



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

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

Monday, September 19, 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, August 15, 2011 | Pg. 1 – 2 |
| (2) Minutes of the Regular Meeting of Council, August 15, 2011 | Pg. 3 – 13 |
| (3) Minutes of the Special Meeting of Council, August 24, 2011 | Pg. 14 – 15 |
| (4) Minutes of the Special Meeting of Council, August 29, 2011 | Pg. 16 – 22 |

5. **PRESENTATIONS**

- (1) Sharon Noble, Coalition to Stop Smart Meters

6. **PUBLIC INPUT (On items listed on the Agenda)**

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

7. **DELEGATIONS**

- (1) Dr. Steven Kleinman, Re: Residents Against Troublesome Squirrels (R.A.T.S.) Pg. 23 – 27

8. **HEARING**

The 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) HEARING – DEVELOPMENT VARIANCE PERMIT [1123 / 1125 NORMA COURT]

- | | |
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| i) Notice of Hearing | Pg. 28 |
| ii) Background Information – <i>Available for Viewing Separately</i> <ul style="list-style-type: none">• Staff Report No. DEV-11-057 | |

PUBLIC INPUT

ADJOURNMENT OF HEARING

9. 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) PUBLIC HEARING – AMENDMENT TO ZONING BYLAW [HEIGHT OF FENCES ABUTTING THE E & N RIGHT-OF-WAY]

- i) Notice of Hearing Pg. 29
- ii) Background Information – *Available for Viewing Separately*
 - Staff Report No. DEV-11-031
 - Staff Report No. DEV-11-033
 - Staff Report No. DEV-11-047
 - Staff Report No. DEV-11-061

PUBLIC INPUT

ADJOURNMENT OF HEARING

(2) PUBLIC HEARING – OFFICIAL COMMUNITY PLAN AMENDMENT AND REZONING APPLICATION [855 LAMPSON STREET]

- (i) Notice of Hearing Pg. 30
- (ii) Background Information – *Available for Viewing Separately*
 - Staff Report No. DEV-11-055
 - Staff Report No. DEV-11-063

PUBLIC INPUT

ADJOURNMENT OF HEARING

(3) PUBLIC HEARING – REZONING APPLICATION [537 FRASER STREET]

- (i) Notice of Hearing Pg. 31
- (ii) Background Information – *Available for Viewing Separately*
 - Staff Report No. DEV-11-056
 - Staff Report No. DEV-11-062

PUBLIC INPUT

ADJOURNMENT OF HEARING

**(4) PUBLIC HEARING – OCP AMENDMENT APPLICATION [521 – 529
COMERFORD STREET]**

- (i) Notice of Hearing Pg. 32
- (ii) Background Information – *Available for Viewing Separately*
- Staff Report No. DEV-11-066

PUBLIC INPUT

ADJOURNMENT OF HEARING

10. HEARING AND PUBLIC HEARING STAFF REPORTS

- (1) Development Variance Permit, 1123 / 1125 Norma Court [Lot 5, Section 11, Esquimalt District, Plan 11619], Staff Report No. DEV-11-078 Pg. 33 – 48

RECOMMENDATION:

That the application for a Development Variance Permit reducing the required rear yard setback for the Principal Building, as detailed on the survey provided by Brad Cunnin Land Surveying stamped 'Received May 26, 2011', and including the following relaxation to Zoning Bylaw, 1992, No. 2050, be **approved, issued** and **registered** on the title of Lot 5, Section 11, Esquimalt District, Plan 11619 [1123 / 1125 Norma Court].

Section 39(8)(a)(iii) – Rear Setback – a 4.6 metre relaxation to the requirement that no Principal Building shall be located within 7.5 metres of a Rear Lot Line. [i.e. from 7.5 metres to 2.9 metres].

- (2) Amendment to Zoning Bylaw for Height of Fences Abutting the E & N Right-of-Way, Staff Report No. DEV-11-074 Pg. 49 – 52

RECOMMENDATION:

That Bylaw No. 2766, which would amend Sections 22 of Zoning Bylaw No. 2050 regarding permitted fence heights for properties immediately adjacent to the north side of the E & N right of way, be given third reading and adoption.

