



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

Agenda - Final Council

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

Monday, December 16, 2019

7:00 PM

Esquimalt Council Chambers

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

- 1) [19-566](#) Minutes of the Special Council Meeting, November 18, 2019
Attachments: [Special Council Minutes, November 18, 2019](#)
- 2) [19-567](#) Minutes of the Special Council Meeting, November 25, 2019
Attachments: [Special Council Minutes, November 25, 2019](#)
- 3) [19-584](#) Minutes of the Regular Council Meeting, November 25, 2019
Attachments: [Regular Council Minutes, November 25, 2019](#)
- 4) [19-582](#) Minutes of the Special Council Meeting, December 2, 2019
Attachments: [Special Council Minutes, December 2, 2019](#)
- 5) [19-585](#) Minutes of the Regular Council Meeting, December 2, 2019
Attachments: [Regular Council Minutes, December 2, 2019](#)

5.1 PUBLIC HEARING - REZONING APPLICATION, 1072 COLVILLE ROAD

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) [19-575](#) Notice of Public Hearing - Rezoning Application, 1072 Colville Road
Attachments: [Notice of Public Hearing - Rezoning Application, 1072 Colville Road](#)
- 2) **Background Information - Available for Viewing Separately**
- 3) **Director of Development Services - Overview of Application**
 - a) [19-579](#) Rezoning Application - 1072 Colville Road, Staff Report No. DEV-19-116

Attachments: [Appendix A - Bylaw 2979](#)
[Appendix B - Air Photo, Maps, RS-1, RD-1 Zone1](#)
[Appendix C - Architectural Drawings and Legal Survey1](#)
[Appendix D - Green Building Check List](#)
[Appendix E - Neighbourhood Consultation Summary](#)
[Appendix F - Public Hearing Notice to Neighbours and Newspaper Notice](#)

- 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, determines that Bylaw No. 2979, attached as Appendix 'A' to Staff Report DEV-19-116, which would amend Zoning Bylaw, 1992, No. 2050 by changing the zoning designation of 1072 Colville Road [PID 005-541-885, Lot 13, Block 12, Section 10, Esquimalt District, Plan 5241] from RS-1 [Single Family Residential] to CD. No. 128 [Comprehensive District No. 128] be given third reading;

2. That the owner wishes to assure Council that secondary suites will not be permitted within the proposed two family dwelling (Duplex), and the owner has voluntarily agreed to register a Section 219 Covenant on the title of 1072 Colville Road.

That Council direct staff and legal counsel for the Township to coordinate with the property owner to ensure a Section 219 Covenant addressing the aforementioned items are registered against the property title prior to returning Amendment Bylaw No. 2979 to Council for consideration of adoption.

5.2 PUBLIC HEARING - REZONING APPLICATION, 1076 COLVILLE ROAD

- 1) [19-576](#) Notice of Public Hearing - Rezoning Application, 1076 Colville Road

Attachments: [Notice of Public Hearing - Rezoning Application, 1076 Colville Road](#)

- 2) **Background Information - Available for Viewing Separately**
- 3) **Director of Development Services - Overview of Application**

- a) [19-581](#) Rezoning Application - 1076 Colville Road, Staff Report No. DEV-19-117

Attachments: [Appendix A - Bylaw 2980](#)
[Appendix B - Air Photo, Maps, RS-1, RD-1 Zone](#)
[Appendix C - Architectural Drawings and Legal Survey](#)
[Appendix D - Green Building Checklist](#)
[Appendix E - Feedback from Neighbourhood Meeting - July 17, 2019](#)
[Appendix F - Bylaw 2980 - 1076 Colville Road Public Hearing Notices](#)

- 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, determines that Bylaw No. 2980, attached as Appendix 'A' to Staff Report DEV-19-117, which would amend Zoning Bylaw, 1992, No. 2050 by changing the zoning designation of 1076 Colville Road [PID 000-716-901, Lot 12 Block 12 Section 10 Esquimalt District Plan 5241] from RS-1 [Single Family Residential] to CD. No. 129 [Comprehensive District No. 128] be given third reading.

