



# **CORPORATION OF THE TOWNSHIP OF ESQUIMALT**

## **Agenda - Final**

### **Council**

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

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Monday, July 16, 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) [18-321](#) Minutes of the Special Meeting of Council, July 9, 2018

*Attachments:* [2018 07 16 Special Council Minutes](#)

- 2) [18-324](#) Minutes of the Regular Meeting of Council, July 9, 2018

*Attachments:* [2018 07 16 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) [18-314](#) Notice of Public Hearing - Rezoning Application, 1182 Colville Road, Unit 15

*Attachments:* [Public Hearing Notice - 1182 Colville Road](#)

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

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

- a) [18-310](#) Zoning Text Amendment -1182 Colville Road, Unit 15, Staff Report DEV-18-049

*Attachments:* [Appendix A - Bylaw No. 2931 - 1182 Colville Road - Amendment to CD-57](#)

[Appendix B - Maps, CD-57 zone](#)

[Appendix C - Applicants Letters and Neighbourhood Meeting Feedback](#)

[Appendix D - Notification and Newspaper Ad - 1182 Colville Rd](#)

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

**7) Consideration of Staff Recommendation**

That Council, upon considering comments made at the Public Hearing, resolves that Bylaw No. 2931 [Appendix A], which would amend the Zoning Bylaw, 1992, No. 2050, Comprehensive Development District No. 57 zoning regulations to allow additional commercial uses at 1182 Colville Road – Unit 15 [PID 026-875-683; Strata Lot 15, Section 10, Esquimalt District Strata Plan VIS6147 Together With An Interest In The Common Property In Proportion To The Unit Entitlement Of The Strata Lot As Shown On Form V] be considered for third reading and adoption.

**6. PUBLIC INPUT (On items listed on the Agenda)**

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

**7. STAFF REPORTS*****Engineering and Public Works***

- 1) [18-315](#) Various Civil Projects 2018 Tender Award, Staff Report EPW-18-025

***Recommendation:***

That the contract for the Various Capital Projects 2018 be awarded to Five Star Paving for \$592,518.95 with an amount of \$130,000 being reallocated from the Tillicum Road Intersection Project (Community Works Account) to fund this contract.

*Attachments:* [Attachment A - Site Locations](#)

- 2) [18-317](#) 900 Block Lyall Street Parking Restriction, Staff Report EPW-18-026

***Recommendation:***

That Council approves the implementation of Traffic Order 1290 “Residential Parking Only” along Lyall Street, north side between Paradise Street and Gore Street, as set out in Staff Report EPW-18-026.

*Attachments:* [Attachment A - Traffic Order 1290](#)  
[Attachment B - Residential Parking Petition](#)

***Development Services***

- 3) [18-311](#) Development Variance Permit - 1173 Old Esquimalt Road, Staff Report DEV-18-050

***Recommendation:***

The Council resolves that Development Variance Permit No. DVP00078 [Appendix A] authorizing the construction of a new deck and legitimizing the portion of the existing dwelling currently encroaching into the rear setback, as shown on plans prepared by Jay Meyer, stamped “Received June 4, 2018” and site plan prepared by Island Land Survey LTD, stamped “Received June 4, 2018” including the following variances to Zoning Bylaw 1992, No.2050, **be approved, and staff be directed to issue the permit and register the notice on title** of the property located at PID: 018-183-298, Lot 2, Section 11, Esquimalt District,

Plan VIP56221 [1173 Old Esquimalt Road]:

**Zoning Bylaw, 1992, No. 2050, Section 35. (10)(a)(iii) - Setback Requirements - Principal Building-** A 3.8 metre decrease to the requirement that no principal building be located within 7.5 metres of a Rear Lot Line, specifically for the deck located at the rear of the principal building. [i.e. from 7.5 metres to 3.7 metres]

**Zoning Bylaw, 1992, No. 2050, Section 35. (10)(a)(iii) - Setback Requirements - Principal Building-** A 0.1 metre decrease to the requirement that no principal building be located within 7.5 metres of a Rear Lot Line, specifically for the portion of the home located at the south east corner of the property already in the rear setback [i.e from 7.5 metres to 7.4 metres]

*Attachments:* [Appendix A - DVP00078](#)

[Appendix B - 1173 Old Esquimalt - Plan and Survey](#)

[Appendix C - 1173 Old Esquimalt - Mail Notice and Air Photo](#)

- 4) [18-312](#) 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-18-050

***Recommendation:***

1. That Council resolves that Bylaw No. 2932 attached as Appendix 'A' to 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 first and second reading;** and
2. That Council resolves that Bylaw No. 2933 attached as Appendix 'B' to 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 first and second reading;** and
3. That Council resolves that Housing Agreement (1379 Esquimalt Road/ 520 Foster Street) Bylaw, 2018, No. 2935, attached as Appendix 'C' to Staff Report DEV-18-050, for 1379 Esquimalt Road / 520 Foster Street, [PID 024-848-905; Lot A (DD EP75276), Suburban Lot 27, Esquimalt District, Plan 5092], **be considered for first, second, and third readings;** and
4. That Council authorizes the Corporate Officer to schedule a public hearing for Official Community Plan Bylaw, 2018, No. 2922, Amendment Bylaw, 2018, No. 2932 and Zoning Bylaw, 1992, No. 2050, Amendment Bylaw No. 2933, and to advertise for same in the local

newspaper.