- (3) OCP Amendment and Rezoning Application, 855 Lampson Street, [Lot 11, Section 10, Esquimalt District, Plan VIP7500], Staff Report No. DEV-11-075 Pg. 53 – 69

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 **third reading and adoption**; 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 **third reading and adoption**.

- (4) Rezoning Application, 537 Fraser Street, [Lot 5, Section 11, Esquimalt District, Plan 6722, Except this Part in Plan 27619], Staff Report No. DEV-11-076 Pg. 70 – 82

RECOMMENDATION:

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 **third reading and adoption**.

- (5) OCP Amendment Application, 521 – 529 Comerford Street, [Lot 266, Suburban Lot 40, Esquimalt District, Plan 2854], [Lot 267, Suburban Lot 40, Esquimalt District, Plan 2854], Staff Report No. DEV-11-077 Pg. 83 – 91

RECOMMENDATION:

That Bylaw No. 2774, which would amend Official Community Plan Bylaw, 2006, No. 2646 by changing the land use designation of Lot 266, Suburban Lot 40, Esquimalt District, Plan 2854 and Lot 267, Suburban Lot 40, Esquimalt District, Plan 2854 [521-529 Comerford Street], shown cross-hatched on Schedule 'A' attached hereto, from DND Federal Land to Commercial Mixed-Use, be considered for **third reading and adoption**.

11. STAFF REPORTS

Administration

- (1) Council Meeting Schedule – October 2011, Staff Report No ADM-11-042 Pg. 92

RECOMMENDATION:

That Council schedule a Special Meeting of Council to follow the October 24th, 2011 Committee of the Whole for the purpose of receiving the Committee of the Whole Report.

- (2) Smart Meter Presentation Update, Staff Report No ADM-11-044 Pg. 93 – 94

RECOMMENDATION:

That Council receive Smart Meter Update, Staff Report No. ADM-11-044 for information.

Engineering and Public Works

- (3) Traffic Order No. 1190 – Luscombe Place and Traffic Order No. 1191 Norma Court / Lampson Street, Staff Report No. EPW-11-017 Pg. 95 – 100

RECOMMENDATION:

That Council approve the following Traffic Orders (TO):

1. TO No.1190 – No Parking road markings are installed on the curb in the cul-de-sac at Luscombe Place (total distance 12 metres).
2. TO No.1191 – No Parking road markings are installed on the curb from the southern side of Norma Court to the driveway access at 624 Lampson (total distance 21 metres).

- (4) Arm Street Seawall Repair Project Update, Staff Report No. EPW-11-021 Pg. 101 – 102

RECOMMENDATION:

That Council approve:

1. The allocation of \$11,500 plus HST (\$11,701) from the Deconstruction of the EVP Site Project; and
2. That Engineering finalizes the claim with the General Contractor for the unapproved work related to this project.

Parks and Recreation

- (5) Archie Browning Sports Centre 50th Celebration, Staff Report No P&R-11-010 Pg. 103 – 104

RECOMMENDATION:

That Council receive this report as information.

12. MAYOR'S AND COUNCILLORS' REPORTS

13. REPORTS FROM COMMITTEES

- (1) Committee of the Whole Report, September 12, 2011 Pg. 105 – 106
[Motion to approve the recommendations]

14. COMMUNICATIONS

- (1) Letter from Denis Lebel, M.P., Minister of Transport, dated August 20, 2011, Re: Marina Leases in Victoria Harbour Pg. 107
- (2) Letter from Bill Schulte, Scouts Canada, Greater Victoria Area, dated September 9, 2011, Re: 2010 Scout Apple Day Pg. 108
- (3) Letter from Dora Turje, Youth Parliament of British Columbia Alumni Society, dated September 11, 2011, Re: British Columbia Youth Parliament, 83rd Parliament Pg. 109 - 113

15. PUBLIC QUESTION AND COMMENT PERIOD

*Excluding items which are or have been the subject of a Public Hearing.
Limit of two minutes per speaker.*

16. ADJOURNMENT