Tourist Commercial [C-5A] to Comprehensive Development District No. 102 [CD No. 102] and change the zoning designation from Marine Navigation [M-4] to Comprehensive Development District No. 102 [CD No. 102] of the two portions of land shown in bold outline on Plan EPP67312, being a Sketch Plan to Accompany Rezoning Application, attached as Schedule "B" of Amendment Bylaw No. 2893 [such change resulting from Plan EPP67312 incorporating former harbour bed to the above noted property further to approval by the Surveyor General], be considered for third reading; and

2. That, as the applicant wishes to assure Council the identified issues will be addressed, the applicant has voluntarily agreed to register a Section 219 Covenant and Statutory Right of Way generally consistent with the draft document, attached as Schedule 'G' to Staff Report DEV-17-035 that:

- (i) Ensures that dwelling units will be secured for use as individual rental accommodation;
- (ii) Restricts land use, building development, and reconstruction within 20 metres of the Gorge Waterway; and
- (iii) Provides for future public access across the subject property to facilitate a future trail corridor and development for public use

on the title of the Lot A, Section 2, Esquimalt District, Plan 39273 [101 Island Highway] in favour of the Township of Esquimalt prior to Amendment Bylaw No. 2893 being returned to Council for consideration of adoption; and

3. That prior to adoption of Amendment Bylaw No. 2893, the property owner enter into a Housing Agreement pursuant to Section 483 of the Local Government Act in a form generally consistent with that found in Schedule 'H' of Staff Report DEV-17-035.

## 6. PRESENTATIONS

- 1) [17-234](#) Councillor Marianne Alto, Councillor Pamela Madoff and Mr. Randy Joynt, City of Victoria & Royal and McPherson Theatre Society, Re: The Future of the Royal and McPherson Theatre Society

*Attachments:* [Presentation Application - City of Victoria & Royal and McPherson Theatre Society](#)

## 7. DELEGATIONS

- 1) [17-235](#) Acting Chief Del Manak, Victoria Police Department, Re: Introduction of Inspector Jamie Pearce - Officer in Charge, Esquimalt Division

*Attachments:* [Delegation Application - Victoria Police Department](#)

- 2) [17-236](#) Corey Burger, Greater Victoria Cycling Coalition, Re: Urban Design Guidelines and Protected Bike Lanes for Esquimalt Road

*Attachments:* [Delegation Application - Greater Victoria Cycling Coalition](#)

- 3) [17-243](#) Ryan and Julie Stotesbury, Re: Gorge Vale Golf Course Application for Land Removal from Agricultural Land Reserve

*Attachments:* [Delegation Application - R Stotesbury](#)

## 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

### *Finance*

- 1) [17-219](#) Socially Responsible Investments, Staff Report FIN-17-010

**Recommendation:**

That Council provides direction regarding the completion of the MFABC survey on Socially Responsible Investing and direct staff to revise the current Council Policy FIN-04 Investment of All Surplus Funds

*Attachments:* [MFA Memo.pdf](#)  
[MFA Survey.pdf](#)  
[FIN-04 \(Investment of All Surplus Funds\).pdf](#)

### *Engineering and Public Works*

- 2) [17-228](#) Streets and Traffic Regulation Bylaw, Staff Report EPW-17-026

**Recommendation:**

That Council:

- a. Repeals Streets and Traffic Regulation Bylaw, 2005, No. 2607; and
- b. Gives first, second and third reading of the Streets and Traffic Regulation Bylaw, 2017, No. 2892.

*Attachments:* [Attachment A Bylaw 2898 - Streets and Traffic Regulation Update \(May 2017\)](#)

- 3) [17-223](#) 445 Head Street Entrance Sign, Staff Report EPW-17-025

**Recommendation:**

That Council approves:

- a. The construction of the proposed sign within the municipal boulevard;
- b. That staff negotiate with the Proponent to enter into an encroachment agreement;
- c. That the encroachment agreement does not need to be registered with the Title office; and
- d. The design of the proposed sign.

*Attachments:* [Attachment A Landscape Plan](#)  
[Attachment B Revised Sign Graphics](#)

### *Development Services*

- 4) [17-224](#) Development Permit and Development Variance Permit for a new two-unit dwelling at 1151 Colville Road, Staff Report DEV-17-032

**Recommendation:**

That Council resolves that Development Permit No. 000081 [Schedule B] authorizing the development as shown on the architectural drawings prepared by Virtual Home Design stamped received January 31, 2017, [Schedule C] and the landscape plan prepared by Shan Marcus Thrive Gardens & Living Spaces stamped received May 11, 2017 [Schedule D], and sited as detailed on the survey plan prepared by Explorer Land Surveying Inc., stamped received January 31, 2017, [Schedule E] be approved and staff be directed to issue the

permit (subject to receipt of the required landscape security), and register the notice on the title of the property located at 1151 Colville Road; and legally described as Lot 10, Block 17, Section 10, Esquimalt District, Plan 2546; and having a PID of 006-327-800.

Furthermore, that Council resolves that Development Variance Permit No. DVP00064 [Schedule F] authorizing the development as shown on the architectural drawings prepared by Virtual Home Design stamped received January 31, 2017, [Schedule C] and sited as detailed on the survey plan prepared by Explorer Land Surveying Inc., stamped received January 31, 2017 [Schedule E] and including the following variance to the 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 1151 Colville Road; and legally described as Lot 10, Block 17, Section 10, Esquimalt District, Plan 2546; and having a PID of 006-327-800:

Zoning Bylaw, 1992, No. 2050, Section 40 (9) (a) (ii) Siting Requirements - Principal Building - Side Setback. A 0.7 metre reduction to the requirement that, "in the case where a Parcel is not served by a rear lane, one (1) Side Yard shall not be less than 3 metres" from 3.0 metres to 2.3 metres.