*Attachments:* [Appendix A - Bylaw No. 2932 - 1379 Esquimalt Road - 520 Foster St - OCP Amendment Bylaw](#)  
[Appendix B - Bylaw No. 2933 - 1379 Esquimalt Road - 520 Fosters St - Rezone CD-23](#)  
[Appendix C - Bylaw No. 2935 - Housing Agreement - 1379 Esquimalt Road](#)  
[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 - Public Comment - S Robinson](#)

5) [18-316](#) Omnibus Zoning Bylaw Amendments, Staff Report DEV-18-048

**Recommendation:**

That Council resolves that “Zoning Bylaw, 1992, No. 2050, Amendment Bylaw No. 2938” attached as Schedule “A” to Staff Report DEV-18-048, which would amend Zoning Bylaw, 1992, No. 2050, by replacing text and figures as detailed in the contents of the amending bylaw 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. 2938, and advertise the same in the local newspaper.

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

6) [18-318](#) Council consideration of application to amend Official Community Plan and Zoning Bylaw to allow for development of 12-storey building, 899 Esquimalt Road and 896 Wollaston Street, Staff Report DEV-18-0

**Recommendation:**

That Council consider an application to amend the Official Community Plan and the Zoning Bylaw in order to allow for the development of a 12-storey mixed-use building at 899 Esquimalt Road and 896 Wollaston Street [PID 030-151-562, Lot A, Section 11, Esquimalt District, Plan EPP69557] (Schedule A) and upon such consideration, instruct staff how Council wishes to proceed with the applications - namely to prepare the amending bylaws or close the file.

*Attachments:* [Schedule A - 899 Esquimalt Road Architect's Narrative and Drawing Set](#)  
[Schedule B - Green Building Checklist](#)

- 7) [18-328](#) Rezoning Application - 699 Constance Avenue, Staff Report DEV-18-055

**Recommendation:**

That Council resolves that Zoning Bylaw, 1992, No. 2050, Amendment Bylaw No. 2915, attached to Staff Report DEV-18-055 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], **be considered for final adoption.**

*Attachments:* [Bylaw 2915 - 669 Constance Ave - CD107](#)  
[Section 219 Covenant](#)

- 8) [18-329](#) Housing Agreement Bylaw - 669 Constance Avenue, Staff Report DEV-18-054

**Recommendation:**

That Council resolves that Housing Agreement Bylaw, 2018, No. 2937, attached as Appendix A of Staff Report DEV-18-054, for 669 Constance Avenue, be considered for final adoption.

*Attachments:* [Housing Agreement Bylaw 2937 \(669 Constance Ave\)](#)

**8. BYLAWS**

- 1) [18-320](#) Fees and Charges (Miscellaneous Bylaw), 2016, No. 2874, Amendment [No. 2], 2018, No. 2939 - For Adoption

*Attachments:* [Bylaw 2939 - Fees and Charges \(Miscellaneous\) Bylaw Amendment - Fire Department Tower Crane - For Adoption](#)

- 2) [18-322](#) Inter-Community Business Licence Bylaw, 2018, No. 2934 - For Adoption

*Attachments:* [Bylaw 2934 - Inter Community Business Licence](#)

**9. MAYOR'S AND COUNCILLORS' REPORTS**

- 1) [18-323](#) FCM 2018 Report - Councillor Hundleby

*Attachments:* [2018 07 16 FCM 2018 Report- Councillor Hundleby](#)

**10. REPORTS FROM COMMITTEES**

- 1) [18-313](#) Adopted Minutes from the APC Design Review Committee, May 9, 2018

*Attachments:* [2018 05 09 Design Review Minutes](#)

- 2) [18-330](#) Draft Minutes from the Advisory Planning Commission, May 15, 2018

*Attachments:* [2018 05 15 Advisory Planning Commission Minutes](#)

- 3) [18-331](#) Adopted Minutes of the APC Design Review Committee, June 13, 2018

*Attachments:* [2018 06 13 APC Design Review Committee](#)

## 11. COMMUNICATIONS

- 1) [18-325](#) Email from Jennifer Nichols, Community Outreach Coordinator, Capital Regional District, dated July 9, 2018, Re: CRD Funded Arts Events & Initiatives (Project, Equity & Incubator Grants 2018)

*Attachments:* [Email - CRD Arts](#)

- 2) [18-326](#) Email from Nigel D Brodeur, dated July 11, 2018, Re: St. Peter's St. Paul's APC Presentation & Rezoning

*Attachments:* [Letter - N. Brodeur](#)

- 3) [18-327](#) Letter from Keven and Carin Elder, dated July 11, 2018, Re: Development Variance Permit Request for 1173 Old Esquimalt Road

*Attachments:* [Letter - K & C Elder](#)

## 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