



# CORPORATION OF THE TOWNSHIP OF ESQUIMALT

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

## Legislation Details (With Text)

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**Title:** Second reading for the proposed Official Community Plan Bylaw, 2018, No. 2922, Staff Report DEV-18-030

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Schedule "A" Esquimalt OCP Council May 7, 2018, 2. Schedule "B" Agricultural Land Commission, 3. Schedule "C" Fisheries and Oceans Canada, 4. Schedule "D" Esquimalt Chamber of Commerce, 5. Schedule "E" BC Transit, 6. Schedule "F" Tourism Victoria, 7. "Schedule "G" CRD Regional Planning, 8. Schedule "H" Island Health, 9. Schedule "I" Ministry of Municipal Affairs and Housing, 10. Schedule "J" H Edley, 11. Schedule "K" K Gordon, 12. Schedule "L" T Prentice, 13. Schedule "M" Brian Gray, 14. Schedule "N" John Roe, 15. Schedule "O" Spring\_J\_Redacted, 16. Schedule "P" West Bay Residents Association

Date	Ver.	Action By	Action	Result
5/7/2018	1	Council	approved	Pass

## REQUEST FOR DECISION

**DATE:** April 30, 2018

Report No. DEV-18-030

**TO:** Laurie Hurst, Chief Administrative Officer

**FROM:** Bill Brown, Director of Development Services

**SUBJECT:**

Second Reading as Amended for the Proposed Official Community Plan

**RECOMMENDATION:**

- 1) That Council give second reading to "Official Community Plan Bylaw, 2018, No. 2922" (Schedule A of Staff Report DEV-18-030) as amended being the bylaw to adopt the Township of Esquimalt Official Community Plan;
- 2) That Council consider the proposed Official Community Plan in conjunction with its financial plan;
- 3) That Council consider the proposed Official Community Plan in conjunction with the CRD's Solid Waste Management Plan;
- 4) That Council consider the proposed Official Community Plan in conjunction with the CRD's Liquid Waste Management Plan;
- 5) That Council authorize staff to refer Official Community Plan Bylaw, 2018, No. 2922 to the

Agricultural Land Commission pursuant to Section 477 (3) (b) of the Local Government Act; and  
6) That Council authorize the Corporate Officer to schedule a Public Hearing for Official Community Plan Bylaw, 2018, No. 2922, and to advertise for same in the local newspaper.

**RELEVANT POLICY:**

Official Community Plan Bylaw, 2006, No. 2646  
Zoning Bylaw, 1992, No. 2050  
Township of Esquimalt 2017 Financial Plan  
Advisory Planning Commission Bylaw, 2012, No. 2792  
Subdivision and Development Control Bylaw, 1997, No. 2175  
Capital Regional District Solid Waste Management Plan  
Capital Regional District Core Area Liquid Waste Management Plan  
Agricultural Land Commission Act, SBC 2002, Chapter 36  
Environmental Management Act

**STRATEGIC RELEVANCE:**

Giving second reading to the Official Community Plan Bylaw is directly related to the operational strategy to “Adopt and implement updated OCP including all DP Guidelines”.

**BACKGROUND:**

On March 26, 2018 Council gave first reading to “Official Community Plan Bylaw, 2018, No. 2922” (Schedule “A” of Staff Report DEV-18-030) being the bylaw to adopt the Township of Esquimalt Official Community Plan. At that time Council instructed staff to circulate the plan to the following agencies and organizations:

<b>Agency or Organization</b>	<b>Comments</b>
Esquimalt First Nation	No response
Songhees First Nation	No response
Environmental Advisory Committee	No quorum
CFB Esquimalt, Office of the Base Commander	No response
Agricultural Land Commission	Schedule “B”
Fisheries and Oceans Canada	Schedule “C”
Esquimalt Chamber of Commerce, President	Schedule “D”
West Bay Residents Association, President	Schedule “P”
City of Victoria, Director of Development Services	Late Item
District of Saanich, Director of Development Services	No response
Town of View Royal, Director of Development Services	Staff response to come before the public hearing

BC Transit, Planning Manager	Schedule "E"
Tourism Victoria, Chief Executive Officer	Schedule "F"
School District No. 61, Office of the Superintendent	No response
Macaulay Elementary - Principal and Parent Advisory Committee	No response
Rockheights Middle School - Principal and Parent Advisory Committee Society	No response
Esquimalt High School - Principal and Parent Advisory Committee	No response
Conseil scolaire francophone de la Colombie-Britannique - Director General	No response
L'école Victor-Brodeur, Principal and Parent Advisory Committee	No response
Capital Regional District, Board	No response
Capital Regional District, Planning	Schedule "G"
Island Health, Vice President, Communications and Stakeholder Engagement	Schedule "H"
BC Ministry of Municipal Affairs and Housing	Schedule "I"
Urban Development Institute, Executive Director	No response
Victoria Esquimalt Harbour Society	No response
Island Corridor Foundation	No response (referral sent out late)
Responses from the Public	
Helen Edley	Schedule "J"
Kayleigh Gordon	Schedule "K"
Terry Prentice	Schedule "L"
Brian Gray	Schedule "M"
John Roe	Schedule "N"
John Spring	Schedule "O"

In response to comments received through the referral process and as a result of a further staff consideration, the following amendments are recommended (they occur in the attached copy of the proposed Official Community Plan recommended for second reading):

- Fixing typos, spelling mistakes, syntax, grammar, inconsistent styles, and inconsistent use of terms.

