



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

July 10, 2014

N O T I C E

**A REGULAR MEETING OF COUNCIL WILL BE HELD ON
MONDAY, JULY 14, 2014 AT 7:00 PM, IN THE COUNCIL
CHAMBERS, ESQUIMALT MUNICIPAL HALL, 1229
ESQUIMALT ROAD.**

**L. HURST
DEPUTY CORPORATE OFFICER**



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

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

Monday, July 14, 2014

7:00 p.m.

Esquimalt Council Chambers

1. **CALL TO ORDER**

2. **LATE ITEMS**

3. **APPROVAL OF THE AGENDA**

4. **MINUTES**

- | | |
|--|-------------|
| (1) Minutes of the Special Meeting of Council, June 23, 2014 | Pg. 1 – 3 |
| (2) Minutes of the Regular Meeting of Council, June 23, 2014 | Pg. 4 – 23 |
| (3) Minutes of the Special Meeting of Council, July 7, 2014 | Pg. 24 – 25 |

5. **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 [1060 TILlicum ROAD]

- | | |
|--|--------------|
| i) Notice of Hearing | Pg. 26 – 27 |
| ii) Background Information – <i>Available for Viewing Separately</i> | |
| iii) Development Services Presentation of OCP Amendment and Rezoning Application, 1060 Tillicum Road, [PID 025-917-277, Lot E (DD EW45993), Section 10, Esquimalt District, Plan 11683], Staff Report No. DEV-14-050 | Pg. 28 – 129 |

(2) APPLICANT OR AUTHORIZED REPRESENTATIVE

- i) Overview of Application

(3) PUBLIC INPUT

(4) ADJOURNMENT OF HEARING

(5) CONSIDERATION OF STAFF RECOMMENDATION

- i) OCP Amendment and Rezoning Application, 1060 Tillicum Road, [PID 025-917-277, Lot E (DD EW45993), Section 10, Esquimalt District, Plan 11683], Staff Report No. DEV-14-050

RECOMMENDATION:

1. That Council, upon considering comments made at the Public Hearing, resolves that Official Community Plan Bylaw, 2006, No. 2646, Amendment Bylaw No. 2825, attached to Staff Report DEV-14-050 as Schedule 'A', which would amend Official Community Plan Bylaw, 2006, No. 2646 by changing the Land Use Designation and relevant Development Permit Area of PID 025-917-277, Lot E (DD EW45993), Section 10, Esquimalt District, Plan 11683 [1060 Tillicum Road] shown cross hatched on Schedule 'A' of Amendment Bylaw No. 2825, from Single and Two Unit Residential to Townhouse Residential and from Development Permit Area No.5 – Enhanced Design Control Residential to Development Permit Area No.1 – Multi-Unit Residential, be considered for third reading; and
2. That Council, upon considering comments made at the Public Hearing, resolves that Zoning Bylaw, 1992, No. 2050, Amendment Bylaw No. 2827, attached to Staff Report DEV-14-050 as Schedule 'B', which would amend Zoning Bylaw, 1992, No. 2050 by changing the zoning designation of PID 025-917-277, Lot E (DD EW45993), Section 10, Esquimalt District, Plan 11683 [1060 Tillicum Road] shown cross hatched on Schedule 'A' of Bylaw No. 2827 from RD-3 [Two Family/ Single Family Residential] to CD No. 89 [Comprehensive Development District No. 89] be considered for third reading; and
3. That, as the applicant wishes to assure Council that the proposed development would incorporate both on-site and off-site amenities consistent with those identified in the Draft Section 219 Covenant, attached to Staff Report DEV-14-050 as Schedule "D" and has voluntarily offered and agreed to register a Section 219 covenant on the title of PID 025-917-277, Lot E (DD EW45993), Section 10, Esquimalt District, Plan 11683 [1060 Tillicum Road] in favour of the Township of Esquimalt to secure these amenities, Council direct staff and the Township Solicitor to coordinate with the property owner the registration of a Section 219 covenant requiring provision of identified amenities prior to returning Amendment Bylaw No. 2825 and Amendment Bylaw No. 2827 to Council for consideration of adoption and that the Mayor and staff are accordingly authorized to execute that Covenant.

6. 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 – REZONING APPLICATION [610 AND 612 BRYDEN COURT]

- i) Notice of Hearing Pg. 130 – 131
- ii) Background Information – *Available for Viewing Separately*
- iii) Development Services Presentation of Rezoning Application, 610 Bryden Court, [PID 000-042-277, Lot 26, Section 11, Esquimalt District, Plan 5646] and 612 Bryden Court, [PID 005-987-008, Lot 25, Section 11, Esquimalt District, Plan 5646], Staff Report No. DEV-14-051 Pg. 132 – 152

(2) APPLICANT OR AUTHORIZED REPRESENTATIVE

- i) Overview of Application

(3) PUBLIC INPUT

(4) ADJOURNMENT OF HEARING

(5) CONSIDERATION OF STAFF RECOMMENDATION

- i) Rezoning Application, 610 Bryden Court, [PID 000-042-277, Lot 26, Section 11, Esquimalt District, Plan 5646] and 612 Bryden Court, [PID 005-987-008, Lot 25, Section 11, Esquimalt District, Plan 5646], Staff Report No. DEV-14-051

RECOMMENDATION:

That Council, upon considering comments made at the Public Hearing, resolves that Zoning Bylaw, 1992, No. 2050, Amendment Bylaw No. 2840, attached to Staff Report DEV-14-051 as Schedule 'A', which would amend Zoning Bylaw, 1992, No. 2050 by changing the zoning designation of PID 005-987-008, Lot 25, Section 11, Esquimalt District, Plan 5646 [612 Bryden Court] and the westernmost 194 square metres of PID 000-042-277, Lot 26, Section 11, Esquimalt District, Plan 5646 [610 Bryden Court] shown outlined on Schedule 'A' of Amendment Bylaw No. 2840, from RD-3 [Two Family/ Single Family Residential] to RS-1 [Single Family Residential] be considered for **third reading and adoption**.

7. PRESENTATIONS

- (1) James Wadsworth, Senior Planner, BC Transit, Fall 2014 Services Plan for Transit Pg. 153

8. DELEGATIONS

- (1) Tom Woods, Esquimalt Rib Fest, Request for In-Kind Contributions Pg. 154

9. PUBLIC INPUT (On items listed on the Agenda)

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

10. **STAFF REPORTS**

Administration

- (1) 2014 Local Government Election, Staff Report No. ADM-14-031

Pg. 155 – 161

RECOMMENDATION:

That Council:

- (1) Appoints Anja Nurvo, Director of Corporate Services, as Chief Election Officer and Deborah Liske, Corporate Services Office Administrator, as Deputy Chief Election Officer for the 2014 Local Government Election;
- (2) Approves Council Policy No. ADMIN-69 Election Signs on Municipal Property, and rescinds Council Policy No. PLAN-30; and
- (3) Directs that no amendments are required to the *Election Procedures and Automated Voting Machines Authorization Bylaw, 2005, No. 2617*.

Community Safety Services

- (2) Animal Control Bylaw Update, Staff Report No. CSS -14-006

Pg. 162 – 186

RECOMMENDATION:

That Council gives first, second and third readings to the Animal Control Bylaw, 2014, No. 2841, as attached to Staff Report No. CSS-14-006.

Finance

- (3) Council Policy Review – Financial Services, Staff Report No. FIN -14-014

Pg. 187 – 191

RECOMMENDATION:

That Council:

1. Approve the revised Council Policy No. FIN-04 Investment of All Surplus Funds, and
2. Approve the revised Council Policy No. FIN-06 Tax Exemption Church Halls and Church Lands, as attached to Staff Report No. FIN-14-014.

- (4) Municipal Security Issuing Resolution – Loan Authorization Bylaw, 2014, No. 2834, Staff Report No. FIN -14-015

Pg. 192 – 194

RECOMMENDATION:

That Council approve borrowing from the Municipal Finance Authority of British Columbia, as part of the 2014 Fall Borrowing Session, \$1,200,000 as authorized through the Admirals Road Corridor Improvement Project Loan Authorization Bylaw, 2014, No. 2834 and that the Capital Regional District be requested to consent to our borrowing over a 10 year term and include the borrowing in their Security Issuing Bylaw.

Engineering and Public Works

- (5) Traffic Order for Sea Terrace, Parking Restriction, Staff Report No. EPW-14-026 Pg. 195 – 200

RECOMMENDATION:

That Council approve Traffic Order No. 1209 – that “No Parking” road markings be installed on both sides of Sea Terrace from its intersection with Dunsmuir Road to the easterly limits of the Municipality and rescind Traffic Order 1136.

- (6) Fairview Road Reconstruction Tender Award, Staff Report No. EPW-14-027 Pg. 201 – 204

RECOMMENDATION:

That Council award the contract for the Fairview Road Reconstruction to Brunnell Construction Ltd. for a total contract price of \$506,492.10 (not including tax) and that the required additional funding in the amount of \$130,000 for this project be approved.

