



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

Agenda - Final

Council

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

Monday, June 11, 2018

7:00 PM

Esquimalt Council Chambers

- 1. CALL TO ORDER**
- 2. LATE ITEMS**
- 3. APPROVAL OF THE AGENDA**
- 4. MINUTES**

- 1) [18-266](#) Minutes of the Special Meeting of Council, May 28, 2018

Attachments: [2018 05 28 Special Council Minutes - Draft](#)

- 2) [18-270](#) Minutes of the Regular Meeting of Council, May 28, 2018

Attachments: [2018 05 28 Regular Council Minutes - Draft](#)

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) [18-265](#) Public Hearing Notice - Zoning Bylaw Amendment to Regulate Cannabis

Attachments: [PH Notice Notice - Zoning Bylaw Amendment to Regulate Cannabis](#)

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

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

- a) [18-262](#) Public Hearing for Bylaw 2929, to amend Zoning Bylaw to regulate Cannabis, Staff Report DEV-18-039

Attachments: [Schedule "A" - Bylaw 2929 Zoning Bylaw Amendment - Cannabis](#)
[Schedule "B" - Health Canada Information for Municipalities Medical Use of Cannabis](#)

- 4) **Public Input**
- 5) **Adjournment of Hearing**

6) Consideration of Staff Recommendation

That Council, upon considering comments made at the Public Hearing, resolves that Zoning Bylaw, 1992, No. 2050, Amendment Bylaw, 2018, No. 2929, attached as Schedule "A" to Staff Report DEV-18-039, which would amend Zoning Bylaw, 1992, No. 2050 by:

- a. Adding definitions of "Cannabis", "Cannabis Lounge", "Cannabis Plant", "Medical Marijuana Production Facility", and "Store, Cannabis Sales";
 - b. Amending the definitions of "Business and Professional Offices" and "Store, Retail";
 - c. Prohibiting the retail sale of non-medical cannabis in all zones and on all public road ways unless the location is specifically rezoned to allow a Cannabis Sales Store;
 - d. Prohibiting Cannabis Lounges and similar facilities in all zones unless the location is specifically rezoned to allow such uses;
 - e. Prohibiting the growing or production of marijuana, cannabis and similar plants, products or derivatives except:
 - i. As a farm use on lands in the Agricultural Land Reserve;
 - ii. On land specifically rezoned to permit a Health Canada licenced Medical Marijuana Production Facility use;
 - iii. As an Accessory Use under the authority of a Health Canada issued personal use licence;
 - iv. Under the authority of one or more Health Canada issued designated producer licences; and
 - v. The growing of up to 4 plants indoors in the strict conformity of the laws of BC and Canada.
 - f. Adding the word "liquor" before the word "lounge" in Sections 60 (1) (e) (Gorge Vale Golf Course) and 67.71 (1) (a) (English Inn)
- be considered for third reading and adoption.

6. PRESENTATIONS

- 1) [18-222](#) Thomas Hackney, Policy Advisory, BC Sustainable Energy Association, Re: UBCM Resolutions Addressing Sustainability

Attachments: [Presentation Application - BC Sustainable Energy Association](#)

7. DELEGATIONS

- 1) [18-223](#) Don Prittie, President and Lisa Geddes, Executive Director, Boating BC Association, Re: Protecting Access Points to Waterways

Attachments: [Delegation Application - Boating BC Association](#)

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) [18-245](#) Council Procedure Bylaw Amendment, Staff Report ADM-18-019

Recommendation:

That Council gives first, second and third reading to Council Procedure Bylaw No. 2715, 2009, Amendment Bylaw [No. 3], 2018, No. 2930, as attached to Staff Report ADM-18-019.