*Attachments:* [Schedule A 1151 Colville Rd Key Map](#)  
[Schedule B DP000081](#)  
[Schedule C Architectural Drawings](#)  
[Schedule D Landscape Plan](#)  
[Schedule E Site Survey](#)  
[Schedule F DVP00064](#)  
[Schedule G Two Family Single Family Residential \[RD-3\] Zone](#)  
[Schedule H Development Permit Area 5 Design Guidelines](#)  
[Schedule I Green Building Checklist](#)  
[Schedule J Letters of Support from Neighbours](#)  
[Schedule K Notice Sent to Neighbours](#)

- 5) [17-220](#) Development Variance Permit - 398 Constance Avenue, Staff Report DEV-17-033

***Recommendation:***

That Council resolves that Development Variance Permit No. DVP00056 [Appendix A] authorizing the construction as shown on plans prepared by MTG Drafting, stamped "Received April 27, 2017", and sited as detailed on the surveyor's site plan prepared by Kenneth Ng, BCLS, stamped "Received April 27, 2017, 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 PID 009-337-288, Lot 6, Suburban Lot 51, Esquimalt District, Plan 61A [398 Constance Avenue]:

**Zoning Bylaw, 1992, No. 2050, Section 36. (9)(a)(ii) - Siting Requirements - Principal Building** - A 2.9 metre decrease to the requirement that no principal building shall be located within 3.0 metres of an Interior Side Lot Line, specifically for the deck located at the rear of the principal building, [ie. from 3.0 metres to 0.1 metres].

*Attachments:* [Appendix A - DVP00056](#)  
[Appendix B - Air Photo, RS-3 Zone, Mail Notice](#)  
[Appendix C - Surveyors Site Plan and Building Plans](#)

- 6) [17-222](#) Proposal from the Gorge Vale Golf Course to remove a 5.0 hectare parcel from the Agricultural Land Reserve, Staff Report DEV-17-021

***Recommendation:***

That Council pass the resolution, attached as Schedule “A” to Staff Report DEV-17-021, stating that they do not object to the application by the Gorge Vale Golf Club to remove approximately 5 ha of land from the Agricultural Land Reserve and authorize staff to forward the resolution to the Agricultural Land Commission forthwith.

*Attachments:* [Schedule A Township of Esquimalt Resolution June 12 2017](#)  
[Schedule B Site Plan Showing the Proposed Area to be Removed from the Agricultural Land Reserve](#)  
[Schedule C Land Capability for Agriculture Gorge Vale Golf Course Report](#)  
[Schedule D Letter from Terry Barker](#)  
[Schedule E Letter from Julie and Ryan Stotesbury](#)  
[Schedule F Letter from Jennifer Bilsbarrow](#)  
[Schedule G Letter from Deborah Walker](#)  
[Schedule H Letter from Joan & Brian Wallace](#)

- 7) [17-233](#) Request for Council acceptance of the proposed non-binding dispute resolution process for the Regional Growth Strategy and appointment of Township Representatives to participate in the process, Staff Report DEV-17-031

***Recommendation:***

That Council accept the proposed non-binding dispute resolution process as outlined in Schedule B and appoint one member of Council, the Chief Administrative Officer, and the Director of Development Services as the Township’s representatives in the process and notify the Capital Regional District forthwith.

*Attachments:* [Schedule A Letter to the CRD outlining Council's non-acceptance for the Regional Growth Strategy](#)  
[Schedule B Letter from the CRD outlining the dispute resolution process](#)  
[Schedule C Cost Estimates](#)

## 10. MAYOR’S AND COUNCILLORS’ REPORTS

- 1) [17-237](#) Federation of Canadian Municipalities (FCM) 2017 Conference, Councillor Meagan Brame

*Attachments:* [Councillor Brame - FCM 2017](#)

**11. REPORTS FROM COMMITTEES**

- 1) [17-238](#) Draft Minutes from the APC Design Review Committee, March 8, 2017

*Attachments:* [2017 03 08 Design Review Committee Minutes - Draft](#)

- 2) [17-239](#) Draft Minutes from the Parks and Recreation Advisory Committee, April 26, 2017

*Attachments:* [2017 04 26 Parks & Recreation Advisory Committee Minutes - Draft](#)

- 3) [17-240](#) Draft Minutes from the Advisory Planning Commission, May 16, 2017

*Attachments:* [2017 05 16 Advisory Planning Commission Minutes - Draft](#)

**12. COMMUNICATIONS**

- 1) [17-241](#) Letter from Emilie Gorman, Capital Regional District, dated May 19, 2017, Re: Bylaw No. 4127, Arts and Culture Support Service Establishment Bylaw No. 1, 2001, Amendment Bylaw No. 4, 2017

*Attachments:* [Letter - CRD Bylaw 4127](#)

- 2) [17-242](#) Email from Marie Albertson, Francophone and Francophile Cities Network, dated June 2, 2017, Re: Updated Program for July's Meeting

*Attachments:* [Email - Francophone and Francophile Cities Network](#)

**13. PUBLIC QUESTION AND COMMENT PERIOD**

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

**14. ADJOURNMENT**