



# **CORPORATION OF THE TOWNSHIP OF ESQUIMALT**

## **Agenda - Final**

### **Council**

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

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Monday, February 25, 2019

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) [19-082](#) Minutes of the Special Meeting of Council, February 4, 2019

*Attachments:* [2019 02 04 Special Council Minutes - Draft](#)

- 2) [19-083](#) Minutes of the Regular Meeting of Council, February 4, 2019

*Attachments:* [2019 02 04 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) [19-084](#) Notice of Public Hearing - Rezoning Application - 821, 823 & 825 Wollaston Street

*Attachments:* [Public Hearing Notice - 821, 823 & 825 Wollaston St](#)

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

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

- a) [19-077](#) Rezoning Application - 821,823 and 825 Wollaston Street, Staff Report DEV-19-015

*Attachments:* [Appendix A - Bylaw No. 2952 - Bylaw to Amend Zoning Bylaw, 1992, No.2050](#)

[Appendix B - Air Photo, Maps, RD- 2 Zone](#)

[Appendix C - Strata Plan Drawings, Parking Drawings and Land Survey](#)

[Appendix D - Neighbourhood Consultation Meeting Notice](#)

[Appendix E - Public Hearing Notice](#)

- 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. 2952 [Appendix A], which would amend Zoning Bylaw, 1992, No. 2050, by changing the zoning designation of 821,823 & 825 Wollaston Street [PID 026-216-485, 026-216-507, 026-216-493, Strata Lot 1,2 & 3 Section 11 Esquimalt District Strata Plan VIS5729 Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot As Show on Form V] from RD-2 Zone [Two Family Small Lot Residential] to CD. No. 117 [Comprehensive Development District No. 117] be given third reading and adoption.

**6. PRESENTATIONS**

- 1) [19-085](#) Kristy Kilpatrick and Megan Sakuma, Urban Wildlife Stewardship Society, Re: 2018 Deer Count Results

*Attachments:* [Presentation Application - Urban Wildlife Stewardship Society](#)

- 2) [19-086](#) Cst. Greg Shaw, Community Resource Officer, Esquimalt Division, Victoria Police - Crime Free Multi-Housing

**7. DELEGATIONS**

- 1) [19-087](#) Bruce Gibbons, Merville Water Guardians - Revise Zoning Bylaw to Restrict Bottling of Groundwater

*Attachments:* [Delegation Application - Merville Water Guardians](#)

**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) [19-078](#) Fees and Charges Bylaw Amendment, Staff Report ADM-19-005

***Recommendation:***

That Council give first, second and third reading to the Fees and Charges (Miscellaneous) Bylaw, 2016, No. 2874, Amendment [No. 3], 2019, No. 2956.

*Attachments:* [Bylaw 2956 - Fees & Charges Amendment](#)

***Development Services***

- 2) [19-075](#) Development Variance Permit - 404 Constance Avenue, Staff Report DEV-19-013

***Recommendation:***

That Council resolves that Development Variance Permit No. DVP00080 [Appendix A] legitimizing the existing fence as sited on Site Plan prepared by Brad Cunnin, Land Surveyor

Inc., stamped "Received June 12, 2018", and as shown in photographs provided, stamped "Received September 10, 2018", and to include the following variance to the Zoning Bylaw, 1992, No. 2050, for the property located at 404 Constance Avenue [PID: 000-006-734, Lot B, Suburban Lot 51, Esquimalt District, Plan 36976], be approved, and staff be directed to issue the permit and register the notice on the title of the property:

**Zoning Bylaw, 1992, No.2050, Section 36(10) - Fencing** - A 0.65 increase to the requirement that the Height of a Fence within 7.5 metres of a Highway adjoining the front yard shall not exceed 1.2 metres. [i.e. from 1.2 metres to 1.85 metres]

*Attachments:* [Appendix A- DVP00080](#)  
[Appendix B - Air Photo, Mail Notice, RS-3 Zone](#)  
[Appendix C - Site Photos and B.C Land Surveyor's Site Plan](#)

- 3) [19-076](#) Development Variance Permit - 1181 Old Esquimalt Road, Staff Report DEV-19-014

