



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

A G E N D A **REGULAR MEETING OF COUNCIL**

Monday, August 15, 2011
7:00 p.m.
Esquimalt Council Chambers

1. **CALL TO ORDER**

2. **LATE ITEMS**

3. **APPROVAL OF THE AGENDA**

4. **MINUTES**

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| (1) Minutes of the Special Meeting of Council, July 4, 2011 | Pg. 1 – 3 |
| (2) Minutes of the Regular Meeting of Council, July 4, 2011 | Pg. 4 – 12 |
| (3) Minutes of the Special Meeting of Council, July 11, 2011 | Pg. 13 – 19 |

5. **PRESENTATIONS**

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| (1) Marg Misek-Evans and Sue Hallatt, Capital Regional District, CRD Pedestrian and Cycling Master Plan (PCMP) | Pg. 20 – 21 |
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6. **PUBLIC INPUT (On items listed on the Agenda)**

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

7. **STAFF REPORTS**

Administration

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| (1) Appointment of 2011 Election Officials, Staff Report No ADM-11-038 | Pg. 22 |
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RECOMMENDATION:

1. That Anja Nurvo be appointed Chief Election Officer for purposes of conducting the 2011 municipal election and be granted all necessary authority to ensure the fulfilment of the statutory provisions associated with the election process;
2. That Marlene Lagoa be appointed Deputy Chief Election Officer.

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| (2) Council Meeting Schedule – September 2011, Staff Report No. ADM-11-039 | Pg. 23 |
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RECOMMENDATION:

That Council reschedule the Regular Meeting of Council scheduled for September 26, 2011 to August 29, 2011 and that staff post a notice of the August 29, 2011 Special Meeting of Council.

Engineering and Public Works

- (3) Order of Magnitude Costs for Addition of Banner Holders Along Craigflower Road and Cleanup of Welcome Signs, Staff Report No EPW-11-018 Pg. 24 – 26

RECOMMENDATION:

1. That Council receive this report for information; and
2. That Staff be directed to prepare a budget line item for the preferred option for discussion in the 2012 budget process.

Finance

- (4) Third 2011 Local Grant Distribution, Staff Report No FIN-11-026 Pg. 27 – 32

RECOMMENDATION:

It is accepted procedure that staff do not make recommendations on local grant funding applications. Options available to Council are listed under **ALTERNATIVES**.

- (5) Request to Change Use of Grant Funding, Staff Report No FIN-11-027 Pg. 33 – 41

RECOMMENDATION:

It is accepted procedure that staff do not make recommendations on local grant funding. Options available to Council are listed under **ALTERNATIVES**.

- (6) Centennial Celebration Committee Provincial Grant Application, Staff Report No FIN-11-028 Pg. 42 – 50

RECOMMENDATION:

That this report be received for information.

Development Services

- (7) Procedures for Granting Exemptions from the Requirement that New Single Family Homes Must Be Solar Hot Water Ready, Staff Report No. DEV-11-059 Pg. 51 – 61

RECOMMENDATION:

1. That Council delegate the authority to grant exemptions from the Solar Hot Water Ready Regulation, in those instances where building site conditions make solar hot water ready construction impractical, to either the Chief Building Official or the Director of Development Services; and
2. That the following process for dealing with exemptions be authorized:
 - a) Property Owner or Contractor submits an Application for Exemption;
 - b) Building Inspector or other staff delegated to adjudicate these requests reviews the application and conducts a site inspection;
 - c) Written decision with reasons is given to the Property Owner/Contractor;

- d) If the applicant is dissatisfied with the decision of the Building Inspector or other delegated staff, they may request that the matter be reviewed by Council.

- (8) Amendment to Zoning Bylaw for Height of Fences Abutting the E & N Right-of-Way, Staff Report No. DEV-11-061 Pg. 62 – 65

RECOMMENDATION:

- 1. That Council **rescind 1st and 2nd reading** of Zoning Bylaw, 1992, No. 2050, Amendment Bylaw No [No.2011] No. 2766 **approved on June 20th, 2011**; and
- 2. That amended Zoning Bylaw, 1992, No. 2050, Amendment Bylaw [No. 201] , 2011, No. 2766 be amended to read:
 - (4) *Sections 34(10), 38(11), 40(11), 67.32(8) and 67.58(8) notwithstanding, where a residential parcel is located immediately adjacent to the E & N right of way, a Fence located immediately adjacent and parallel to that right of way may have a Fence with a Height of no more than 2.0 metres above the Grade of the E & N right of way to ensure privacy for the residents.*
 - (5) *Section 22(1) notwithstanding, where a residential parcel is located immediately adjacent to the north side of the E & N right of way, a Fence on top of a retaining wall located immediately adjacent and parallel to that right may have a Height of not more than 2.0 metres above the Grade of the E & N right of way to ensure privacy for the residents; **be considered for first and second reading**; and*
- 3. That a Public Hearing be scheduled for September 12th, 2011.