Parks and Recreation

- (7) Highrock Park Telecommunication Tower, Staff Report No. P&R-14-006 Pg. 205 – 208

RECOMMENDATION:

That Council approve the installation of telecommunication equipment including a monopole tower, microwave dish, antennae, and an equipment room by Capital Region Emergency Services Telecommunications Inc. (CREST) within Highrock Park to improve emergency communications; and

That staff be authorized to enter into an agreement with CREST for the installation and ongoing use of the telecommunication equipment.

- (8) Joint Use Partnership Agreement for Esquimalt Secondary School Sport Court, Staff Report No. P&R-14-007 Pg. 209 – 211

RECOMMENDATION:

That Council direct staff to negotiate and execute a long-term partnership agreement with School District 61 for the renovation, ongoing maintenance, life cycle upgrades and shared use of the Esquimalt Secondary School sport court for the school and community.

Development Services

- (9) Development Permit, 622 Head Street, [PID 015-959-813, Lot 1, Section 11, Esquimalt District, Plan 50285], Staff Report No. DEV-14-046 Pg. 212 – 237

RECOMMENDATION:

1. That Council resolves that Development Permit No. 03/2003 be cancelled.
2. That Council resolves that staff be directed to discharge the Notice of Permit on the on the title of PID 015-959-813, Lot 1, Section 11, Esquimalt District, Plan 50285 [622 Head Street] relating to Development Permit No. 03/2003.

3. That Council resolves that Development Permit No. DP000028, attached to Staff Report DEV-14-046 as Schedule “E”, which would limit the form and character of development to that shown in photos of the existing heritage designated building, stamped “Received June 12, 2014”, and shown on the landscape plan and in landscaping photos stamped “Received March 19, 2014”, and including parking and garbage areas as detailed on the site plan prepared by Richard J. Wey and Associates Land Surveying Inc., stamped “Received May 2, 2014”, **be approved, and staff be directed to issue the permit and register the notice on the title of** PID 015-959-813, Lot 1, Section 11, Esquimalt District, Plan 50285 [622 Head Street].

- (10) Development Permit, 1079 Colville Road, PID 005-713-382, Lot 15, Section 10, Esquimalt District, Plan 7328, Staff Report No. DEV-14-052 Pg. 238 – 272

RECOMMENDATION:

That Council resolves that Development Permit No. DP000022 limiting the form and character of development to that shown on architectural plans by Nicole Parker stamped “Received July 3, 2014”, the landscape plan prepared by Diva Landscape Design stamped “Received July 3, 2014”, and sited as detailed on the survey plans prepared by Island Land Surveying stamped “Received April 28, 2014”, **be approved, and staff be directed to issue the permit and register the notice on the title of** the development located at PID 005-713-382, Lot 15, Section 10, Esquimalt District, Plan 7328 [1079 Colville Road].

- (11) Development Permit, 1083/ 1085 Tillicum Road, Strata Plan VIS3743, Staff Report No. DEV-14-053 Pg. 273 – 323

RECOMMENDATION:

That Council, upon considering comments made at the Advisory Design Review Committee [DRC] meeting resolves that Development Permit No. DP000024 limiting the form and character, of development to that shown on architectural plans by Joe Newell architect inc. stamped “Received June 2, 2014”, the landscape plan by Acacia Landscape Inc. stamped “Received July 3, 2014”, **be considered for approval, and staff be directed to issue the permit and register the notice on the title of** the development located at Strata Plan VIS3743 [1083/1085 Tillicum Road].

- (12) Development Permit (Modified Version from Report DEV-14-053), 1083/ 1085 Tillicum Road, Strata Plan VIS3743, Staff Report No. DEV-14-055 Pg. 324 – 344

RECOMMENDATION:

That Council, upon considering comments made at the Advisory Design Review Committee [DRC] meeting resolves that this version of Development Permit No. DP000024 limiting the form and character, of development to that shown on architectural plans by Joe Newell architect inc. stamped “Received June 2, 2014”, the landscape plan by

Acacia Landscape Inc. stamped “Received July 3, 2014”, and including the Schedule of Construction [Schedule “B”] **be approved, and staff be directed to issue the permit and register the notice** on the title of the development located at Strata Plan VIS3743 [1083/1085 Tillicum Road].

11. **BYLAWS**

For Adoption

- (1) Bylaw Notice Enforcement Bylaw, 2014, No. 2839 Pg. 345 – 369

For First, Second and Third Reading

- (2) Bylaw Notice Enforcement Bylaw, 2014, No. 2839, Amendment Bylaw [No.1], 2014, No. 2842 Pg. 370 – 372

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

13. **COMMUNICATIONS**

- (1) Letter from Stephen Hunt, United Steelworkers, dated June 16, 2014, Re: Request to Pass Resolution to Protect Workers Pg. 373 – 374
- (2) Letter from Gordie Logan, CREST, dated June 26, 2014, Re: Technology Plan Pg. 375 - 376
- (3) Letter from Albert Sweetnam, Seaterra Program, dated July 2, 2014, Re: Presentation on the Proposed McLoughlin Point Wastewater Treatment Facility Pg. 377
- (4) Letter from Dave Cowen, Chair Nominations Sub-Committee, Greater Victoria Harbour Authority, dated July 7, 2014, Re: Request for Nominees for the Board of Directors of the GVHA Pg. 378 – 383
- (5) Email from Morlene Tomlinson, dated July 8, 2014, Re: Sculpture Splash Pg. 384 – 386

14. **PUBLIC QUESTION AND COMMENT PERIOD**

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

15. **ADJOURNMENT**



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

MINUTES SPECIAL MEETING OF MUNICIPAL COUNCIL MONDAY, JUNE 23, 2014 5:45 PM WURTELE ROOM, MUNICIPAL HALL

PRESENT:

Mayor Barbara Desjardins
Councillor Meagan Brame
Councillor Dave Hodgins
Councillor Lynda Hundleby
Councillor Robert McKie
Councillor Tim Morrison
Councillor David Schinbein

STAFF:

Laurie Hurst, Chief Administrative Officer
Bill Brown, Director of Development Services
Scott Hartman, Director of Parks & Recreation Services
Gina Griffith, Human Resource Manager
Anja Nurvo, Director of Corporate Services/Recording Secretary

OTHER:

Lui Carvello, Legal Counsel

1. **CALL TO ORDER**

Mayor Desjardins called the Special Meeting of Council to order at 5:45 pm.

2. **LATE ITEMS**

There were no late items.

3. **APPROVAL OF THE AGENDA**

MOTION: Moved by Councillor McKie/Councillor Brame:
That the Agenda be approved as circulated.

CARRIED UNANIMOUSLY.

4. **MOTION TO GO *IN CAMERA***

MOTION: Moved by Councillor Brame/Councillor Hundleby:
That Council convene *In Camera* pursuant to Section 90 of the *Community Charter* to discuss:

- Personal information about an identifiable individual who is being considered for a municipal award or honour, or who has offered to provide a gift to the municipality on condition of anonymity;
- Labour relations or other employee relations;
- The acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality;
- The receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and
- Negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public;

in accordance with Section 90 (1) (b), (c), (e), (i), and (k) of the *Community Charter*, and that the general public be excluded.

CARRIED UNANIMOUSLY.

5.

ADJOURNMENT

MOTION: Moved by Councillor Brame/Councillor Hundleby:
That the Special Meeting of Council be adjourned at 5:46 pm.

CARRIED UNANIMOUSLY.

MAYOR OF THE CORPORATION OF THE
TOWNSHIP OF ESQUIMALT
THIS DAY OF , 2014

CERTIFIED CORRECT:

ANJA NURVO, CORPORATE OFFICER



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

MINUTES REGULAR MEETING OF MUNICIPAL COUNCIL MONDAY, JUNE 23, 2014 7:00 P.M. COUNCIL CHAMBERS

PRESENT:

Mayor Barbara Desjardins
Councillor Meagan Brame
Councillor Dave Hodgins
Councillor Lynda Hundleby
Councillor Robert McKie
Councillor Tim Morrison
Councillor David Schinbein

STAFF:

Laurie Hurst, Chief Administrative Officer
Jeff Miller, Director of Engineering & Public Works
Bill Brown, Director of Development Services
Anja Nurvo, Director of Corporate Services / Recording Secretary
Blair McDonald, Director of Community Safety Services
Trevor Parkes, Senior Planner
Deborah Liske, Recording Secretary

1. CALL TO ORDER

Mayor Desjardins called the Regular Meeting to order at 7:03 pm.

