



## Corporation of the Township of Esquimalt

# COMMITTEE OF THE WHOLE

Monday, June 9, 2008

Esquimalt Municipal Hall – Council Chambers

7:00 p.m.

## MINUTES

**PRESENT:** Mayor Chris Clement, Councillor Lynda Hundleby (Chair), Councillor Barbara Desjardins, Councillor Don Linge, Councillor Hy Freedman and Councillor Jane Sterk

**STAFF:** Tom Day, Chief Administrative Officer; Barbara Snyder, Director of Development Services; Diane Knight (recorder)

**1. CALL TO ORDER**

Councillor Hundleby called the meeting to order at 7:00 p.m.

**2. LATE ITEMS**

There were no late items.

**3. APPROVAL OF AGENDA**

Moved by Councillor Sterk, seconded by Councillor Desjardins that the agenda be approved.

The motion **CARRIED**.

**4. MINUTES**

- (1) Minutes of the Regular Committee of the Whole, May 12, 2008
- (2) Minutes of the Special Committee of the Whole, May 20, 2008
- (3) Minutes of the Regular Committee of the Whole, May 22, 2008

Moved by Councillor Sterk, seconded by Councillor Linge that the minutes of the Regular Committee of the Whole meetings held May 12 and May 22, 2008, and the minutes of the Special Committee of the Whole meeting held May 20, 2008 be adopted.

The motion **CARRIED**.

**5. PRESENTATION**

**(1) Restorative Justice Victoria**

Dana Caple-Smith, Fund Raiser for Restorative Justice Victoria, introduced Geanine Robey, Co-ordinator and Kathy Wilson, Board Member. Geanine Robey gave an overview of Restorative Justice and what their role in the community is. Restorative Justice is a community based initiative developed by volunteers with guidelines from the Ministry of Public Safety and Solicitor General.

One of the main objectives is to offer community conferencing as means to resolve conflicts and restore peace between residents of the Capital Region. Some key points raised were:

- The police are satisfied with the effectiveness of the program and refer 90 per cent of cases.
- Most offenders are first time offenders.
- Nanaimo has a large Restorative Justice Program.
- There is a good police liaison in Esquimalt.

Dana Caple-Smith advised that this is a formal request for funding. They are hoping to expand the program in schools. The Chief Administrative Officer explained the Local Grant Application process in Esquimalt and presented them with an application to complete and submit to the municipality.

**(2) Greater Victoria Harbour Authority**

Greater Victoria Harbour Authority Business Plan 2008 - 2011

Paul Servos, Chief Executive Officer, introduced Don Prittie, Board Chair, who gave an overview of the Greater Victoria Harbour Authority Business Plan 2008 – 2011 and reported on recent accomplishments of the Harbour Authority. Business is booming at Ogden Point and with the growth of the cruise industry it has been given a 1.5 million dollar upgrade. There were 17 festivals in the Harbour last year. Fisherman's Wharf and Ships Point are also undergoing improvements. There is a 5.5 million budget for 2008. A major priority is to work with First Nations. He commented that cruise ships purchase water from CRD and do not deplete the region's natural resource.

Questions/Comments from Council:

- Concerns were raised regarding washrooms, and response was that they meet LEED standards and use natural energy and recyclable materials.
- Concerns were raised regarding impacts of cruise ships on the environment, and response was that there are initiatives to work on lowering carbon footprints of the ships as they currently recycle bilge water and the use of non agricultural biofuels is being encouraged.

Mayor Clement arrived at the meeting at 8:50 pm.

6.

**STAFF REPORTS**

***Development Services***

**(1) Amendment to Official Community Plan to Allow For Temporary Use Permits, Staff Report No. DEV-08-037**

The Director of Development Services noted that this is a formality to include an allowance for Temporary Use Permits which was inadvertently omitted in the current OCP.

Moved by Councillor Freedman, seconded by Councillor Linge that:

1. Staff be directed to prepare a bylaw to amend the Official Community Plan [Bylaw No. 2646] to provide the opportunity for Council to consider Temporary Commercial and Temporary Industrial Use Permits where warranted; and
2. Staff be directed to prepare a bylaw to amend Zoning Bylaw No. 2050 to provide for Temporary Commercial and Temporary Industrial Use Permits.

