



## **CORPORATION OF THE TOWNSHIP OF ESQUIMALT**

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

File 0550-06

November 3, 2011

### **NOTICE**

**A REGULAR MEETING OF COUNCIL WILL BE HELD ON  
MONDAY, NOVEMBER 7, 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, November 7, 2011

7:00 p.m.

Esquimalt Council Chambers

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1. **CALL TO ORDER**

2. **LATE ITEMS**

3. **APPROVAL OF THE AGENDA**

4. **MINUTES**

- |   |             |
|---|-------------|
| (1) Minutes of the Special Meeting of Council, September 19, 2011 | Pg. 1 – 2   |
| (2) Minutes of the Regular Meeting of Council, September 19, 2011 | Pg. 3 – 16  |
| (3) Minutes of the Special Meeting of Council, October 3, 2011    | Pg. 17 – 18 |
| (4) Minutes of the Regular Meeting of Council, October 3, 2011    | Pg. 19 – 28 |
| (5) Minutes of the Special Meeting of Council, October 17, 2011   | Pg. 29 – 31 |
| (6) Minutes of the Regular Meeting of Council, October 17, 2011   | Pg. 32 – 39 |
| (7) Minutes of the Special Meeting of Council, October 24, 2011   | Pg. 40 – 48 |

5. **PRESENTATION**

- (1) Gail Higginbottom, Esquimalt High School, Award of Scholarships
- (2) Janet Jones, Centennial Celebrations Select Committee, Centennial Launch
- (3) Tammy Percival, Victoria Family Court and Youth Justice Committee

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

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

7. **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 [601 / 605 CANTEEN ROAD]**

- i) Notice of Hearing Pg. 49
- ii) Background Information – *Available for Viewing Separately*
  - Staff Report No. DEV-11-088

**PUBLIC INPUT**

**ADJOURNMENT OF HEARING**

**(2) HEARING – DEVELOPMENT PERMIT [521 – 529 COMERFORD STREET]**

iii) Notice of Hearing

Pg. 50 – 51

iv) Background Information – *Available for Viewing Separately*

- Staff Report No. DEV-11-066
- Staff Report No. DEV-11-077
- Staff Report No. DEV-11-090

**PUBLIC INPUT**

**ADJOURNMENT OF HEARING**

**8. 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 – OCP AMENDMENT AND REZONING APPLICATION [1037 / 1039 LYALL STREET]**

i) Notice of Hearing

Pg. 52

ii) Background Information – *Available for Viewing Separately*

- Staff Report No. DEV-11-071
- Staff Report No. DEV-11-083

**PUBLIC INPUT**

**ADJOURNMENT OF HEARING**

**(2) PUBLIC HEARING – REZONING APPLICATION AND DEVELOPMENT PERMIT [856 / 858 ESQUIMALT ROAD]**

iii) Notice of Hearing

Pg. 53 – 54

iv) Background Information – *Available for Viewing Separately*

- Staff Report No. DEV-11-064
- Staff Report No. DEV-11-086

**PUBLIC INPUT**

**ADJOURNMENT OF HEARING**

9. HEARING STAFF REPORTS

- (1) Development Variance Permit, 601 – 605 Canteen Road [Lot 1, Suburban Lot 26, Esquimalt District, Plan VIP63502], Staff Report No. DEV-11-092 Pg. 55 – 64

**RECOMMENDATION:**

That the application for a Development Variance Permit authorizing construction of a 10 square metre office building, sited as detailed on the survey plan prepared by Engineering Services staff, stamped “Received August 30, 2011”, and including the following relaxation to Zoning Bylaw, 1992, No. 2050, be **approved, issued and registered** on the title of Lot 1, Suburban Lot 26, Esquimalt District, Plan VIP63502 [601- 605 Canteen Road].

**Zoning Bylaw, 1992, No. 2050, Section 54(5)(c) – Side Setback** – an exemption from the required 4.5 metre setback from an Exterior Side Lot Line [i.e. from 4.5 metres to 0 metres].

- (2) Development Permit, 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-11-094 Pg. 65 – 109

**RECOMMENDATION:**

That the application for a Development Permit limiting the form and character of development to that shown on architectural plans provided by Vic Davies Architect stamped “Received November 2, 2011”, and sited as detailed on the survey plan prepared by Powell and Associates, BC Land Surveyors, stamped “Received September 14, 2011”, and including the following relaxations to Zoning Bylaw, 1992, No. 2050 and Parking Bylaw, 1992, No. 2011, for the proposed development located at Lot 266, Suburban Lot 40, Esquimalt District, Plan 2854 and Lot 267, Suburban Lot 40, Esquimalt District, Plan 2854 [521-529 Comerford Street], as submitted, be **denied** due to concerns regarding insufficient parking.