- (9) Rezoning Application, 537 Fraser Street, [Lot 6, Section 11, Esquimalt District, Plan 6722, Except that part in Plan 27619], Staff Report No. DEV-11-062 Pg. 66 – 76

RECOMMENDATION:

- 1. That Bylaw No. 2769, which would amend Zoning Bylaw, 1992, No. 2050 by changing the zoning designation of Lot 6, Section 11, Esquimalt District, Plan 6722, Except that part in Plan 27619 [537 Fraser Street] shown cross-hatched on Schedule 'A', attached hereto, from RS-1 [Single Family Residential] to P-1 [Public/Institutional], be considered for first and second reading; and
- 2. That a Public Hearing be scheduled.

- (10) OCP Amendment and Rezoning Application, 855 Lampson Street, [Lot 11, Section 10, Esquimalt District, Plan VIP7500], Staff Report No. DEV-11-063 Pg. 77 – 91

RECOMMENDATION:

- 1. That Bylaw No. 2770, which would amend Official Community Plan Bylaw, 2006, No. 2646 by changing the land use designation of Lot 11, Section 10, Esquimalt District, Plan VIP7500 [855 Lampson Street] shown cross-hatched on Schedule 'A', attached hereto, from Townhouse Residential to Parks and Open Space, be considered for **first and second reading**; and

2. That Bylaw No. 2771, which would amend Zoning Bylaw, 1992, No. 2050 by changing the zoning designation of Lot 11, Section 10, Esquimalt District, Plan VIP7500 [855 Lampson Street] shown cross-hatched on Schedule 'A', attached hereto, from RD-3 [Two Family/ Single Family Residential] to P-2 [Parks and Open Space], be considered for **first and second reading**; and
 3. That a Public Hearing be scheduled.
- (11) Rezoning Application and Development Permit, 856 Esquimalt Road, [Lot A, Section 11, Esquimalt District, Plan VIP80973], 858 Esquimalt Road, [Lot 2, Section 11, Esquimalt District, Plan 23904], Staff Report No. DEV-11-064 Pg. 92 – 228

RECOMMENDATION:

1. That Bylaw No. 2772, which would amend Zoning Bylaw, 1992, No. 2050 by changing the zoning designation of Lot A, Section 11, Esquimalt District, Plan VIP80973 [856 Esquimalt Road] and Lot 2, Section 11, Esquimalt District, Plan 23904 [858 Esquimalt Road] shown cross-hatched on Schedule 'A', attached hereto, from C-6 [Licensed Liquor Establishment] and C-2 [Neighbourhood Commercial] respectively to CD No. 80 [Comprehensive Development District No. 80], be considered for **first and second reading**; and
 2. That a Public Hearing be scheduled; and
 3. That prior to a Public Hearing, a draft Development Permit limiting the form and character of the proposed development to that shown on architectural plans provided by Douglas P. J. Millar Architect, stamped "Received August 9, 2011", and on the landscape plan prepared by Eckford and Associates Landscape Architecture, stamped "Received August 9, 2011", and sited as detailed on the survey plan prepared by Richard J. Wey and Associates Land Surveyors Inc., stamped "Received June 6, 2011", be returned to Council for consideration.
- (12) Discharge of Section 215 Covenant, # 716 Luscombe Place. [Lot E, Section 2, Esquimalt District, Plan VIP55427], Staff Report No. DEV-11-065 Pg. 229 - 231

RECOMMENDATION:

That Council approve the request for a discharge of the Section 215 Covenant, restricting the use of the property at 716 Luscombe Place [Lot E, Section 2, Esquimalt District, Plan VIP55427] to only a single family residence.

8. MAYOR'S AND COUNCILLORS' REPORTS

- (1) Report from Mayor Barbara Desjardins, Re: Mayor's Report – January – June 2011 Pg. 232 – 239

9. REPORTS FROM COMMITTEES

- (1) Draft minutes from the Environmental Advisory Committee meeting, June 23, 2011 Pg. 240 – 247

- (2) Draft minutes from the Centennial Celebrations Select Committee meeting, June 28, 2011 Pg. 248 – 251
- (3) Draft minutes from the Arts, Culture and Special Events Advisory Committee meeting, July 6, 2011 Pg. 252 – 254

10. COMMUNICATIONS

- (1) Letter from Peggy Sutter, dated July 19, 2011, Re: Official Council Request to Minister of Health for Moratorium on “Smart” Meters Pg. 255 – 284
- (2) Letter from Curtis Grad, Greater Victoria Harbour Authority, dated August 3, 2011, Re: Letter of Appreciation Pg. 285

11. NOTICE OF MOTION

- (1) Graffiti in the Community Pg. 286

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