



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

Agenda - Final

Council

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

Monday, November 26, 2018

7:00 PM

Esquimalt Council Chambers

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

- 1) [18-457](#) Minutes of the Special Meeting of Council, October 1, 2018
Attachments: [2018 10 01 Special Council Minutes - Draft](#)
- 2) [18-458](#) Minutes of the Regular Meeting of Council, October 1, 2018
Attachments: [2018 10 01 Regular Council Minutes - Draft](#)
- 3) [18-459](#) Minutes of the Regular Meeting of Council, November 5, 2018
Attachments: [2018 11 05 Regular Council Minutes - Draft](#)
- 4) [18-460](#) Minutes of the Special Meeting of Council, November 19, 2018
Attachments: [2018 11 19 Special 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) [18-463](#) Notice of Public Hearing - Rezoning Application - 939 Colville Road and 825 Lampson Street
Attachments: [Public Hearing Notice - 939 Colville Road & 825 Lampson Street](#)
- 2) **Background Information - Available for Viewing Separately**
- 3) **Director of Development Services - Overview of Application**
 - a) [18-445](#) Rezoning Application - 939 Colville Road and 825 Lampson Street, Staff Report DEV-18-080

Attachments: [Appendix A - Bylaw 2942 - 939 Colville Road & 825 Lampson Street](#)
[Appendix B - SP Map, Air Photo, OCP Maps, Zoning Map, and RM-3 zone](#)
[Appendix C - Applicants Letter to Mayor and Council](#)
[Appendix D - Landscape Plan and Architectural Plans](#)
[Appendix E - Green Checklist and Watts Transportation Review](#)
[Appendix F - Modo letter of support, Carsharing Agreement, Letter to Councillor Hundleby](#)
[Appendix G - Applicants Neighbourhood Consultation and Feedback](#)
[Appendix H - Mail Notice and Victoria News Advertisements](#)
[Appendix I - Public Comment - S Adams](#)

- 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. 2942 [Appendix A], which would amend Zoning Bylaw, 1992, No. 2050, by changing the zoning designation of 939 Colville Road [PID 005-752-655, Lot 1, Block 1, Section 10, Esquimalt District, Plan 6277] shown cross-hatched on Schedule "A" of Bylaw No. 2942 from Single Family Bed and Breakfast [RS-4] to Comprehensive Development District No. 112 [CD. No. 112]; and by changing the zoning designation of 825 Lampson Street [PID 000-017-817, Lot 2, Block 1, Section 10, Esquimalt District, Plan 6277] shown cross-hatched on Schedule "A" of Bylaw No. 2942 from [Comprehensive Development District No. 90 [CD No. 90], to Comprehensive Development District No. 112 [CD. No. 112], be considered for 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-18-080, the applicant has voluntarily agreed to register a Section 219 Covenant on the title of 939 Colville Road [PID: 005-752-655, Lot 1, Block 1, Section 10, Esquimalt District, Plan 6277] and 825 Lampson Street [PID: 000-017-817, Lot 2, Block 1, Section 10, Esquimalt District, Plan 6277] 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 939 Colville Road [PID: 005-752-655, Lot 1, Block 1, Section 10, Esquimalt District, Plan 6277] and 825 Lampson Street [PID: 000-017-817, Lot 2, Block 1, Section 10, Esquimalt District, Plan 6277] prior to development, as the proposed CD No.112 Zone does not work unless the parcels are consolidated
- The existing buildings will only be used for their current uses prior to demolition
- The number of dwelling units in the new development will remain at no more than ten [10] units, as stated in Bylaw No. 2942
- Five (5) visitor parking spaces will be provided and remain as illustrated in the landscaping plan, attached in Appendix D of Staff Report DEV-18-080
- One (1) parking space will be provided for the parking of a car share vehicle
- One (1) car share vehicle will be provided
- Ten (10) car share cooperative memberships (one for each dwelling unit) to be owned by the strata and made available for residents of this development
- Conduit for future electric vehicle charging in each of the ten private garages and at the car share vehicle space
- A swale (rain garden) for stormwater management and enhanced habitat
- A bicycle parking area with a bike rack, and
- A constraint on the future strata corporation that the rental of units will not be restricted

Council direct staff and legal counsel for the Township to coordinate with the property owner to ensure a Section 219 Covenant addressing the aforementioned issues is registered against the property title, in priority to all financial encumbrances, prior to returning Amendment Bylaw No. 2942 to Council for consideration of adoption.