**Zoning Bylaw, 1992, No. 2050, Section 24 (1) – Visibility at Intersections** – an exemption from the requirement that there shall be no obstruction to the line of vision by Buildings, Structures or vegetation between the heights of 1 metre and 3 metres above the established grade of streets within and area bounded by the centre lines of intersecting streets and a line joining a point on each of the centre lines 25 metres from their intersection.

**Parking Bylaw No. 2011, Section 11(1) – Visitor Parking** – a reduction in the required number of dedicated visitor parking spaces from 1 of every 4 to 1 of every 26 [i.e. from a total of 13 visitor spaces to 2 visitor spaces]

**Parking Bylaw No. 2011, Section 13(1)(a)(v) – Number Of Off-Street Parking Spaces** – a reduction in the required number of parking spaces from 1.3 spaces per dwelling unit to 0.46 spaces per dwelling unit [i.e. from a total of 51 spaces to 18 spaces].

10. PUBLIC HEARING STAFF REPORTS

- (1) OCP Amendment and Rezoning Application, 1037 Lyall Street [Lot B, Section 11, Esquimalt District, Plan VIP17210], 1039 Lyall Street [Lot A, Section 11, Esquimalt District, Plan VIP17210], Staff Report No. DEV-11-095 Pg. 110 – 177

**RECOMMENDATION:**

1. That Bylaw No. 2773, which would amend Official Community Plan Bylaw, 2006, No. 2646 by changing the land use designation of Lot B, Section 11, Esquimalt District, Plan VIP17210 [1037 Lyall Street] and Lot A, Section 11, Esquimalt District, Plan VIP17210 [1039 Lyall Street] shown cross-hatched on Schedule 'A', attached hereto, from Single and Two Unit Residential to Institutional, be given **third reading and adoption**; and
2. That Bylaw No. 2768, which would amend Zoning Bylaw, 1992, No. 2050 by changing the zoning designation of Lot B, Section 11, Esquimalt District, Plan VIP17210 [1037 Lyall Street] and Lot A, Section 11, Esquimalt District, Plan VIP17210 [1039 Lyall Street] shown cross-hatched on Schedule 'A', attached hereto, from RS-1 [Single Family Residential] and P-1 [Public/ Institutional] respectively to P-5 [Community Care Facility], be given **third reading and adoption**.

- (2) 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-11-096 Pg. 178 – 263

**RECOMMENDATION:**

1. That Council amend second reading of Zoning Bylaw, 1992, No. 2050, Amendment Bylaw [No. 205], 2011, No. 2772 approved October 17, 2011 to accommodate changes to the building siting requirements ensuring the proposed buildings are placed appropriately on the site; and
2. That amended Zoning Bylaw, 1992, No. 2050, Amendment Bylaw [No. 205], 2011, No. 2772 be given second reading as amended; and;
3. 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 third reading; and
4. That, prior to returning Zoning Bylaw, 1992, No. 2050, Amendment Bylaw [No. 205], 2011, No. 2772 and Development Permit No. 06/2011 to Council, the applicant be required to enter into a legal agreement to ensure that the developer assumes responsibility for the costs for the off-site works on Esquimalt Road, lost infrastructure on Esquimalt Road, and the provision of new

landscaping or hardscaping in the vicinity of the development as identified in the Engineering Services comments.

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## 11. STAFF REPORTS

### *Administration*

- (1) Council Procedure Bylaw Amendment – 3<sup>rd</sup> Reading, Staff Report No. ADM-11-051 Pg. 264 – 265

#### **RECOMMENDATION:**

That the Council of the Corporation of the Township of Esquimalt gives 3<sup>rd</sup> reading to Council Procedure Bylaw, 2009, No. 2715, Amendment Bylaw [No. 1], 2011, No. 2781

- (2) Amendment to Officers and Exempt Employees Policy, No. PER-05, Staff Report No. ADM-11-052 Pg. 266 – 271

#### **RECOMMENDATION:**

That Council Policy PER-05 Terms and Conditions of Employment for Officers and Exempt Employees be amended by deleting Clause No. 12 in its entirety and replacing it with the following:

## 12. LONG SERVICE RECOGNITION

Upon resignation or retirement of an Officer or Exempt Employee, such Officer or Exempt Employee shall be paid one month's salary at the rate applicable for the last full month of the Officer's or Exempt Employee's employment for each ten (10) years of continuous employment. In addition, for each complete year of service in excess of the aforementioned ten (10) years, a further ten per cent (10%) of the Officer's or Exempt Employee's current monthly rate of pay shall also be paid to the Officer or Exempt Employee.