Attachments: [Council Procedure Bylaw, No. 2715, 2009, Amendment \[No. 3\], No. 2930, 2018](#)

- 2) [18-253](#) Fire Dispatch Contract Execution, Staff Report ADM-18-021

Recommendation:

That Council authorize the Mayor and Corporate Officer to execute the contract between the City of Surrey and the Township of Esquimalt for the provision of fire dispatch services to Esquimalt Fire Rescue as attached to Staff Report ADM-18-021.

Attachments: [March 12, 2018 Staff Report](#)
[Fire Dispatch Service Agreement](#)

Finance

- 3) [18-261](#) Funding Request - Habitat Acquisition Trust, Staff Report FIN-18-011

Recommendation:

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

Attachments: [HAT Funding Request](#)
[FIN-16 \(Permissive Tax Exemption Council Policy\)](#)
[ADMIN-32 \(Local Grants Council Policy\)](#)

Development Services

- 4) [18-252](#) Rezoning Application - 615 Fernhill Road, Staff Report DEV-18-035

Recommendation:

That Council resolves that Bylaw No. 2906, attached as Appendix A to Staff Report DEV-18-035, which would amend Zoning Bylaw, 1992, No. 2050 by changing the zoning designation of PID 004-757-742, Lot B, Section 11, Esquimalt District, Plan 12446 [615 Fernhill Road] shown cross-hatched on Schedule 'A' from RD-1 [Two Family Residential] to CD No. 105 [Comprehensive Development District No. 105] **be considered for adoption**.

Attachments: [Appendix A - Amendment Bylaw No 2906 \(615 Fernhill - CD105\)](#)
[Appendix B - Subject Property Map, Aerial Map](#)
[Appendix C - Surveyor's Site Plan, Architectural Drawings, Landscape Plan](#)
[Appendix D - Title and Registered Covenant](#)
[Appendix E - Green Building Checklist](#)

- 5) [18-254](#) Development Variance Permit - 801 Esquimalt Road, Staff Report: DEV-18-037

Recommendation:

That Council resolves that **Development Variance Permit No. DVP00073** [Appendix A] authorizing the parking layout as shown on the site plan prepared by Derek Neale, NSDA Architects, stamped "Received March 23, 2018" and including the following relaxations to Parking Bylaw, 1992, No. 2011, **be approved, and staff be directed to issue the permit and register the notice on the title** of the property located at 801 Esquimalt Road [PID 002-925-729; Parcel B (DD1393651) of Lot A, Section 11, Esquimalt District, Plan 25546 except that part in Plan VIP83622]:

Parking Bylaw, 1992, No. 2011, Section 11 (1) - Visitor Parking - A reduction to the requirement that for land zoned multiple family residential 1 of every 4 required spaces shall be clearly marked 'Visitor' and available for use by non-occupants of the Parcel at all times. [ie. from 1 of every 4, to 1 of every 10.5 required spaces];

Parking Bylaw, 1992, No. 2011, Section 13(1)(a)(iv) - Parking Requirements - Number of Off-Street Parking Spaces - A reduction to the number of required off-street Parking Spaces, from 42 spaces to 37 spaces [ie. from 1.3 spaces per dwelling unit to 1.16 spaces per dwelling unit];

Parking Bylaw, 1992, No. 2011, Section 14. (4) - Dimensions Of Off-Street Parking Spaces - An exemption to the requirement that where any parking space abuts a portion of a fence or structure, the minimum stall width shall be increased by 0.3 metres for that parking space, for those parking spaces abutting a structural post in the covered parking area.