**Recommendation:**

That Council resolves that Development Variance Permit No. DVP00083 [Appendix A] legitimizing the existing deck as sited on the proposed subdivision plan prepared by Wey Mayenburg Land Surveying Inc., stamped "Received October 12, 2018" and referenced in archived building drawings, stamped "Received February 15, 2016" and to include the following variance to the Zoning Bylaw, 1992, No. 2050, for the property located at 1181 Old Esquimalt Road [PID: 027-706-303, Strata Lot A Section 11 Esquimalt District Strata Plan VIS6695 Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot As Shown on Form V] be approved, and staff be directed to issue the permit and register the notice on the title:

**Zoning Bylaw, 1992, No.2050, Section 34 (9)(a)(ii) - Setback Requirements** - Principal Building - A 0.3 metre decrease to the requirement that no principal building shall be located within 1.5 metres of an Interior Side Lot Line, with the total Setback of all Side Yards not less than 4.5 metres, [i.e. from 4.5 metres to 4.2 metres]. Also to the requirement in case where a Parcel is not served by a rear lane, one (1) Side Yard shall not be less 3.0 metres [i.e. 3.0 metres to 2.7 metres], specifically for the deck located at the south west corner of the principal building.

*Attachments:* [Appendix A - DVP00083](#)  
[Appendix B - Air Photo, Mail Notice, RS-1 Zone](#)

- 4) [19-079](#) Adoption of Zoning Bylaw, 1992, NO. 2050, Amendment Bylaw No. 2938, Staff Report DEV-19-017

**Recommendation:**

That Council resolves that Zoning Bylaw, 1992, No. 2050, Amendment Bylaw No. 2938, attached as Appendix "A" to Staff Report DEV-19-017, be adopted.

*Attachments:* [Appendix A - Bylaw 2938, Zoning Bylaw, 1992, No. 2050 Amendment](#)  
[Appendix B - Section 219 Covenant 846 Phoenix St CA7316700](#)

- 5) [19-080](#) Rezoning Application - 939 Colville Road and 825 Lampson Street, Staff Report DEV-19-016

**Recommendation:**

That Council resolves that Bylaw No. 2942 attached as Appendix 'A' of Staff Report DEV-19-016, 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 given adoption.

*Attachments:* [Appendix A - Bylaw 2942 - 939 Colville Road - CD112](#)

- 6) [19-081](#) Rezoning Application - 833 and 835 Dunsmuir Road, Staff Report DEV-19-018

**Recommendation:**

That Council resolves that Amendment Bylaw No. 2924, attached to Staff Report DEV-19-018 as Appendix A, which would amend Zoning Bylaw, 1992, No. 2050 by changing the zoning designation of 833 Dunsmuir Road [PID 005-388-899, Lot 3, Section 11, Esquimalt District, Plan 9757] and 835 Dunsmuir Road [PID 005-388-881, Lot 2, Section 11, Esquimalt District, Plan 9757], both shown cross hatched on Schedule 'A' of Amendment Bylaw No. 2924, from RD-3 [Single Family/Two Family Residential] to CD No. 108 [Comprehensive Development District No. 108], be given adoption.

*Attachments:* [Appendix A: Bylaw 2924, Zoning Bylaw, 1992, No. 2050 Amendment](#)  
[Appendix B - Section 219 Covenant CA7318639, Priority Agreement CA7318641](#)  
[Appendix C - Section 219 Covenant CA7318642, Priority Agreement CA7318644](#)

## 10. REPORTS FROM COMMITTEES

- 1) [19-072](#) Draft Minutes from the APC Design Review Committee, January 9, 2019

*Attachments:* [2019 01 09 APC Design Review Committee Minutes](#)

- 2) [19-089](#) Draft Minutes from the Environmental Advisory Committee, January 24, 2019

*Attachments:* [2019 01 24 Environmental Advisory Committee Minutes](#)

## 11. COMMUNICATIONS

- 1) [19-090](#) Email from Local Government Management Association of BC, dated January 30, 2019, Re: Help the LGMA Celebrate 100 Years of Supporting Local Government Professionals

*Attachments:* [Email - LGMA](#)

- 2) [19-091](#) Email from Chief Del Manak, Victoria Police, dated February 16, 2019, Re: Additional Esquimalt Data Re: Esquimalt Council Request

*Attachments:* [Email - VicPD](#)

- 3) [19-092](#) Email from Mayor Lisa Helps, City of Victoria, dated February 18, 2019, Re: Response Required for Smart Cities Challenge Due March 1st

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

**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**