### *Parks and Recreation*

- (3) Archie Browning Sports Centre Upgrade Completion, Staff Report No. P&R-11-011 Pg. 272 – 273

#### **RECOMMENDATION:**

That Council receive this report for information.

### *Development Services*

- (4) Recommendation from Heritage Advisory Committee Regarding Memorial Park, Staff Report No. DEV-11-091 Pg. 274 – 275

#### **RECOMMENDATION:**

That in lieu of a specific written policy, the Committee recommends that a people-friendly defining element be installed such that the designated heritage Memorial Park is defined from the children's Memorial Park.

- (5) Development Permit, 1026 Tillicum Road [Lot 23, Block 2, Section 10, Esquimalt District, Plan 11214], Staff Report No. DEV-11-093 Pg. 276 – 304

**RECOMMENDATION:**

That the application for a Development Permit, limiting the form and character of development to that shown on architectural plans provided by Coching Home Design, stamped “Received September 13, 2011”, and on the landscape plan prepared by Jane Waters Landscape Design, stamped “Received October 31, 2011”, and sited as detailed on the site plan prepared by Powell and Associates BC Land Surveyors, stamped “Received August 31, 2011”, be **approved, issued** and **registered** on the title of Lot 23, Block 2, Section 10, Esquimalt District, Plan 11214 [1026 Tillicum Road].

**12. BYLAWS**

*For Adoption*

- (1) Officers Bylaw, 2011, No. 2777 Pg. 305 – 307

**13. MAYOR’S AND COUNCILLORS’ REPORTS**

**14. REPORTS FROM COMMITTEES**

- (1) Adopted minutes from the Advisory Planning Commission meeting, August 16, 2011 Pg. 308 – 316
- (2) Draft minutes from the Access Awareness Advisory Committee meeting, September 14, 2011 Pg. 317 – 319
- (3) Memorandum from the Access Awareness Advisory Committee, dated October 24, 2011, Re: Request for Approval to Write Letter to Local Businesses Pg. 320
- (4) Memorandum from the Access Awareness Advisory Committee, dated October 24, 2011, Re: SPARC BC Accessible Community Bylaws Pg. 321
- (5) Memorandum from the Access Awareness Advisory Committee, dated October 24, 2011, Re: Scent Free Policy Pg. 322 – 330
- (6) Adopted minutes from the Advisory Planning Commission meeting, September 20, 2011 Pg. 331 – 339
- (7) Adopted minutes from the Heritage Advisory Committee meeting, September 21, 2011 Pg. 340 – 349
- (8) Adopted minutes from the Environmental Advisory Committee meeting, September 22, 2011 Pg. 350 – 354
- (9) Memorandum from the Environmental Advisory Committee, dated October 25, 2011, Re: Buccaneer Days Waste Management Initiative Pg. 355
- (10) Draft minutes from the Parks and Recreation Advisory Committee meeting, September 29, 2011 Pg. 356 – 358

- (11) Draft minutes from the Arts, Culture and Special Events Advisory Committee meeting, October 5, 2011 Pg. 359 – 362
- (12) Draft minutes from the Advisory Planning Commission meeting, October 18, 2011 Pg. 363 – 366
- (13) Draft minutes from the Centennial Celebrations Select Committee meeting, October 25, 2011 Pg. 367 – 372
- (14) Memorandum from the Centennial Celebrations Select Committee, dated November 2, 2011, Re: Support to Increase Visibility of Centennial Promotion in the Municipality Pg. 373

**15. COMMUNICATIONS**

- (1) Letter from the Honourable James Moore, MP, dated October 11, 2011, Re: Award of Grant to Centennial Celebrations Select Committee Pg. 374
- (2) Letter from Ted Olynk, BC Hydro, dated October 20, 2011, Re: Contribution for Graffiti Removal Pg. 375
- (3) Letter from Renee Audy, Ministry of Community, Sports and Cultural Development, dated October 21, 2011, Re: Community Recreation Program – Application Intake Pg. 376
- (4) Letter from Karel Roessingh, Greater Victoria Public Library Board, dated October 28, 2011, Re: 2012 Budget and Five Year Financial Plan – Provisional Pg. 377 – 382
- (5) Letter from M J Horner, Canadian Motorcycle Cruisers, dated October 31, 2011, Re: Request to Support the Installation of Highway Divider Barriers on Highway 1 from Goldstream Park to Mill Bay Pg. 383
- (6) Letter from Mary McNeil, Minister of Children and Family Development, dated November 1, 2011, Re: Adoption Awareness Month Pg. 384 - 390

**16. PUBLIC QUESTION AND COMMENT PERIOD**

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

**17. ADJOURNMENT**