2. LATE ITEMS

The following late items were added to the Agenda:

- Agenda Item 5 (3) PUBLIC HEARING – REZONING APPLICATION – TRIANGLE ESTATES (468 HEAD STREET) – PUBLIC INPUT
 - Email received from Dean Polvi, dated June 19, 2014, Re: Triangle Lands
 - Email received from Jim Witter, dated June 20, 2014, Re: Shadow Studies
 - Email received from Jim Witter, dated June 20, 2014, Re: December Shadow Study West bay – Twin Towers
 - Email received from Jim Witter, dated June 20, 2014, Re: Sept/March Shadow Study West bay – Twin Towers
 - Email received from Jim Witter, dated June 20, 2014, Re: June Shadow Study West bay – Twin Towers
 - Email received from Anne McPherson, dated June 20, 2014, Re: Please Vote No to Amending Bylaw 2013 Triangle Lands Rezoning
 - Email received from Yvonne and Emmy Labonte, dated June 21, 2014, Re: Rezoning Bylaw 2813 Triangle Land
 - Email received from Jeannette Taylor, dated June 22, 2014, Re: Rezoning of Triangle Lands
 - Email received from Michelle Loveless, dated June 22, 2014, Re: Vote No – Re: Amending Bylaw 2813 Rezoning of Triangle Lands
 - Email received from Krysta Kriteh, dated June 22, 2014, Re: Bylaw 2813
 - Email received from Jim, dated June 22, 2014, Re: Bylaw 2813 No No No No NO NO NO NO!
 - Email received from Edward Loveless, dated June 22, 2014, Re: Vote NO to Amending Bylaw 2813 Rezoning of Triangle Lands
 - Letter received from Roager Wheelock, June 23, 2014, Re: June 23 Public Hearing
 - Email received from Patricia Whitehead, dated June 23, 2014, Re: Vote NO to Amending Bylaw 2013 Triangle Lands Rezoning
 - Email received from WestBay Residents Association, dated June 23, 2014, Re: Correspondence Letters and Emails Regarding Amending Bylaw 2813 (Triangle Lands); and
- Agenda item 7. PRESENTATIONS will be moved to follow Agenda item 4. MINUTES, and the agenda will be renumbered accordingly.

3. **APPROVAL OF THE AGENDA**

MOTION: Moved by Councillor Morrison/Councillor Hodgins:
That the Agenda be approved as amended.

CARRIED UNANIMOUSLY.

4. **MINUTES**

(1) Regular Meeting of Council, June 9, 2014

MOTION: Moved by Councillor McKie/Councillor Morrison:
That the minutes of the Regular Meeting of Council held June 9, 2014
adopted as circulated.

CARRIED UNANIMOUSLY.

5. **PRESENTATIONS**

(1) Beverly Stewart, Volunteer Spirit Award

Mayor Desjardins presented Beverly Stewart with a Volunteer Spirit Award and a Centennial Book in recognition of her years of dedicated volunteerism with Esquimalt Block Watch.

(2) Neil Thomas, Bradley Clements, Katrina Tutty, UVic Geography Students, Working with Esquimalt Residents Association on Community Engagement and Community Mapping for Village Project and the Esquimalt Mile

The students provided an overview and results of their community engagement and community mapping project for the Esquimalt Residents Association. They had collected information at the Esquimalt Block Bash, Buccaneer Days and by interviewing community members Morlene Tomlinson, Alison Gaul and Bruce Devitt. They determined that barriers exist in engaging youth and the elderly; as well as a need to increase engagement with the francophone community and First Nations, and concluded that creative ways are needed to engage the diverse community of Esquimalt.

6. **PUBLIC HEARING**

Mayor Desjardins declared a conflict of interest with the next item, due to the fact that she lives at West Bay and her husband has done work for the developer, and left the meeting at 7:21 p.m.

Acting Mayor Morrison took the Chair and called the Public Hearing to order at 7:22 p.m.

Acting Mayor Morrison provided those in attendance with an overview of the Public Hearing process.

(1) PUBLIC HEARING – REZONING APPLICATION – TRIANGLE ESTATES [468 HEAD STREET]

Development Services Presentation of Rezoning Application, 468 Head Street [Triangle Estates], PID 001-843-991 Lot 8, Block H, Section 11, Esquimalt District, Plan 292 [468 Head Street]; PID 006-720-439, Lot 5, Block H, Section 11, Esquimalt District, Plan 292 [470 Head Street]; PID 000-036-722, Lot 4, Block H, Section 11, Esquimalt District, Plan 292 [472 Head Street]; PID 009-175-024, Lot 1, Block H, Section 11, Esquimalt District, Plan 292 [515 Gore Street]; PID 009-175-016, Lot 2, Block H, Section 11, Esquimalt District, Plan 292 [509 Gore Street]; PID 000-704-580, Strata Lot 1, Section 11, Esquimalt District, Strata Plan 509, together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on Form 1 [922 Lyall Street]; PID 000-704-598, Strata Lot 2, Section 11, Esquimalt District, Strata Plan 509, together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on Form 1 [920 Lyall Street]; PID 009-175-008, Lot 6, Block H, Section 11, Esquimalt District, Plan 292 [918 Lyall Street]; and PID 009-174-885, Lot 7, Block H, Section 11, Esquimalt District, Plan 292 [912 Lyall Street], Staff Report No. DEV-14-044.

Trevor Parkes, Senior Planner, provided an overview of the development and reviewed a PowerPoint presentation of the application.

(2) APPLICANT OR AUTHORIZED REPRESENTATIVE

i) Overview of Application

Mark Lindholm, applicant and representative of Triangle Estates Ltd. and John Crowhurst, Architect provided an overview, accompanied by a PowerPoint presentation, of the rezoning application.

(3) PUBLIC INPUT

Peter Griffiths, resident, asked Council to vote no, and stated that the images of the development presented by the developer were misleading, and that the buildings would affect sunlight in the Marina and surrounding area.

Lorne Milne, resident, supports the proposal and stated that it seems to comply, and if we wish to support servicing we will need to go up in height.

David Nicol, resident, supports the application for its economic and social vitality.

Mark (last name unknown), non-resident, noted the difference in the shadow study presented by the developer and one prepared by a consultant hired by a member of the public and stated that the developer's only shows 4 hours per day.

Dean Povi, resident, was not in support, and felt the developer has not worked with the community vision; we need a marine oriented not marine themed development, and this was not appropriate development.

The Senior Planner presented the animated shadow analysis provided by the public during 3 periods – June, December and Equinox.

(Name unknown), resident, was in support of the development, which he said shows vision and will enhance the area.

Sandy Dunn, resident, was opposed since her property would be in the shadow most of the time, and was also concerned with a loss of privacy.

Geoff Murray, resident, stated that Swallows Landing has lots of green space on the waterfront, but there is no amenity similar being offered here, it does not represent the community and he is opposed.

Pamela Vine, resident, was opposed to the development which would increase traffic and parking issues and create major shadowing of neighbouring properties.

Kara Ronse, resident, is opposed since the shadowing will impact her property and their enjoyment of their yard for her children to play in.

Roger Wheelock, resident, advised he had lived on a float home in the marina for number of years, does not support the development and states that the area deserves to be protected, and requested Council to reject the application.

Tina Prior, resident, does not support the development since it is too tall, not enough commercial or public space, and handed in a letter.

Darlene Duncan, resident, stated that she currently lives in the shadow of Swallows Landing, which are giant noisy concrete masses; the buildings are too high and the residents are not being respected.

Christie Eng, resident, does not support, and advised that the Matson Towers look into homes and has created loss of privacy, and that we can wait for a more insightful development.

Bob Beattie, resident, stated that this will lead to others applying for increased height, that there is nothing creative and no vision in this development; the property should be townhomes to attract families.

Curtis Kirkpatrick, was involved in maintenance at the marina, and advised that he is in support and has received lots of positive feedback on the development which will be a positive change for the area.

Barbara Curran, resident, is opposed based on it being too tall, loss of privacy, that; the proposal would lead to decreased property values; and that 5-6 storeys would be fine.

Allan Reid, resident, advised that Swallows Landing has 80% occupancy and an amazing community within and why this development would be any different, and is in support.

Mark (last name unknown), non-resident, again addressed the discrepancy in the shadowing images presented by the developer versus the one by a consultant for a member of the public, which showed significantly more shadow during the day, and said he can't support the development.

Doug Stroud, resident, spoke on behalf of the Esquimalt Chamber of Commerce, and expressed their strong support for economic, social and environmental benefits of the development, which would benefit all of those who live in Esquimalt.

Chris Fitzpatrick, non-resident, stated he was in support since it falls within the OCP; he asked Council to consider the message to other future developers if the application was denied

John Crowhurst, Architect, representing applicant, spoke to the discrepancy in the animated shadow imaging, and said he agrees with the winter image but questions the parameters of the ones for the summer and Equinox images, and stated that he stood by his findings.

Louis Garth, resident, spoke in support and stated there would be no issues with privacy and that it was a moot point since there are already apartments above houses.

Julie Flatt, resident, is against the development, and stated that tall buildings should be confined to Esquimalt Road and not the waterfront.

Carole Witter, resident, advised this is not on a major bus route, massing model shows buildings that do not exist, and stated it was inappropriate for the developer to say all single family homes will be replaced with higher density. She stated that over 100 written comments in opposition have been received by the Township.

