



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

Municipal Hall, 1229 Esquimalt Road, Esquimalt, B.C. V9A 3P1
Telephone (250) 414-7100 Fax (250) 414-7111

File 0550-06

October 13, 2011

NOTICE

**A REGULAR MEETING OF COUNCIL WILL BE HELD ON
MONDAY, OCTOBER 17, 2011 AT 7:00 PM, IN THE COUNCIL
CHAMBERS, ESQUIMALT MUNICIPAL HALL, 1229
ESQUIMALT ROAD.**

**ANJA NURVO
CORPORATE OFFICER**



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

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

Monday, October 17, 2011

7:00 p.m.

Esquimalt Council Chambers

1. **CALL TO ORDER**

2. **LATE ITEMS**

3. **APPROVAL OF THE AGENDA**

4. **PRESENTATION**

- (1) Inspector Darrell McLean, Victoria Police, West Division, Recognition of Service

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

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

6. **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 [472 / 474 NELSON STREET]

- i) Notice of Hearing

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- ii) Background Information – *Available for Viewing Separately*
- Staff Report No. DEV-11-072

PUBLIC INPUT

ADJOURNMENT OF HEARING

7. **HEARING STAFF REPORT**

- (1) Development Variance Permit, 472 / 474 Nelson Street, [Strata Lot 1, Suburban Lot 48, Esquimalt District, Strata Plan VIS1031], Strata Lot 2, Suburban Lot 48, Esquimalt District, Strata Plan VIS1031], Staff Report No. DEV-11-079

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RECOMMENDATION:

That the application for a Development Variance Permit authorizing the construction of a new deck as detailed in the plans submitted with the application stamped 'Received June 24, 2011' and sited as shown on the

survey provided by Richard J. Wey & Associates stamped 'Received June 24, 2011', including the following variances, be **approved, issued** and **registered** on the titles of Strata Lot 1, Suburban Lot 48, Esquimalt District, Strata Plan VIS1031 [472 Nelson Street] and Strata Lot 2, Suburban Lot 48, Esquimalt District, Strata Plan VIS1031 [474 Nelson Street]

Zoning Bylaw 1992, No. 2050, Section 38 (8)(a) – Lot Coverage – a 7 % increase to the requirement that all Principal Buildings, Accessory Buildings and Structures combined shall not cover more than 30% of the Area of a Parcel [i.e. from 30% to 37%].

Zoning Bylaw 1992, No. 2050, Section 38 (9)(a)(i) – Front Setback – a 3.3 metre relaxation to the requirement that no Principal Building shall be located within 7.5 metres of a Front Lot Line [i.e. from 7.5 metres to 4.2 metres].

8. STAFF REPORTS

Administration

- (1) Council Meeting Schedule for Balance of 2011, Staff Report No. ADM-11-047 Pg. 19 – 20

RECOMMENDATION:

That Council direct staff to schedule a Special Meeting of Council on December 12th immediately following the Committee of the Whole meeting.

Finance

- (2) 2012 – 2016 Financial Plan and Budget Schedule, Staff Report No. FIN-11-039 Pg. 21 – 22

RECOMMENDATION:

That the Council of the Township of Esquimalt receive the information as set out in Report No. FIN-11-039.

Development Services

- (3) Regulations Regarding the Feeding of Squirrels and Deer, Staff Report No. DEV-11-085 Pg. 23 – 26

RECOMMENDATION:

1. That Bylaw No. 2779 to amend the Maintenance of Property Bylaw No. 2180 to prohibit the feeding of squirrels or deer be given 1st, 2nd, and 3rd readings;
2. That Bylaw No. 2780 to amend the Ticket Information Utilization Bylaw No. 2619 to authorize tickets to be issued and establish a fine for the feeding of squirrels or deer be given 1st, 2nd, and 3rd readings; and
3. That both amending Bylaw No. 2779 and Bylaw No. 2780 not be considered for final reading and adoption until authorization has been given by the Province as required.

- (4) Rezoning Application and Development Permit, 856 Esquimalt Road, [Lot A, Section 11, Esquimalt District, Plan VIP80973] and 858 Esquimalt Road, [Lot 2, Section 11, Esquimalt District, Plan 23904], Staff Report No. DEV-11-086 Pg. 27 – 82

RECOMMENDATION:

1. That Council **rescind 1st and 2nd reading** of Zoning Bylaw, 1992, No. 2050, Amendment Bylaw [No. 205], 2011, No. 2772 **approved August 15th, 2011**;
2. That amended Zoning Bylaw, 1992, No. 2050, Amendment Bylaw [No. 205], 2011, No. 2772 which provides for changes to the zoning 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 [Neighbour-hood Commercial] respectively to CD No. 80 [Comprehensive Development District No. 80], be given **first and second reading**; and
3. That a Public Hearing be scheduled.
4. 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, the landscape plan prepared by Eckford and Associates Landscape Architecture, and the survey plan prepared by Richard J. Wey and Associates Land Surveyors Inc., all of which are stamped "Received October 5, 2011", be returned to Council for consideration.
5. That, prior to the public hearing, a Development Agreement or Memorandum of Understanding be prepared to ensure that the developer assumes responsibility for the costs for the off-site works on Esquimalt Road, lost infrastructure in Esquimalt Road, and the provision of new landscaping or hardscaping in the vicinity of the development as identified in the Engineering department's comments.

9. **BYLAWS**

For Adoption

- (1) Building Code Bylaw, 2002, No. 2538, Amendment Bylaw [No. 6], 2011, No. 2775 Pg. 83 – 84
- (2) Council Remuneration Bylaw, 2011, No. 2778 Pg. 85

10. **MAYOR'S AND COUNCILLORS' REPORTS**

- (1) Report from Councillor Meagan Brame, Re: UBCM (Union of British Columbia Municipalities) Conference – September 2011 Pg. 86 – 92

11. **REPORTS FROM COMMITTEES**

- (1) Adopted minutes from the Advisory Planning Commission meeting, August 16, 2011 Pg. 93 – 101

(2) Meeting notes from the Arts, Culture and Special Events Advisory Committee meeting, September 7, 2011 Pg. 102

(3) Draft minutes from the Advisory Planning Commission meeting, September 20, 2011 Pg. 103 – 111

12. COMMUNICATIONS

(1) Letter from Randall Garrison, MP, dated September 22, 2011, Re: Support for 20 Year Water Lot Renewals for West Bay Marinas Pg. 112 – 113

(2) Letter from Mary McNeil, Minister of Children and Family Development, dated October 1, 2011, Re: Foster Family Month Pg. 114

13. PUBLIC QUESTION AND COMMENT PERIOD

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

14. ADJOURNMENT