2. That the owner wishes to assure Council that secondary suites will not be permitted within the proposed two family dwelling (Duplex), and the owner has voluntarily agreed to register a Section 219 Covenant on the title of 1076 Colville Road.

That Council direct staff and legal counsel for the Township to coordinate with the property owner to ensure a Section 219 Covenant addressing the aforementioned items are registered against the property title prior to returning Amendment Bylaw No. 2980 to Council for consideration of adoption.

6. PRESENTATIONS

- 1) [19-547](#) Barry Hobbis, President & Nick Banks, Vice President, Victoria/Esquimalt Harbour Society, Re: Stakeholder Group to Advise on Issues Relating to Victoria Harbour

Attachments: [Presentation Application - Victoria/Esquimalt Harbour Society](#)

- 2) [19-540](#) Judith Cullington, Principal, JCA Judith Cullington & Associates, Re: Designing Density

Attachments: [Presentation Application - Designing Density](#)

7. PUBLIC INPUT ON ANY ITEMS LISTED ON THE AGENDA

Address Council on any item included on this Agenda, including Staff Reports and Communications (excluding items which are or have been the subject of a Public Hearing). Limit 2 minutes per speaker.

8. STAFF REPORTS***Development Services***

- 1) [19-570](#) Design for Social Well-being, Staff Report No. DEV-19-112

Recommendation:

That Council;

- (1) receive the final report entitled 'Designing Density' by Judith Cullington and Associates [Appendix A] from the Multi-family Design for social well-being project and the 'Designing Density' survey results [Appendix B] as attached to Staff Report DEV-19-112, for information; and
- (2) direct staff to:
 - a) Develop design guidelines for Development Permit Areas based on the recommendations in this report;
 - b) Begin preparation of a social well-being checklist; and
 - c) Present both of these documents at a future Committee of the Whole meeting for discussion.

Attachments: [Appendix A - Designing Density Final Report](#)
[Appendix B - Survey Summary Report](#)

- 2) [19-521](#) Zoning Bylaw amendments for the regulation of Cannabis within the Township, Staff Report No. DEV-19-105

Recommendation:

That Council resolves that "Zoning Bylaw, 1992, No. 2050, Amendment Bylaw No. 2984 [Appendix A] as attached to Staff Report DEV-19-105, which would amend Zoning Bylaw, 1992, No. 2050, by replacing text as detailed in the contents of amending Bylaw No. 2984, be given first and second readings; and

That Council authorizes the Corporate Officer to schedule a Public Hearing for Zoning Bylaw, 1992, No. 2050, Amendment Bylaw No. 2984, and advertise the same in the local newspaper.

Attachments: [Appendix A - Amendment Bylaw No. 2984](#)
[Appendix B - Amendment Bylaw No. 2929, 2018 \(Cannabis Regulation\)](#)
[Appendix C - Cannabis Classes and Subclasses of Licences](#)
[Appendix D - Cannabis in the ALR Information Bulletin #4](#)

- 3) [19-485](#) Housing Agreement Bylaw - 616 & 620 Constance Avenue, 619 & 623 Nelson Street and 1326 Miles Street, Staff Report No. DEV-19-115

Recommendation:

That Council resolves that Housing Agreement Bylaw, 2019, No. 2981, attached as Appendix A of Staff Report DEV-19-115, for 616 & 620 Constance Avenue, 619 & 623 Nelson Street and 1326 Miles Street be given first, second, and third readings.

Attachments: [Appendix A - Housing Agreement Bylaw, 2019, No. 2981](#)

- 4) [19-573](#) Exemption to Minimum Frontage Requirements for two proposed lots, 1158 Craigflower Road, Section 512 (2) Local Government Act, Staff Report No. DEV-19-114

Recommendation:

That Council, by the resolution of the simple majority of its members present, grant an exemption to the proposed minimum frontage on a highway pursuant to Section 512 (2) of the Local Government Act [RSBC 2015] Chapter 1, for proposed Lot "A", Plan EPP 95842, attached as Appendix "A" to Staff Report No. DEV-19-114.