Cherrie Streight, resident, stated that she is against the development due to its high density.

Moir Prentice, resident, spoke in favour of the development since it would be a great asset for West Bay and the Township.

Emmy Labonte, resident, is opposed, the owner had received many rezonings but has not proceeded; Swallows Landing impacts her home all year; and referred to the developer as a harvester.

Jim Witter, resident and representative of Hidden Harbour Marine Centre, does not support; the Marina is a live, work, play community; heard nothing on impact to the harbour which needs to be preserved.

MOTION: Moved by Councillor Hodgins/Councillor McKie:

That the June 23, 2014 Regular Meeting of Council be extended to 11:00 p.m.

CARRIED UNANIMOUSLY.

Terry Prentice, resident, recommended approval since this development meets the OCP objectives and permits up to 12 storeys, and redevelopment is required for this area.

Maria Muhr, resident, is opposed since this development does not create a destination, is not vibrant or provide a vision, and is not the solution for this prime site.

Jason Wood, resident, is opposed; there is no community green space and setback as Swallows Landing, the development does not provide any vision and is not in the best interests of the residents of the area.

Colin MacLock, resident, is opposed, Swallows Landing took 9 years to build, the developer has not listened to the community, building should be 6 storeys, terraced, stepped and people would love it.

RECESS AND RECONVENE

Acting Mayor Morrison recessed the meeting at 9:58 p.m. The meeting was reconvened at 10:07 p.m. with all members of Council present, except Mayor Desjardins, with Acting Mayor Morrison acting as Chair.

Lorin Goshinmon resident, is opposed since it is too high for the area, doesn't blend in, and wondered if there could be a compromise to allow the development but at a lower height.

Doug Millen, resident, spoke in support of the development.

(Name unknown), resident, stated that this development represented a "major malfunction" and that the community already has sewage issues.

Mike Sheward, resident, stated that the development was too high and should be 5-6 storeys, terraced, with more commercial, and he would be in favour; this should be put on hold until draft West Bay guidelines are finalized.

(First name unknown) Polvi, (minor) non-resident, stated he is against the development since his aunt and uncle live on Paradise and he would not enjoy visiting them anymore in the area.

Eve Gordon, resident, is opposed and agrees with the other comments. She handed in over 100 red "VOTE NO" cards and a letter of opposition.

Sasha Tauzer, resident, is opposed; she loves gardening and sunshine in her backyard, the development would dramatically change her lifestyle and would look at other options and move away; she also expressed a concern over float plane fly paths.

Marilyn (last name unknown, resident, stated that she loves the West Bay area and that the building would be an eyesore which doesn't blend into the community, and she is opposed.

Jason Lindholm, Applicant, non-resident, is in favour; he stated his family had purchased Sailor's Marina and invested to improve it, and also purchased and renovated West Bay Marina and the Lyall & Head St property; he stated they are not "harvesters" but are investors and have been in the community for over two decades.

Thomas Muellerleile, Esquimalt land owner, non-resident, stated that he is not against development but this one does not do justice to the jewel of West Bay; he asked Council to consider the voices of the community and not approve this kind of development.

Lynn Shaw-Ringham, resident, stated she agrees that the developer has an opportunity to listen and create another jewel that people want, and that she was against this development.

Bruce Devitt, resident, is opposed, and requested Council to send a message to the developers to work with the community to avoid the mess of highrise developments in west end of Vancouver.

Carole Witter, resident, requested clarification regarding the memo of April 28th regarding the removal of the Hidden Harbour buildings in the developers images, and the email advising that it was inappropriate to show buildings that were not part of the development.

The Director of Development Services addressed this concern and advised Council that there are no rules, as long as Council understands the context of the images that are provided to them.

Sandy Dunn, resident, said that if it will take 3-5 years to build this development, it would create disruption and no one would want to go to West Bay.

Dean Polvi, resident, stated that there is a risk to the developer by not working with the community, taxes will go down as a result of building this development which will impact the entire community.

Colin MacLock, resident, stated that the models presented by the developers are misleading with discrepancies.

Jim Witter, resident and representative of Hidden Harbour Marine Centre, stated that the intention is that harbor related activities are to be on the Triangle Lands, with commercial redevelopment.

Acting Mayor Morrison called three times for any additional speakers with no one in attendance responding.

(4) ADJOURNMENT OF HEARING

Acting Mayor Morrison declared the Public Hearing for the Rezoning Application for 468 Head Street (Triangle Estates) closed at 10:41 p.m.

(5) CONSIDERATION OF STAFF RECOMMENDATION

- i) Rezoning Application, 468 Head Street [Triangle Estates], PID 001-843-991 Lot 8, Block H, Section 11, Esquimalt District, Plan 292 [468 Head Street]; PID 006-720-439, Lot 5, Block H, Section 11, Esquimalt District, Plan 292 [470 Head Street]; PID 000-036-722, Lot 4, Block H, Section 11, Esquimalt District, Plan 292 [472 Head Street]; PID 009-175-024, Lot 1, Block H, Section 11, Esquimalt District, Plan 292 [515 Gore Street]; PID 009-175-016, Lot 2, Block H, Section 11, Esquimalt District, Plan 292 [509 Gore Street]; PID 000-704-580, Strata Lot 1, Section 11, Esquimalt District, Strata Plan 509, together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on Form 1 [922 Lyall Street]; PID 000-704-598, Strata Lot 2, Section 11, Esquimalt District, Strata Plan 509, together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on Form 1 [920 Lyall Street]; PID 009-175-008, Lot 6, Block H, Section 11, Esquimalt District, Plan 292 [918 Lyall Street]; and PID 009-174-885, Lot 7, Block H, Section 11, Esquimalt District, Plan 292 [912 Lyall Street], Staff Report No. DEV-14-044

Council comments:

- The development falls short, lack of public consultation, have received 105 comments opposed and 19 in favour
- Needs to be the right responsible development with lots of community support, how do we address issues of the neighbourhood
- What is being proposed is not appropriate
- Opportunity for developer to amend the proposal to one we can support
- In favour of height along Esquimalt Road but not waterfront
- Development is too high, does not fit with area, buildings should be staggered
- Need variety of housing types
- Property has lots of potential
- Perhaps more commercial but not necessarily tower buildings
- Need to send message that development is wanted in our community

MOTION: Moved by Councillor Hodgins/Councillor McKie:
That the meeting be extended to 12:00 midnight.

CARRIED (Councillor Hundleby opposed)

MOTION: Moved by Councillor Hodgins/Councillor McKie:

1. That Council, upon considering comments made at the Public Hearing, resolves that Zoning Bylaw, 1992, No. 2050, Amendment Bylaw No. 2813, attached to Staff Report DEV-14-044 as Schedule "A", which would amend Zoning Bylaw, 1992, No. 2050 by changing the zoning designation of each of the following parcels:
 - a. PID 001-843-991 Lot 8, Block H, Section 11, Esquimalt District, Plan 292 [468 Head Street],
 - b. PID 006-720-439, Lot 5, Block H, Section 11, Esquimalt District, Plan 292 [470 Head Street],
 - c. PID 000-036-722, Lot 4, Block H, Section 11, Esquimalt District, Plan 292 [472 Head Street],
 - d. PID 009-175-024, Lot 1, Block H, Section 11, Esquimalt District, Plan 292 [515 Gore Street],
 - e. PID 009-175-016, Lot 2, Block H, Section 11, Esquimalt District, Plan 292 [509 Gore Street],
 - f. PID 000-704-580, Strata Lot 1, Section 11, Esquimalt District, Strata Plan 509, together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on Form 1 [922 Lyall Street],
 - g. PID 000-704-598, Strata Lot 2, Section 11, Esquimalt District, Strata Plan 509, together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on Form 1 [920 Lyall Street],
 - h. PID 009-175-008, Lot 6, Block H, Section 11, Esquimalt District, Plan 292 [918 Lyall Street], and
 - i. PID 009-174-885, Lot 7, Block H, Section 11, Esquimalt District, Plan 292 [912 Lyall Street] ("Nine Subject Properties") all of which are shown cross hatched on Schedule 'A' of Amendment Bylaw No. 2813, from their current zoning designation, detailed on Schedule 'B' of Amendment Bylaw No. 2813, to CD No. 86 [Comprehensive Development District No. 86] be considered for third reading; and
2. That, as the applicant wishes to assure Council that the proposed development would incorporate both on-site and off-site amenities consistent with those identified in Staff Report DEV-14-044, or similar amenities of comparable monetary value, and has voluntarily offered and agreed to register a Section 219 covenant on the titles of the Nine Subject Properties in favour of the Township of Esquimalt to secure these amenities as well as restricting use and development without the consolidation of the Nine Subject Properties into one legal parcel, Council direct staff and Township Solicitor to coordinate with the property owner the registration of a Section 219 covenant requiring provision of identified amenities (as may be amended upon further

consideration of staff, by engineering, landscaping and other details to be provided by the applicant) and restricting uses and development in absence of lot consolidation against the titles of the Nine Subject Properties prior to returning Amendment Bylaw No. 2813 to Council for consideration of adoption and that the Mayor and staff are accordingly authorized to execute that Covenant.