- Revised the second paragraph of Section 1.1 to better reflect the legal framework within which the OCP resides.
- The “map graphic” has been removed after Section 1.3 because of room constraints.
- Addition of Section 1.4 - Highlights.
- Revisions to the Regional Context Statement as per the guidance received from Capital Regional District planners (note that the revisions have been referred back to the planning staff who have accepted them and will forward them to the CRD Planning Committee for review).
- Addition of two sentences in the Housing and Land Use section stating that a balanced housing market requires more supply than a 1:1 ratio and that Esquimalt will have enough land to provide housing provided that rezoning allows for the maximum number of units contemplated by the land use designation.
- Added “public space improvements” to the lists of amenities in Sections 5.3 and 6.1. and 6.4.
- The “Industrial” section has been renamed the “Business” section.
  
- A reference to Section 220 of the Community Charter has been added to the policy in Section 8.3 that deals with multiple uses in places of worship in order to ensure that they do not lose their tax exemption status.
  
- Added policies to Section 10.4, Public Transit, in response to BC Transit’s review of the OCP.
- A new section called “Federal Lands” has been created by consolidating all the objectives and policies related to federal land into one section.
- Divided the regional sanitary collection and distribution systems section into two separate sections and added information about the City of Victoria’s plan to upgrade the water main on Esquimalt Road within the next 5 years.
- Remove the reference to “ferries” in the passenger vehicle alternatives section since a new “ferries” section was added as an amendment at first reading.
- Added the “Heritage Values” as appendix 1.
- Added a policy related to protecting the First Nations’ cultural safety.
- Added “Revitalization of an area in which a commercial use is permitted” to the list of development permit areas in Section 16.2.
- Added clarification to point 4 in section 16.3 that temporary buildings have to be located on disturbed land.
- Removed redundant exemptions from the Natural Environment Development Permit Area.
- Deleted the guideline related to the removal of structures containing creosote as this is more of an operational issue.
- Removed guidelines related to mulch from the Natural Environment Development Permit Area since this is not a design guideline per se.
- Removed the guideline related to “living roves” as it may be somewhat onerous on developers.
- Added the text for the Protection from Hazardous Conditions Development Permit Area.
- Removed the information box from the Energy Conservation & Greenhouse Gas Reduction Development Permit Area since it is inconsistent with the overall design of the document.
- Removed the guidelines related to living roofing materials and photovoltaic roofing material from the Energy Conservation & Greenhouse Gas Reduction Development Permit Area as these guidelines may be somewhat onerous.
- Enhanced the “Justification” section of the Esquimalt Town Square Development Permit Area.
- Enhanced the “Justification” section of the West Bay Development Permit Area.

## ISSUES:

### 1. Rationale for Selected Option

The current Official Community Plan is out of date and needs replacing. The proposed Plan represents the culmination of over two years of community consultation and research which will provide Council with a land use policy framework for making land use decisions for the next five to ten years

### 2. Organizational Implications

The new Official Community Plan will impact many different aspects of the organization. The Director of Engineering and Public Works and the Director of Parks and Recreation have been directly involved in drafting relevant sections of the Official Community Plan.

### 3. Financial Implications

Pursuant to Section 477 (3) (a) (i) of the Local Government Act, following first reading the Plan must be considered in conjunction with the Township's Financial Plan. The Director of Finance has reviewed the Plan for consistency with the Township's Financial Plan.

The Official Community Plan does not commit the Township to spend money. If Council wishes to pursue any initiatives in the Official Community Plan that require expenditure of funds, they will be requested through the normal budget approval process.

### 4. Sustainability & Environmental Implications

The new Official Community Plan contains many policies and guidelines directly related to making Esquimalt more sustainable and helping to protect the environment.

### 5. Communication & Engagement

As outlined in the report, there has been an extensive public engagement process. As per the requirements of the Local Government Act, a Public Hearing is required prior to the adoption of the Plan.

## ALTERNATIVES:

### First Alternative

- 1) That Council give second reading to "Official Community Plan Bylaw, 2018, No. 2922" (Schedule A of Staff Report DEV-18-030) as amended being the bylaw to adopt the Township of Esquimalt Official Community Plan;
- 2) That Council consider the proposed Official Community Plan in conjunction with its financial plan;
- 3) That Council consider the proposed Official Community Plan in conjunction with the CRD's Solid Waste Management Plan;
- 4) That Council consider the proposed Official Community Plan in conjunction with the CRD's Liquid Waste Management Plan;
- 5) That Council authorize staff to refer Official Community Plan Bylaw, 2018, No. 2922 to the Agricultural Land Commission pursuant to Section 477 (3) (b) of the Local Government Act; and
- 6) That Council authorizes the Corporate Officer to schedule a Public Hearing for Official Community Plan Bylaw, 2018, No. 2922, and to advertise for same in the local newspaper.

**Second Alternative**

That Council make additional amendments prior to giving Official Community Plan Bylaw, 2018, No. 2922 second reading.

**Third Alternative**

That Council instruct staff to return with more information before considering second reading.