The motion **CARRIED**.

**(2) Amendments to Bylaws to Allow the Keeping of Urban Hens  
Staff Report No. DEV-08-046**

The Director of Development Services reported on the changes to bylaws required to allow the keeping of hens on properties zoned for single family use. The APC recommends approval of the bylaw amendments.

Comments from Council include:

- Concerns with enforcement and having chickens run free
- What about the properties with more than four hens and response indicated that there are some larger properties which are grandfathered.

Moved by Councillor Freedman, seconded by Councillor Sterk that:

1. Staff be directed to prepare the bylaw necessary to amend Zoning Bylaw No. 2050 to allow the keeping of hens on properties zoned for single family residential use and return it to Council for 1st and 2nd reading; and
2. Staff be directed to prepare the bylaw necessary to amend Animal Bylaw, 2002, No. 2495 to allow the keeping of hens on properties zoned for single family residential use and return it to Council for 1st and 2nd reading.

The motion **CARRIED**.

**(3) Amendment to Zoning Bylaw for Phase 3 of the Swallows  
Landing Development, Staff Report No. DEV-08-47**

The Director of Development Services gave an overview of changes to the project from townhouse development to single family residences.

Moved by Mayor Clement, seconded by Councillor Sterk that a bylaw amending the list of Permitted Uses in Comprehensive Development District No. 49 to include 'Single Family Residential' be prepared and returned to Council.

The motion **CARRIED**.

**(4) Changes to the RD-3 [Single Family/Two Family Residential] Zone and to the OCP Development Permit Guidelines for New or Converted Duplexes, Staff Report No. DEV-08-048**

The Director of Development Services advised that these changes are a result of the report from Cityspaces Consulting Ltd.

Comments from Council include:

- Pleased to see these changes made as they will help to resolve future confrontations.

Moved by Councillor Desjardins, seconded by Councillor Freedman that staff be directed to prepare the necessary bylaws to amend

- Section 9.7 of Official Community Plan Bylaw No. 2646;
- the RD-1, RD-2 and RD-3 zones of Zoning Bylaw No. 2050; and
- Development Procedures Bylaw No. 2562

to effect the changes recommended by CitySpaces Consulting Ltd. as detailed in Staff Report No. DEV-08-048.

The motion **CARRIED**.

**(5) Development Permit Application, 1195 Esquimalt Road [Lot A, Section 11, Esquimalt District, Plan VIP54373], Staff Report No. DEV-08-050**

The Director of Development Services noted that the Land Conservancy has applied to install solar panels and window awning treatments to increase the energy efficiency of their building.

Comments from Council include:

- Council was pleased to see the request.
- APC is interested in the success of the project.
- The height of the building will not be impacted by the addition of the panels.
- Support was expressed for the project and an interest to consider these changes for City Hall and other municipal facilities.
- The project could serve as a precedent and a demonstration project for the community
- Hope to benefit from data collection from this type of green initiative.

Moved by Councillor Linge, seconded by Councillor Desjardins that a draft Development Permit, limiting the form and character of development at 1195 Esquimalt Road to that shown on plans prepared by Hillel Architecture and stamped "Received May 6, 2008", be prepared and returned to Council.

The motion **CARRIED**.

(6) **Development Permit Application, 1026 Tillicum Road [Lot 23, Block 2, Section 10, Esquimalt District, Plan 11214], Staff Report No. DEV-08-051**

The Director of Development Services outlined the proposal for construction of a second dwelling at the rear of the existing single family home creating a duplex.

Comments from Council include:

- Concerns were raised with creating a basement suite in the duplex and response indicated that a covenant will be required to prevent a secondary suite in the duplex.
- Concerns were raised regarding parking.
- Would like to see greenspace preserved.