Attachments: [Appendix A - DVP00073 - 801 Esquimalt Road](#)
[Appendix B - Air photo, Mail Notice](#)
[Appendix C - Architects Drawings and Managers Letter](#)

- 6) [18-264](#) Rezoning Application - 669 Constance Avenue, "Corvette Landing", Staff Report DEV-18-040

Recommendation:

1. That Council resolves to **rescind third reading** of Zoning Bylaw, 1992, No.2050, Amendment Bylaw No. 2915, attached to Staff Report DEV-18-040 as Appendix A, which would amend Zoning Bylaw, 1992, No. 2050 by changing the zoning designation of 669 Constance Avenue, PID 030-431-026, Lot 1, Suburban Lots 43 and 44, Esquimalt District, Plan EPP76107 shown cross-hatched on Schedule 'A' of Amendment Bylaw No. 2915 from a mix of RM-1 [Multiple Family Residential] and RM-4 [Multiple Family Residential] Zone to CD

No. 107 [Comprehensive Development District No. 107];

2. That Council resolves that Zoning Bylaw, 1992, No.2050, Amendment Bylaw No. 2915, attached to Staff Report DEV-18-040 as Appendix A, be amended and **read anew at second reading**; and

3. That Council authorizes the Corporate Officer to schedule a second Public Hearing for Zoning Bylaw, 1992, No. 2050, Amendment Bylaw No.2915, and to advertise the same in the local newspaper.

Attachments: [Appendix A - Amendment Bylaw No. 2915](#)
[Appendix B - Subject Property Map, Aerial Map, OCP LUD Map, OCP Policies](#)
[Appendix C - Architectural Drawings, Renderings, Shadow Studies, Colour Board, Landscape Plan, and Surveyor's Site Plan](#)
[Appendix D - Green Building Checklist](#)
[Appendix E - Proposed Public Access Park Area](#)
[Appendix F - Public Hearing Staff Report DEV-18-023, April 23, 2018](#)

10. COMMUNICATIONS

- 1) [18-225](#) Letter from Minister Rob Fleming, Ministry of Education, dated April 23, 2018, Re: Premier's Awards for Excellence in Education

Attachments: [Letter - Ministry of Education](#)

- 2) [18-226](#) Letter from R. Thomas Burley, General Manager / CEO, Oakcrest Park Estates Ltd., dated April 27, 2018, Re: Parking in the Gorge / Tillicum Area

Attachments: [Letter - Oakcrest Park Estates](#)

- 3) [18-227](#) Email from Cathy Peters, dated April 29, 2018, Re: District of Houston Letter of Support for a Human Trafficking Task Force

Attachments: [Email - C Peters](#)

- 4) [18-229](#) Letter from The Honourable Mobina S.B. Jaffer, Senator for British Columbia, dated May 3, 2018, Re: Border Implications of Bill C-45

Attachments: [Letter - Senator for BC](#)

- 5) [18-230](#) Letter from Wayne Zaccarelli, Secretary, Esquimalt Anglers' Association, dated May 13, 2018, Re: Letter of Support Re: Boating BC Resolution to UBCM

Attachments: [Letter - Esquimalt Anglers Association](#)

- 6) [18-268](#) Email from Kariann Aarup, President, Ecole Beausoleil PAC, received May 30, 2018, Re: VICPD School Liaison Program - The

Voice of Parents & Children Ecole Beausoleil

Attachments: [Email - Ecole Beausoleil PAC](#)

- 7) [18-271](#) Emails from Keith Wells, Greater Victoria Sport Tourism Commission, dated June 4, 2018 and June 6, 2018, Re: Games Opportunity for Greater Victoria

Attachments: [Email #1 - Greater Victoria Sport Tourism Commission](#)

[Email # 2 - Greater Victoria Sport Tourism Commission](#)

11. NOTICE OF MOTION

- 1) [18-201](#) Notice of Motion Re: UBCM Resolutions Addressing Sustainability, Councillor Susan Low - For Discussion

Attachments: [Notice of Motion - UBCM Resolutions Addressing Sustainability](#)

- 2) [18-212](#) Notice of Motion re Esquimalt High School Track and Sports Field Upgrades Working Group, Councillor Olga Liberchuk - For Discussion

Attachments: [Notice of Motion re Esquimalt High School Field Upgrades Working Group](#)

12. PUBLIC QUESTION AND COMMENT PERIOD

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

13. ADJOURNMENT