6. PRESENTATIONS

- 1) [18-464](#) Lindsay Taylor, Senior Transit Planner, BC Transit, Re: Esquimalt / View Royal Local Area Transit Plan
Attachments: [Presentation Application - BC Transit](#)
- 2) [18-465](#) Victoria Police Department 2018 Summer Action Plan, Inspector Jamie Pearce, Esquimalt Division

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

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

8. STAFF REPORTS

Administration

- 1) [18-439](#) Taxi Applications, Staff Report ADM-18-029

Recommendation:

That Council provide any comments on the Taxi Applications or on the taxi services in general, as set out in Staff Report ADM-18-029, and direct staff to forward the comments to the Passenger Transportation Board for consideration.

Attachments: [Notice - ESQ Taxi](#)
[Notice - Bluebird Taxi](#)
[Notice - Victoria Taxi](#)
[Notice - Yellow Taxi](#)
[Notice - Esquimalt Saanich Taxi](#)
[Notice - Peninsula Taxi](#)
[Notice - Yellow Taxi weekend service](#)
[Notice - Weekend Cab](#)

- 2) [18-441](#) Council Internal and External Committee Appointments, Staff Report ADM-18-030

Recommendation:

1. That Council approve the appointments to internal and external committees, commissions and boards as attached to Staff Report ADM-18-030; and
2. That the Township of Esquimalt ratifies and confirms the appointment of its current CRD representatives to the Capital Region Housing Corporation Board.

Attachments: [Council Appointments 2018-2019](#)

Community Safety Services

- 3) [18-433](#) Request for Council Resolution in Support of Grant Application, Staff Report CSS-18-016

Recommendation:

That Council support by way of resolution a \$25,000 application for the Community Emergency Preparedness Fund - Social Services Stream, and authorize the Mayor and Corporate Officer to execute any agreements related to a successful grant application.

- 4) [18-434](#) Request for Council Resolution in Support of a Grant Application, Staff Report CSS-18-017

Recommendation:

That Council support by way of resolution a \$25,000 application for the Community Emergency Preparedness Fund - Evacuation Route Planning stream, and authorize the Mayor and Corporate Officer to execute any agreements related to a successful grant application.

Development Services

- 5) [18-444](#) Rezoning Application - 638 and 640 Constance Avenue, 637 Nelson Street, Staff Report DEV-18-079

Recommendation:

1. That Council resolves that Zoning Bylaw, 1992, No. 2050, Amendment Bylaw No. 2927, attached to Staff Report DEV-18-079 as Appendix A, which would amend Zoning Bylaw, 1992, No. 2050 by changing the zoning designation of 638 Constance Avenue [PID 000-546-437, Lot B (DD 237133I), of Lots 79 and 89, Suburban Lot 44, Esquimalt District, Plan 2854], 640 Constance Avenue [PID 000-380-911, Amended Lot 88 (DD 208422I), of Suburban Lot 44, Esquimalt District, Plan 2854], and 637 Nelson Street [PID 006-386-466, Lot D (DD 367731-I), Suburban Lot 44, Esquimalt District, Plan 2854], all shown cross hatched on Schedule 'A' of Bylaw No. 2927, from RM-1 [Multiple Family Residential], to CD No. 110 [Comprehensive Development District No. 110] be amended as follows:

- a) In section 67.97 (4) Number of Dwelling Units - change "seventy-seven (77)" to "seventy-one (71)" and
 - b) In section 67.97 (12) (a) Off-Street Parking - change "0.79" to "0.85";
- and be given second reading as amended;

2. That Council authorizes the Corporate Officer to schedule a Public Hearing for Zoning Amendment Bylaw No. 2927, mail notices and advertise for same in the local newspaper; and