Attachments: [Appendix A - Survey Plan for 1158 Craigflower Road](#)
[Appendix B - Zoning Bylaw, 1992, No. 2050, Amendment Bylaw No. 2957](#)

- 5) [19-571](#) Council Response to the Capital Regional District 2018 Regional Growth Strategy Bylaw No. 4017 Amendment (Proposed Bylaw No. 4328) being an amendment to update Table 1 Population, Dwelling Unit, and Employment Projections to the year 2038 - Referral, Staff Report No. DEV-19-113

Recommendation:

That the Township of Esquimalt Council authorize the Mayor to send a letter to Mr. Colin Plant, Chair, Capital Regional District Board, stating that Council has the following concerns with proposed Amendment Bylaw No. 4328:

- 1) By consolidating projection data at the sub-regional level with municipalities that share very few common characteristics with the Township; the proposed bylaw has very limited practical applications for the Township; and
- 2) It is unclear how the Township will be able to make the population and dwelling unit projections in its Official Community Plan consistent with the proposed sub-regional population and dwelling unit projections given that it has no legal authority beyond its jurisdictional boundary as described in its Letter Patent.

Attachments: [Appendix A - Letter from Colin Plant regarding amendment to the Regional Growth Strategy \[October 23 2019\]](#)
[Appendix B - Proposed Bylaw No. 4328 Capital Regional District Bylaw No. 1, 2018 Amendment Bylaw No. 1201..](#)
[Appendix C - Letter from Colin Plant Chair of the Capital Regional District Board](#)
[Appendix D - Letter from CRD Approving Township's Regional Context Statement](#)

Parks and Recreation

- 6) [19-574](#) Contract Award: Detailed Designs, Tender and Project Management Services for Esquimalt Gorge Park, McLoughlin

Amenity Fund Waterfront Park Project, Staff Report No.
P&R-19-012

Recommendation:

That Council award Iredale Architecture the contract for Detailed Designs, Tender and Project Management Services for a multi-purpose building and a three-zoned fenced dog park at Esquimalt Gorge Park and direct staff to finalize the Professional Services Agreement details.

9. BYLAWS

- 1) [19-563](#) Streets and Traffic Regulation Bylaw, 2017, No. 2898, Amendment Bylaw [No. 2], 2019, No. 2983 - For Adoption

Attachments: [Bylaw 2983 - Streets and Traffic Regulation Amendment \[No. 2\] Bylaw, 2019](#)

10. REPORTS FROM COMMITTEES

- 1) [19-577](#) Draft Minutes from the Advisory Planning Commission, October 15, 2019

Attachments: [2019 10 15 APC Minutes](#)

- 2) [19-578](#) Adopted Minutes from the APC Design Review Committee, November 13, 2019

Attachments: [2019 11 13 Design Review Minutes](#)

11. COMMUNICATIONS

For Council's Consideration

- 1) [19-569](#) Email from Chris Benesch, Funeral Director, dated November 27, 2019, Re: Resolution for Council on Aquamation

Attachments: [Letter - Aquamation](#)

12. NOTICE OF MOTION

- 1) [19-568](#) Notice of Motion: Victoria Waterways Loop, Councillor Ken Armour - For Introduction

Attachments: [2019 12 16 Victoria Waterways Loop Councillor Ken Armour](#)

- 2) [19-564](#) Notice of Motion: Request - Esquimalt Farmers Market Presentation November 25, 2019, Mayor Barbara Desjardins - For Discussion

Attachments: [Notice of Motion: Request - Esquimalt Farmers Market Presentation November 25, 2019, Mayor Barbara Desjardins](#)

- 3) [19-565](#) Notice of Motion: Council opportunity for greater community input regarding Climate Change, Mayor Barbara Desjardins - For Discussion

Attachments: [Notice of Motion: Council opportunity for greater community input regarding Climate Change, Mayor Barbara Desjardins](#)

13. PUBLIC COMMENT PERIOD

Address Council on any topic that impacts Esquimalt (excluding items which are or have been the subject of a Public Hearing). Limit 2 minutes per speaker.

14. ADJOURNMENT