Moved by Councillor Freedman, seconded by Councillor Sterk that a draft Development Permit, limiting the form and character of development to that shown on architectural plans provided by Heels Design and Drafting Services stamped "Received April 1, 2008" and landscape plans provided by CAL Landscaping stamped "Received April 1, 2008", be prepared and returned to Council.

The motion **CARRIED**.

(7) **Development Permit, 1180 Colville Road [Lot 1, Section 10, Esquimalt District, Plan VIP81008], Staff Report No. DEV-08-052**

The Director of Development Services outlined the request for a draft Development Permit for construction of a proposed 35 unit multi-family residence and a draft Temporary Use Permit to provide parking for workers while the building is under construction. She also noted that there are requirements by Engineering and Public Works to be met regarding the temporary parking which will be addressed by the submission of detailed civil design drawings.

Moved by Mayor Clement, seconded by Councillor Sterk to have the proponent speak.

The motion **CARRIED**.

Mr. Hartshorne presented an artist's rendering of the proposal and the landscape plan. There is on site parking provided in the plan and traffic calming measures have been submitted to Engineering and Public Works. He advised that the project will be high in LEED values. Some initiatives include the use of energy efficient appliances, native landscaping, low toxic glues and adhesives. A sun study has been done on the building. Handicapped parking could be addressed as the project evolves.

He also advised that the addition of DND land could provide an additional ten parking spots and they will try to provide as much parking as possible.

Comments from Council include:

- Questions regarding amount of paving and response noted that permeable paving will be used.
- Questions were raised regarding the availability of handicapped parking.
- Council supportive of this project.
- Concerns were raised regarding amount of temporary parking for project and that the parking area be properly surfaced.

Moved by Councillor Freedman, seconded by Councillor Sterk that:

1. A draft Development Permit, limiting the form and character of development for the proposed 35 unit multi-family residence located on the proposed Lot A at 1180 Colville Rd to that shown on architectural plans prepared by Smith Architect, stamped "Received February 28, 2008" and landscaping as shown on plans prepared by Lombard North Group, stamped "Received February 28, 2008", be prepared and returned to Council for approval; and
2. A draft Temporary Use Permit allowing the applicant to convert both 1140 Colville Rd and the municipal right of way adjacent to 1100 Colville Rd to temporary parking areas as shown on plans prepared by Smith Architect stamped "Received Jun 3, 2008", for a period not exceeding 2 years in duration, be prepared and returned to Council for approval.

The motion **CARRIED**.

**(8) Development Permit, 1180 Colville Road [Lot 1, Section 10, Esquimalt District, Plan VIP81008], Staff Report No. DEV-08-053**

The Director of Development Services advised that the purpose of the permit is to refurbish an existing rental apartment building.

Comments from Council include:

- Recognize and applaud efforts to save an older building and provide affordable housing.
- Concerns were raised regarding traffic calming issues and response indicated that they have been addressed.

Moved by Mayor Clement, seconded by Councillor Freedman that:

1. A draft Development Permit, limiting the form and character of development to that shown on architectural plans prepared by Smith Architect, stamped "Received February 28, 2008" and landscaping plans prepared by Lombard North Group, stamped "Received February 28, 2008", for the existing 37 unit multi-family residence located on the proposed Lot B at 1180 Colville Rd, be prepared and returned to Council for approval; and

2. A draft Temporary Use Permit allowing the applicant to convert both 1140 Colville Rd and the municipal right of way adjacent to 1100 Colville Rd to temporary parking areas as shown on plans prepared by Smith Architect stamped "Received June 3, 2008", for a period not exceeding 2 years in duration, be prepared and returned to Council for approval.

The motion **CARRIED**.

9.

**ADJOURNMENT**

Moved by Councillor Sterk, seconded by Councillor Linge that the meeting adjourn at 9:12 p.m.

The motion **CARRIED**.

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A/MAYOR OF THE CORPORATION  
OF THE TOWNSHIP OF ESQUIMALT  
THIS 8<sup>th</sup> DAY OF SEPTEMBER, 2008

CERTIFIED CORRECT:

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TOM DAY  
DEPUTY MUNICIPAL CLERK