DEFEATED UNANIMOUSLY.

Mayor Desjardins returned to the meeting at 11:10 p.m., with Acting Mayor Morrison relinquishing the role of Chair with Mayor Desjardins resuming the role of Chair of the meeting at 11:11 p.m.

7.

PUBLIC HEARING

Mayor Desjardins returned to the meeting and resumed the Chair and called the Public Hearing for Rezoning Application, 622 Head Street to order at 11:12 p.m.

Mayor Desjardins provided those in attendance with a review of the Public Hearing process.

(1) PUBLIC HEARING – REZONING APPLICATION [622 HEAD STREET]

Development Services Presentation of Rezoning Application, 622 Head Street, [PID 015-959-813, Lot 1, Section 11, Esquimalt District, Plan 50285], Staff Report No. DEV-14-045

Trevor Parkes, Senior Planner, provided an overview of the rezoning application for 622 Head Street.

(2) APPLICANT OR AUTHORIZED REPRESENTATIVE

i) Overview of Application

Don Linge, representing the Applicant, provided a brief overview of the rezoning application for 622 Head Street.

The Senior Planner noted improvements to the property will not trigger a building permit, but that the applicant has submitted a development permit application and has provided a security deposit in advance.

(3) PUBLIC INPUT

Mayor Desjardins called three times for any speakers wishing to provide public input and there were no responses.

(4) ADJOURNMENT OF HEARING

Mayor Desjardins declared the Public Hearing for the Rezoning Application for 622 Head Street closed at 11:17: p.m.

(5) CONSIDERATION OF STAFF RECOMMENDATION

- i) Rezoning Application, 622 Head Street, [PID 015-959-813, Lot 1, Section 11, Esquimalt District, Plan 50285], Staff Report No. DEV-14-045

MOTION: Moved by Councillor Morrison/Councillor Hodgins:

That Council resolves that Amendment Bylaw No. 2833, which would amend Zoning Bylaw, 1992, No. 2050 by changing the zoning designation of PID 015-959-813, Lot 1, Section 11, Esquimalt District, Plan 50285 [622 Head Street] shown cross hatched on Schedule 'A' of Bylaw No. 2833, attached to Staff Report DEV-14-045 as Schedule 'A', from C-5C [Tourist Commercial] to CD No. 91 [Comprehensive Development District No. 91] be given third reading and adoption.

CARRIED UNANIMOUSLY.

8.

DELEGATIONS

- (1) Darwin Robinson, Remuneration Bylaw
Mr. Robinson, resident, spoke against the Council Remuneration Bylaw, in particular the \$75/month for expenses, costing an additional \$900, and 2% minimum annual increase, and stated that Council should follow the recommendations of the Council Remuneration Committee.
- (2) Bruce Devitt, Remuneration Bylaw
Mr. Devitt, resident, spoke in support of Council remuneration to be determined by the Committee, and that Council should be properly compensated, but was concerned with the additions, and requested Council to reconsider.
- (3) Bruce McIlldoon, Council Remuneration
Mr. McIlldoon, resident, stated that 3 years ago the Committee had dealt with remuneration following the process, that a 30% raise for anyone was unacceptable, and that we should compare ourselves to Colwood and Langford.
- (4) Muriel Dunn, Finances
Mrs. Dunn stated she was strongly opposed to the Bylaw since Council was not following the recommendations of the Committee, and \$75/month was wrong since Council already got 1/3 tax free, and requested Council rescind and vote yes to the Committee recommendations.
- (5) Hy Freedman, Municipal Financial Matter – Revenue
Mr. Freedman, resident, stated that the 1/3 tax free is approximately \$1,200/year in savings, the increase will make it hard to negotiate less with CUPE, and requested Council to rescind 3rd, amend the Bylaw to limit it to the recommendations of the Committee and Policy Admin-62.

- (6) Rod Lavergne, Remuneration Bylaw
Mr Lavergne provided a history of the petition against the Bylaw, and stated that if Council members did not wish to serve the community, they should step aside, since being on Council was volunteering.
- (7) Don Linge, To Voice Objection to Decision of Council to Increase their Remuneration
Mr. Linge stated he did not agree with the recommendations of the Committee, and that he was concerned with how Council dealt with them – following for the Mayor but not for Council – and not following the process, and requested that Council reconsider and follow the established process.
- (8) Terry Prentice, Representative of Petitioners Whom Signed Petition with Respect to the Council Remuneration Bylaw
Mr. Prentice submitted a Petition with 207 signatures in opposition to the Bylaw, and stated the Council should have followed the Committee recommendations in accordance with the Council Policy.

9. PUBLIC INPUT

Jared Butcher, resident, asked the question regarding the terms of reference of the Committee and whether they looked at the expenses of Councillors.

Eric Weiss, Owner, Higher Levels Novelties, advised Council that he has not yet found a new location for his business and is concerned that they are being dealt with harshly due to the negative publicity of the Bong Warehouse. He requested an extension of an additional three months in order to relocate his business, from the time limit set out in the new Business Licence Bylaw.

Emmy Labonte, resident, stated she is opposed to the Council Remuneration Bylaw and that it was not right that taxpayers are being asked to pay for internet for Council and requested that Council reconsider the Bylaw.

Mark Salter, resident, stated that the Remuneration Bylaw was difficult to accept, since he had volunteered for house without compensation and requested that Council not vote in favour of the Bylaw.

Mayor Desjardins called three times for any additional speakers and there were none.

10. STAFF REPORTS

Administration

- (1) 2013 Annual Report, Staff Report No. ADM-14-029

The Chief Administrative Officer answered questions from Council, briefly summarized the content of the Annual Report and advised that

since 2004 a 0% increase in the tax rate was very rare and to the best of her knowledge this is the first Council in Esquimalt that has had a 0% increase during its entire 3 year term, and this was also the first time a new infrastructure renewal reserve fund has been established.

MOTION: Moved by Councillor Hodgins/Councillor Brame:
That Council adopt the Township of Esquimalt 2013 Annual Report as attached to Staff Report No. ADM-14-029.

CARRIED UNANIMOUSLY.

MOTION: Moved by Councillor Morrison/Councillor Schinbein:
That the meeting be extended to 12:15 a.m.

CARRIED (Councillors Hodgins and Brame opposed)

Community Safety Services

- (2) Bylaw Notice Enforcement Bylaw, 2014, No. 2839, Staff Report No. CSS-14-005

MOTION: Moved by Councillor Morrison/Councillor Hundleby:
That Council gives first, second and third readings to the Bylaw Notice Enforcement Bylaw, 2014, No. 2839.

CARRIED UNANIMOUSLY.

Engineering and Public Works

- (3) Esquimalt Village Project Brownfield Remediation, Staff Report No. EPW-14-025

MOTION: Moved by Councillor Hundleby/Councillor Morrison:
That Council award the contract for the Remediation Plan for 1235 Esquimalt Road Site – Esquimalt Village Plan to SLR Consulting (Canada) Inc. for a cost of \$200,000 pending successful application for funding.

CARRIED UNANIMOUSLY.

Development Services

- (4) Development Permit and Development Variance Permit, 513 Sturdee Street, PID 006-375-201, Lot 53, Suburban Lot 53, Esquimalt District, Plan 2854, Staff Report No. DEV-14-043

MOTION: Moved by Councillor Morrison/Councillor Hundleby:
That Council resolves that Development Permit No. DP000021 limiting the form and character of development to that shown on architectural plans by 'mdrnbuilt' stamped "Received June 16, 2013", the survey provided by 'James Worton of Powell & Associates' stamped "Received April 22, 2014" and the landscape plan by 'Biophilia' stamped "Received April 22, 2014", be approved, and staff be directed to issue the permit and register the notice on the title of the development located at PID 006-375-201, Lot 53, Suburban Lot 53, Esquimalt District, Plan 2854 [513 Sturdee Street]; and

That Council resolves that Development Variance Permit No. DVP00027 authorizing the construction as shown on the survey provided by 'James Worton of Powell & Associates' stamped "Received April 22, 2014" and the architectural site plan by 'mdrnbuilt' stamped "Received June 16, 2013", and including the following relaxations to Zoning Bylaw, 1992, No. 2050 be approved, and staff be directed to issue the permit and register the notice on the title of the development located at PID 006-375-201, Lot 53, Suburban Lot 53, Esquimalt District, Plan 2854 [513 Sturdee Street].

Zoning Bylaw, 1992, No. 2050, Section 38(5) – Floor Area – a 27.0 square metre reduction to the required minimum Floor Area of the First Storey of the Principal Building, from 88 square metres to 61 square metres.

Zoning Bylaw, 1992, No. 2050, Section 38(7) – Building Width – a 2.0 metre reduction to the required minimum width of any Two Family Dwelling, from 7 metres to 5 metres.