3. That, as the applicant wishes to assure Council that uses and development will be restricted and amenities provided as identified in Staff Report DEV-18-079, the applicant has voluntarily agreed to register a Section 219 Covenant on the title of 638 Constance Avenue [PID 000-546-437, Lot B (DD 237133I), of Lots 79 and 89, Suburban Lot 44, Esquimalt District, Plan 2854], 640 Constance Avenue [PID 000-380-911, Amended Lot 88 (DD 208422I), of Suburban Lot 44, Esquimalt District, Plan 2854], and 637 Nelson Street [PID 006-386-466, Lot D (DD 367731-I), Suburban Lot 44, Esquimalt District, Plan 2854] 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 638 Constance Avenue [PID 000-546-437, Lot B (DD 237133I), of Lots 79 and 89, Suburban Lot 44, Esquimalt District, Plan 2854], 640 Constance Avenue [PID 000-380-911, Amended Lot 88 (DD 208422I), of Suburban Lot 44, Esquimalt District, Plan 2854], and 637 Nelson Street [PID 006-386-466, Lot D (DD 367731-I), Suburban Lot 44, Esquimalt District, Plan 2854] prior to development as the proposed CD No.110 Zone does not work unless the parcels are consolidated
- The building to be constructed to include six 3-bedroom dwelling units
- Seven visitor parking spaces will be provided and remain as illustrated in the parking plan, attached as Appendix C to Staff Report DEV-18-079
- \$500 per unit car shares from MODO car share services
- Provision of a car share vehicle through MODO to be located off-site
- 15 parking stalls to have Level 2 (240V, AC plug with a dedicated 40 amp circuit) electric vehicle charging stations
- Provision of 12 months of BC Transit bus passes for the Victoria Regional Transit

System to all the residents

- Play structure on the usable open space
- That the parcel is not to be subdivided (to prevent stratification)

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. 2927 to Council for consideration of adoption.

Attachments: [Appendix A - Zoning Bylaw 1992 No 2050 Amendment Bylaw 2927](#)
[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 - Parking Study](#)
[Appendix G - Developer's Public Consultation Summary](#)

6) [18-453](#) Rezoning Application - 471 Kinver Street, Staff Report DEV-18-081

Recommendation:

That Council resolves that Bylaw No. 2946 [Appendix A], which would amend Zoning Bylaw, 1992, No. 2050, by changing the zoning designation of 471 Kinver Street [Parcel A (DD 187668I) of Lots 1 and 2, Block 3 Section 11, Esquimalt District, Plan 6016; PID 005-918-545] from RD-3 [Two Family/ Single Family Residential] to CD No. 111 [Comprehensive Development District No. 113], **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. 2946, and to advertise for same in the local newspaper.

Attachments: [Appendix A - Bylaw 2946 - 471 Kinver Street - CD113](#)
[Appendix B - Maps, Air Photo, RD-3 zone](#)
[Appendix C - BCLS Site Plan and Architectural Drawings](#)
[Appendix D - Green Building Checklist](#)
[Appendix E - Applicants Neighbourhood Consultation](#)

7) [18-456](#) Development Permit & Development Variance Permit, 955 Craighflower Road, Staff Report DEV-18-082

Recommendation:

That Council resolves that Development Permit No. DP000103 [Appendix A] permitting multiple rebranding signs for the existing Esso gas station consistent with signage plans stamped "Received May 9, 2018" and site plan prepared by Fuel Marketing Asset Management - Engineering Services stamped "Received May 9, 2018", be **approved, and staff be directed to issue the permit, and register the notice** on the title of the property located at 955 Craighflower Road [PID 018-042-104, Lot A, Section 10, Esquimalt District, Plan VIP55645]; and

That Council resolves that Development Variance Permit No. DVP00079 [Appendix B] authorizing rebranding signs consistent with signage plans stamped "Received May 9, 2018" and site plan prepared by Fuel Marketing Assets Management - Engineering Services all stamped "Received May 9, 2018", and including the following variances to Sign Regulation Bylaw, 1996, No. 2252, **be approved, and staff be directed to issue the permit and register the notice on the title** of the property located 955 Craigflower Road [PID 018-042-104, Lot A, Section 10, Esquimalt District, Plan VIP55645]:

Sign Regulation Bylaw, 1996, No. 2252, 6.1 (i) - Prohibitions: To increase the requirement of no more than 3 types of signs on a site to allow no more than 4 types of signs on the site, specifically for signage around the existing gas pumps;

Sign Regulation Bylaw, 1996, No. 2252, 9.8.1 - Freestanding Signs - Number Permitted: To increase the requirement to allow the number of free standing signs on site from 1 to 2 freestanding signs, specifically to be located beside existing gas pumps;

Sign Regulation Bylaw, 1996, No. 2252, 9.8.2 (a) - Freestanding Signs - Location: A 15m decrease to the requirement to allow for freestanding signs to be located within 30m of residential zones, specifically for signs to be located beside existing gas pumps;