Zoning Bylaw, 1992, No. 2050, Section 38(9)(a)(i) – Siting Requirements – Principal Building – a 1.1 metre reduction to the requirement that no building shall be located within 7.5 metres of the of a Front Lot Line [i.e. from 7.5 metres to 6.4 metres].

Zoning Bylaw, 1992, No. 2050, Section 38(9)(a)(ii) – Siting Requirements – Principal Building – a 0.6 metre reduction to the requirement that no building shall be located within 1.5 metres of an Interior Side Setback [i.e. from 1.5 metres to 0.9 metres] to allow for the 'bay window seat' as illustrated on the architectural site plan.

Zoning Bylaw, 1992, No. 2050, Section 38(9)(a)(ii) – Siting Requirements – Principal Building – a 1.0 metre reduction to the requirement that no building shall be located within 3.6 metres of an Exterior Side Setback [i.e. from 3.6 metres to 2.6 metres].

Zoning Bylaw, 1992, No. 2050, Section 17. – Special Siting Requirements – A 4.5 metre reduction to the requirement that heat pumps shall not be located within 6.0 metres of any property line [i.e. from 6.0 metres to 1.5 metres], to allow for the heat pump located within the shed, as illustrated on the architectural site plan.

CARRIED UNANIMOUSLY.

- (5) Rezoning Application, 622 Admirals Road, [PID 006-390-897, Lot 155, Suburban Lot 43, Esquimalt District, Plan 2854], [PID 006-386-865, Lot 156, Suburban Lot 43, Esquimalt District, Plan 2854], [PID 006-386-881, Lot 157, Suburban Lot 43, Esquimalt District, Plan 2854], [PID 006-387-098, Lot 158, Suburban Lot 43, Esquimalt District, Plan 2854, Except Part in Red on Plan 312 BL], Staff Report No. DEV-14-047

MOTION: Moved by Councillor Hodgins/Councillor Brame:

That Council resolves that Zoning Bylaw, 1992, No. 2050, Amendment Bylaw [No. 207], 2013, No. 2798, attached as Schedule "A" of staff report DEV-14-047, which would amend Zoning Bylaw, 1992, No. 2050 by changing the zoning designation of Lot 155, Lot 156, Lot 157, and Lot 158, Suburban Lot 43, Esquimalt District, Plan 2854, Except Part in Red on Plan 312 BL [622 Admirals Road] shown cross hatched on Schedule 'A' of Bylaw No 2798, from C-3 [Core Commercial] to CD No. 82 [Comprehensive Development District No. 82] be adopted.

CARRIED UNANIMOUSLY.

- (6) Housing Agreement Application, 622 Admirals Road, [PID 006-390-897, Lot 155, Suburban Lot 43, Esquimalt District, Plan 2854], [PID 006-386-865, Lot 156, Suburban Lot 43, Esquimalt District, Plan 2854], [PID 006-386-881, Lot 157, Suburban Lot 43, Esquimalt District, Plan 2854], [PID 006-387-098, Lot 158, Suburban Lot 43, Esquimalt District, Plan 2854, Except Part in Red on Plan 312 BL], Staff Report No. DEV-14-048

MOTION: Moved by Councillor Brame/Councillor Hodgins:

1. That Council resolves that Housing Agreement (622 Admirals Road) Bylaw, 2013, No. 2799 attached as Schedule "A" of Staff Report DEV-14-048 be adopted.
2. That Council resolves that the Mayor and staff are authorized to execute the Housing Agreement attached as Schedule "A" to Housing Agreement (622 Admirals Road) Bylaw, 2013, No. 2799, attached as Schedule "A" of Staff Report DEV-14-048.
3. That Council resolves that staff, upon execution of the Housing Agreement attached as Schedule "A" to Housing Agreement (622 Admirals Road) Bylaw, 2013, No. 2799, attached as Schedule "A" of Staff Report DEV-14-048 be directed to register a notice on the property titles of PID 006-390-897, Lot 155, Suburban Lot 43, Esquimalt District, Plan 2854, PID 006-386-865, Lot 156, Suburban Lot 43, Esquimalt District, Plan 2854, PID 006-386-881, Lot 157 Suburban Lot 43, Esquimalt District, Plan 2854, and PID 006-387-098, Lot 158, Suburban Lot 43, Esquimalt District, Plan 2854, Except Part in Red on Plan 312 BL [622 Admirals Road] pursuant to Local Government Act, Section 905 (5).

CARRIED UNANIMOUSLY.

11.

BYLAWS

For Adoption

- (1) Maintenance of Property and Nuisance Regulation Bylaw, 2014, No. 2826

MOTION: Moved by Councillor Brame/Councillor Morrison:

That Maintenance of Property and Nuisance Regulation Bylaw, 2014, No. 2826 be adopted.

CARRIED UNANIMOUSLY.

(2) Council Remuneration Bylaw, 2014, No. 2836

MOTION: Moved by Councillor Hundleby/Councillor Brame:
That third reading of Council Remuneration Bylaw, 2014, No. 2836 be rescinded.

DEFEATED (Mayor Desjardins and Councillors Hundleby and Brame in favour)

MOTION: Moved by Councillor Morrison/Councillor Hodgins:
That the meeting be extended to 12:20 a.m.

CARRIED UNANIMOUSLY.

MOTION: Moved by Councillor Schinbein/Councillor Morrison:
That Council Remuneration Bylaw, 2014, No. 2836 be adopted.

CARRIED (Mayor Desjardins and Councillors Brame and Hundleby opposed)

12.

RISE AND REPORT

(1) Report from the Special *In Camera* Meeting of Council held June 23, 2014 Re: CRD Wastewater Treatment Plant; McLoughlin Point Rezoning Update

At the Special *In Camera* Meeting of Council held June 23, 2014, Council passed the following resolution:

That there will be no Public Hearing on July 8, 2014 for Official Community Plan Amendment Bylaw No. 2829, and Zoning Amendment Bylaw No. 2830, which both affect McLoughlin Point lands.

RECESS AND RECONVENE

MOTION: Moved by Councillor Brame/Councillor Hundelby:
That the June 23, 2014 Regular Meeting of Council be recessed at 12:19 a.m. to reconvene on July 7, 2014 at 7:00 p.m.

CARRIED UNANIMOUSLY.

Mayor Desjardins called the Special Meeting to order at 7:00 pm with all members of Council present except Councillor Dave Hodgins.

MOTION: Moved by Councillor Brame/Councillor Morrison:
That the meeting be reconvened at 7:00 p.m.

CARRIED UNANIMOUSLY.

11.

BYLAWS

For Adoption

(3) Infrastructure and Revitalization Reserve Fund Bylaw, 2014, No. 2838

MOTION: Moved by Councillor Hundleby/Councillor Morrison:
That Infrastructure and Revitalization Reserve Fund Bylaw, 2014, No. 2838 be adopted.

CARRIED UNANIMOUSLY.

12. RISE AND REPORT

[This item was added and completed at the June 12, 2014 Regular Meeting of Council; the agenda was renumbered accordingly.]

13. MAYOR'S AND COUNCILLORS' REPORTS

- (1) Report from Councillor Dave Hodgins, Re: Participant Report – Federation of Canadian Municipalities, Niagara Falls, ON, May 3 – June 2, 2014

MOTION: Moved by Councillor Hundleby/Councillor Morrison:
That the Report from Councillor Dave Hodgins re Participant Report – FCM, Niagara Falls, ON, May 3-June 2, 2014 be received.

CARRIED UNANIMOUSLY.

14. REPORTS FROM COMMITTEES

- (1) Draft minutes from the Environmental Advisory Committee meeting, May 22, 2014

MOTION: Moved by Councillor Brame/Councillor McKie:
That the draft minutes from the Environmental Advisory Committee meeting held May 22, 2014 be received.

CARRIED UNANIMOUSLY.

- (2) Memorandum from the Environmental Advisory Committee, dated June 3, 2014, Re: Environmental Advisory Committee 2014 Work Plan

MOTION: Moved by Councillor Hundleby/Councillor Brame:
That the 2014 Work Plan for the Environmental Advisory Committee be approved by Council.

CARRIED UNANIMOUSLY.

- (3) Draft minutes from the Heritage Advisory Committee meeting, June 11, 2014

MOTION: Moved by Councillor Brame/Councillor McKie:
That the draft minutes from the Heritage Advisory Committee meeting held June 11, 2014 be received.

CARRIED UNANIMOUSLY.

- (4) Memorandum from the Heritage Advisory Committee, dated June 16, 2014, Re: Heritage Advisory Committee 2014 Work Plan

MOTION: Moved by Councillor McKie/Councillor Brame:

That the 2014 Work Plan from the Heritage Advisory Committee be approved.

CARRIED UNANIMOUSLY.

15.

COMMUNICATIONS

- (1) Letter from Councillor Cynthia Day, Victoria Family Court and Youth Justice Committee, dated May 26, 2014, Re: Closure of the Victoria Youth Custody Centre
- (3) Letter from Lenora E. Angel, Ministry of Children and Family, dated June 5, 2014, Re: Victoria Youth Custody Services Centre
- (4) Letter from Tony Roy, BC Non-Profit Housing Association, received June 5, 2014, Re: Fixing Canada's Housing Crunch
- (5) Letter from Robert Lapham, CAO, Capital Regional District, dated June 16, 2014, Re: Amendment to Esquimalt Official Community Plan – Proposed Bylaw No. 2829 Consultation Opportunity

MOTION: Moved by Councillor McKie/Councillor Brame:

That the letter from Councillor Cynthia Day, Victoria Family Court and Youth Justice Committee dated May 26, 2014, the letter from Lenora E. Angel, Ministry of Children and Family dated June 5, 2014, the letter from Tony Roy, BC Non-Profit Housing Association received June 5, 2014 and the letter from Robert Lapham, CAO, Capital Regional District dated June 16, 2014 be received.

CARRIED UNANIMOUSLY.

- (2) Letter from Rhona Martin, UBCM President, dated May 30, 2014, Re: 2014-2024 Community Works Fund (CWF) Agreement

MOTION: Moved by Councillor Hundleby/Councillor Brame:

That Council resolves to enter into the Community Works Fund Agreement 2014-2024 under the Administrative Agreement on the Federal Gas Tax Fund in British Columbia, and that the Mayor and Corporate Officer are authorized to execute such Agreement.

CARRIED UNANIMOUSLY.

16.

PUBLIC QUESTION AND COMMENT PERIOD

There were no questions or comments from the public.

17.

ADJOURNMENT

MOTION: Moved by Councillor Brame/Councillor Hundleby:

That the Regular Meeting of Council be adjourned at 7:08 pm.

CARRIED UNANIMOUSLY.

MAYOR OF THE CORPORATION OF THE
TOWNSHIP OF ESQUIMALT
THIS DAY OF , 2014

CERTIFIED CORRECT:

ANJA NURVO, CORPORATE OFFICER



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

**MINUTES
SPECIAL MEETING
OF MUNICIPAL COUNCIL
MONDAY, JULY 7, 2014
6:45 PM
COUNCIL CHAMBERS, MUNICIPAL HALL**

PRESENT:

Mayor Barbara Desjardins
Councillor Meagan Brame
Councillor Lynda Hundleby
Councillor Robert McKie
Councillor Tim Morrison
Councillor David Schinbein

REGRETS:

Councillor Dave Hodgins

STAFF:

Laurie Hurst, Chief Administrative Officer
Anja Nurvo, Director of Corporate Services
/Recording Secretary

1. **CALL TO ORDER**

Mayor Desjardins called the Special Meeting of Council to order at 6:45 pm.

2. **LATE ITEMS**

There were no late items.

3. **APPROVAL OF THE AGENDA**

MOTION: Moved by Councillor Morrison/Councillor Hundleby:
That the Agenda be approved as circulated.

CARRIED UNANIMOUSLY.

4. **MOTION TO GO IN CAMERA**

MOTION: Moved by Councillor Schinbein/ Councillor Hundleby:
That Council go *In Camera* pursuant to Section 90 of the *Community Charter* to discuss:

- The acquisition, disposition and expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality.

In accordance with Section 90 (1) (e) of the *Community Charter*, and that the general public be excluded.

CARRIED UNANIMOUSLY.

5. **ADJOURNMENT**

MOTION: Moved by Councillor Brame/Councillor McKie
That the Special Meeting of Council be adjourned at 6:45 pm.

CARRIED UNANIMOUSLY.

MAYOR OF THE CORPORATION OF THE
TOWNSHIP OF ESQUIMALT
THIS DAY OF , 2014

CERTIFIED CORRECT:

ANJA NURVO, CORPORATE OFFICER



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

Municipal Hall, 1229 Esquimalt Road, Esquimalt, B.C. V9A 3P1
Website: www.esquimalt.ca Email: info@esquimalt.ca

Voice: (250) 414-7100
Fax: (250) 414-7111

June 27, 2014

NOTICE OF PUBLIC HEARING

An application for a change in Official Community Plan Land Use Designation and Zoning has been received from Kimberley Colpman, representing Large and Co. Developers, on behalf of Datatech Developments Inc., Inc. No. BC0060270, the registered owner of 1060 Tillicum Road.

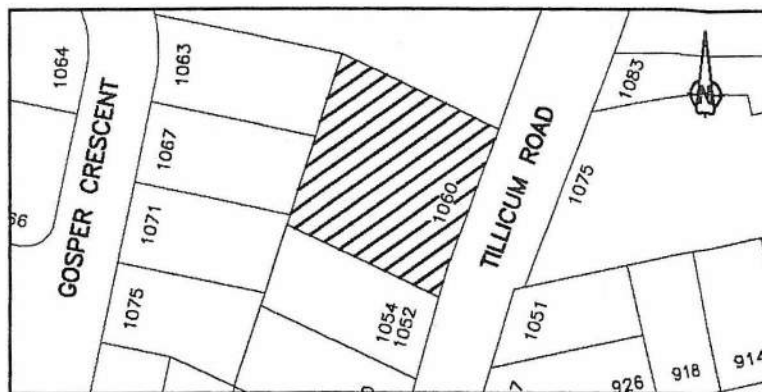
Purpose of the Application:

Official Community Plan Bylaw, 2006, No. 2646, Amendment Bylaw No. 2825 provides for a change in land use designation of 1060 Tillicum Road [legal description below] shown hatched on the map below from Single and Two Unit Residential to Townhouse Residential and from Development Permit Area No.5 – Enhanced Design Control Residential to Development Permit Area. No.1 – Multi-Unit Residential; and

Zoning Bylaw, 1992, No. 2050, Amendment Bylaw No. 2827 provides for a change in the zoning designation of 1060 Tillicum Road [legal description below] shown hatched on the map below from RD-3 [Two Family/Single Family Residential] to CD No. 89 [Comprehensive Development District No. 89].

The general purpose of these bylaws is to facilitate redevelopment of the subject property as ten townhouse units located in four detached buildings.

Site Location:



Legal Description: PID 025-917-277, Lot E (DD EW45993), Section 10, Esquimalt District, Plan 11683
[1060 Tillicum Road]

The Municipal Council will consider this application at the **Regular Meeting of Council commencing at 7:00 p.m., Monday, July 14, 2014, in the Council Chambers, Esquimalt Municipal Hall, 1229 Esquimalt Road, Esquimalt, B.C.** Affected persons may make representations to Council at that time or submit a written submission prior to that date.

Information related to this application may be reviewed at the Development Services counter, Municipal Hall, 1229 Esquimalt Road, from 8:30 a.m. until 4:30 p.m., Monday to Friday (excluding Saturdays, Sundays, Statutory Holidays) until July 14, 2014.

ANJA NURVO
DIRECTOR OF CORPORATE SERVICES

Personal information contained in communications to Council and its Committees is collected under the authority of the Community Charter and Local Government Act and will be used to assist Council members in decision making. Please note that your comments relating to this matter will form part of the Township's public record and may be included in a public agenda and posted on our website.



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

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

Council Meeting: July 14, 2014
Staff Report No. DEV-14-050

REQUEST FOR DECISION

SUBJECT: OCP AMENDMENT and REZONING APPLICATION

1060 Tillicum Road

[PID 025-917-277, Lot E (DD EW45993), Section 10, Esquimalt District, Plan 11683]

RECOMMENDATION:

1. That Council, upon considering comments made at the Public Hearing, resolves that Official Community Plan Bylaw, 2006, No. 2646, Amendment Bylaw No. 2825, attached to Staff Report DEV-14-050 as Schedule 'A', which would amend Official Community Plan Bylaw, 2006, No. 2646 by changing the Land Use Designation and relevant Development Permit Area of PID 025-917-277, Lot E (DD EW45993), Section 10, Esquimalt District, Plan 11683 [1060 Tillicum Road] shown cross hatched on Schedule 'A' of Amendment Bylaw No. 2825, from Single and Two Unit Residential to Townhouse Residential and from Development Permit Area No.5 – Enhanced Design Control Residential to Development Permit Area No.1 – Multi-Unit Residential, be considered for **third reading**; and
2. That Council, upon considering comments made at the Public Hearing, resolves that Zoning Bylaw, 1992, No. 2050, Amendment Bylaw No. 2827, attached to Staff Report DEV-14-050 as Schedule 'B', which would amend Zoning Bylaw, 1992, No. 2050 by changing the zoning designation of PID 025-917-277, Lot E (DD EW45993), Section 10, Esquimalt District, Plan 11683 [1060 Tillicum Road] shown cross hatched on Schedule 'A' of Bylaw No. 2827 from RD-3 [Two Family/ Single Family Residential] to CD No. 89 [Comprehensive Development District No. 89] be considered for **third reading**; and
3. That, as the applicant wishes to assure Council that the proposed development would incorporate both on-site and off-site amenities consistent with those identified in the Draft Section 219 Covenant, attached to Staff Report DEV-14-050 as Schedule "D" and has voluntarily offered and agreed to register a Section 219 covenant on the title of PID 025-917-277, Lot E (DD EW45993), Section 10, Esquimalt District, Plan 11683 [1060 Tillicum Road] in favour of the Township of Esquimalt to secure these amenities, Council direct staff and the Township Solicitor to coordinate with the property owner the registration of a Section 219 covenant requiring provision of identified amenities prior to returning Amendment Bylaw No. 2825 and Amendment Bylaw No. 2827 to Council for consideration of adoption and that the Mayor and staff are accordingly authorized to execute that Covenant.