Sign Regulation Bylaw, 1996, No. 2252, 9.8.2 (c) - Freestanding Signs - Location: To be exempt from the requirement that all freestanding signs shall be sited in a landscaped area to be at least equal in size to the Sign Area;

Sign Regulation Bylaw, 1996, No. 2252, 9.12.1 - Projecting Signs - Number Permitted: To allow the number of projecting signs from only one per business on a premise, to ten projecting signs per business specifically to be located near existing gas pumps; and

Sign Regulation Bylaw, 1996, No. 2252, 9.12.4 (a) - Projecting Signs - Sign Placement Area: To decrease the minimum placement distance above ground from 2.75m to 1.2m above ground specifically for those signs to be located near the existing gas pumps.

Attachments: [Appendix A - DP000103](#)

[Appendix B - DVP00079](#)

[Appendix C - Signage Plan, Site Photos and Site Plan](#)

[Appendix D - Letter from Applicant Addressing OCP Guidelines](#)

[Appendix E - Air Photo, Subject Property Map, Mail Notice](#)

9. MAYOR'S AND COUNCILLORS' REPORTS

- 1) [18-462](#) Attendance at LGLA 2019 Elected Officials Seminar, Councillor Jacob Helliwell, Councillor Jane Vermeulen and Councillor Ken Armour

Attachments: [LGLA 2019 Elected Officials Seminar, Councillors Helliwell, Vermeulen and Armour](#)

10. REPORTS FROM COMMITTEES

- 1) [18-440](#) Adopted Minutes from the Parks and Recreation Advisory Committee, June 6, 2018
Attachments: [2018 06 06 Parks & Recreation Advisory Committee Minutes](#)
- 2) [18-437](#) Adopted Minutes of the APC Design Review Committee, September 12, 2018
Attachments: [2018 09 12 Design Review Minutes](#)
- 3) [18-436](#) Adopted Minutes from the Advisory Planning Commission, September 25, 2018
Attachments: [2018 09 25 APC Minutes](#)
- 4) [18-446](#) Adopted Minutes from the APC Design Review Committee, October 10, 2018
Attachments: [2018 10 10 Design Review Minutes](#)
- 5) [18-438](#) Draft Minutes from the Advisory Planning Commission, October 16, 2018
Attachments: [2018 10 16 Advisory Planning Commission Minutes](#)

11. COMMUNICATIONS

- 1) [18-466](#) Letter from Ron Rice, Executive Director, VNFC, Co-Chair, Victoria Urban Reconciliation Dialogue Steering Committee, dated September 27, 2018, Re: Victoria Urban Reconciliation Dialogue (VURD)
Attachments: [Letter - VURD](#)
- 2) [18-467](#) Letter from David Eby, Attorney General and Mike Farnworth, Minister of Public Safety and Solicitor General, dated October 4, 2018, Re: Role of Local Governments In Cannabis Licensing
Attachments: [Letter - Ministry of Attorney General](#)
- 3) [18-468](#) Letter from Don Hamilton and Lynne Masse-Danes, dated October 19, 2018, Re: Petition Requesting Prohibition of Heavy Vehicle Access on Section of Fernhill Road
Attachments: [Letter - Fernhill Road Petition](#)
- 4) [18-469](#) Letter from Mike Farnworth, Minister of Public Safety and Solicitor General, dated October 25, 2018, Re: Modernizing the Motor Vehicle Act
Attachments: [Letter - Ministry of Public Safety and Solicitor General, Motor Vehicle Act](#)

- 5) [18-470](#) Email from Niki Ottosen, dated October 29, 2018, Re: The Back Pack Project

Attachments: [Email - The Back Pack Project](#)

- 6) [18-471](#) Email from Matthew Holme, Destination Greater Victoria, dated October 31, 2018, Re: Future Presentation to Council on the State of Greater Victoria Tourism and Strategic Direction of Destination Greater Victoria

Attachments: [Email - Destination Greater Victoria](#)

12. NOTICE OF MOTION

- 1) [18-411](#) Notice of Motion re Esquimalt High School Sports Field Grant, Councillor Meagan Brame and Councillor Olga Liberchuk - For Discussion

Attachments: [Esquimalt High Sports Field Grant - Councillors Brame & Liberchuk](#)

13. RISE AND REPORT

- 1) [18-425](#) Rise and Report - Committee Appointments

Attachments: [Rise & Report Committee Appointments](#)

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