RELEVANT POLICY:

Official Community Plan Bylaw, 2006, No. 2646

Zoning Bylaw, 1992, No. 2050

Parking Bylaw, 1992, No. 2011

Development Application Procedures and Fees Bylaw No. 2791, 2012

Advisory Planning Commission Bylaw, 2012, No. 2792

Subdivision and Development Control Bylaw, 1997, No. 2175

Green Building Checklist

STRATEGIC RELEVANCE:

This Request For Decision does not directly relate to a specific strategic objective.

Submitted by: Writer 

Reviewed by: CAO 

Date: July 10/14

STAFF REPORT

DATE: July 9, 2014 **Report No.** DEV-14-050

TO: Laurie Hurst, Chief Administrative Officer

FROM: Trevor Parkes, Senior Planner

SUBJECT: **OCP AMENDMENT and REZONING APPLICATION**
1060 Tillicum Road
[PID 025-917-277, Lot E (DD EW45993), Section 10, Esquimalt District,
Plan 11683]

RECOMMENDATION:

1. That Council, upon considering comments made at the Public Hearing, resolves that Official Community Plan Bylaw, 2006, No. 2646, Amendment Bylaw No. 2825, attached to Staff Report DEV-14-050 as Schedule 'A', which would amend Official Community Plan Bylaw, 2006, No. 2646 by changing the Land Use Designation and relevant Development Permit Area of PID 025-917-277, Lot E (DD EW45993), Section 10, Esquimalt District, Plan 11683 [1060 Tillicum Road] shown cross hatched on Schedule 'A' of Amendment Bylaw No. 2825, from Single and Two Unit Residential to Townhouse Residential and from Development Permit Area No.5 – Enhanced Design Control Residential to Development Permit Area No.1 – Multi-Unit Residential, be considered for **third reading**; and
2. That Council, upon considering comments made at the Public Hearing, resolves that Zoning Bylaw, 1992, No. 2050, Amendment Bylaw No. 2827, attached to Staff Report DEV-14-050 as Schedule 'B', which would amend Zoning Bylaw, 1992, No. 2050 by changing the zoning designation of PID 025-917-277, Lot E (DD EW45993), Section 10, Esquimalt District, Plan 11683 [1060 Tillicum Road] shown cross hatched on Schedule 'A' of Bylaw No. 2827 from RD-3 [Two Family/ Single Family Residential] to CD No. 89 [Comprehensive Development District No. 89] be considered for **third reading**; and
3. That, as the applicant wishes to assure Council that the proposed development would incorporate both on-site and off-site amenities consistent with those identified in the Draft Section 219 Covenant, attached to Staff Report DEV-14-050 as Schedule "D" and has voluntarily offered and agreed to register a Section 219 covenant on the title of PID 025-917-277, Lot E (DD EW45993), Section 10, Esquimalt District, Plan 11683 [1060 Tillicum Road] in favour of the Township of Esquimalt to secure these amenities, Council direct staff and the Township Solicitor to coordinate with the property owner the registration of a Section 219 covenant requiring provision of identified amenities prior to returning Amendment Bylaw No. 2825 and Amendment Bylaw No. 2827 to Council for consideration of adoption and that the Mayor and staff are accordingly authorized to execute that Covenant.

BACKGROUND:

Context

Applicant: Large and Co. Developers [Kim Colpman]

Owner: DataTech Developments Inc.

Property Size: Metric: 2070 m² Imperial: 22,281 ft²

Existing Land Use: Single Family Residence

Surrounding Land Uses:

North:	Park [Esquimalt Gorge Park]
South:	Two Family Residential
West:	Single Family Residential
East:	Commercial [Gorge Point Pub]

Existing OCP Designation: Single and Two Unit Residential

Proposed OCP Designation: Townhouse Residential

Existing Zoning: RD-3 [Two Family/Single Family Residential]

Proposed Zoning: CD-89 [Comprehensive Development District No. 89]

Schedules:

- "A" Official Community Plan Bylaw, 2006, No. 2646, Amendment Bylaw No. 2825;
- "B" Zoning Bylaw, 1992, No. 2050, Amendment Bylaw No. 2827;
- "C" Public Hearing Mail Notice [Mailed June 27, 2014];
- "D" Draft Section 219 Covenant;
- "E" 2011 air photo of subject property;
- "F" Key Map of subject property;
- "G" 1060 Tillicum Road - OCP Land Use Designation Map;
- "H" OCP Multi-Unit Residential Policies;
- "I" 1060 Tillicum Road - Zoning Map;
- "J" RM-3 [Multiple Family Residential] Zone;
- "K" Development Proposal Narrative – Kim Colpman, Large and Co. Developers [July 23, 2013];
- "L" Bunt and Associates - Traffic Impact Assessment Study;
- "M" Green Building Checklist;
- "N" Development Proposal Narrative [Amended] – Kim Colpman, Large and Co. Developers [May 23, 2014];
- "O" LADR Landscape Architects – Letter confirming on-site storm water management;
- "P" Talbot Mackenzie and Associates – Arborist Report;
- "Q" Council Policy No. PLAN-25;
- "R" Neighbourhood Consultation Summary and Response Letters;
- "S" Audrey Farnden, 1064 Gosper Crescent – Letter of Opposition;
- "T" Bill Greig, 1071 Gosper Crescent - Letter of Opposition;
- "U" Catherine Lunan, 1015 Gosper Crescent - Letter of Opposition [including signed support from the majority of residents living on Gosper Crescent];
- "V" Lorne Armstrong, 1067 Gosper Crescent - Letter of Support;

"W"	Haley Kuppers and Ben Furtado, 1063 Gosper Crescent – Letter of Opposition;
"X"	Lee and Rolly Thorp, 1071 Gosper Crescent – Letter of Opposition
"Y"	Site Plan, Architectural Drawings and Landscaping Plan; and
"Z"	BCLS Site Plan.

Purpose of the Application:

The applicant is requesting a change in Official Community Plan [OCP] Land Use Designation from the current designation of Single and Two Unit Residential to Townhouse Residential and a change in zoning from the current RD-3 [Two Family/ Single Family Residential] zone to a Comprehensive Development zone [CD]. These changes are required to accommodate ten (10) strata townhouse residences proposed to be constructed in four (4) buildings on the subject property. Should the OCP Amendment and Rezoning application be approved, the form and character of the buildings and landscaping would be controlled by a development permit that would be considered by both the Advisory Design Review Committee and Council at a future date.

Comments From Other Departments

The plans for this proposal were circulated to other departments and the following comments were received by the submission deadline:

Building Inspection: Construct to BC Building Code 2012 and Municipal Building Code Bylaw, 2002, No. 2538. Applicant must address all issues contained within the Township Development Protocol should application be approved. Plans will be reviewed for compliance with BC Building Code upon submission of a Building Permit application.

Engineering Services: Engineering staff have completed a preliminary evaluation of Works and Services that would be required for the ten townhomes proposed to be located at 1060 Tillicum Road. Staff confirms that the design appears achievable on the site and that appropriate works and services are available in the immediate area. If approved the development must be serviced in accordance with bylaw requirements including, but not limited to, new sewer and drain connections, underground hydro, telephone and cable services and new road works may be required up to the centre line of Tillicum Road. Should the application be approved, additional comments will be provided when detailed civil engineering drawings are submitted as part of a Building Permit application.

Notwithstanding Bunt and Associates assertion that that traffic generated by this project will be of negligible impact on Tillicum Road, Engineering staff concur that modification of the paint markings on Tillicum Road to accommodate a left turn lane, consistent with Exhibit 2.0, Option 1 contained in the traffic study stamped "Received July 23, 2013" [Schedule "J"], should be completed. All cost associated with this work would be borne by the applicant.

Development Services staff requested that Engineering Services clarify whether or not the applicant would be permitted to preserve the existing retaining wall which encroaches into the municipal roadway. Staff responded that, as the retaining wall prevented material from the private realm depositing on the adjacent sidewalk the wall must be replaced and sited on the private realm of 1060 Tillicum Road. The applicant has responded to this request by amending their plans to include a new retaining installed along the Tillicum Road frontage.

Fire Services: No objections to the proposal.

Parks Services: Tree protection is required for all municipal trees located immediately north of the subject property. Protection fencing should extend from Tillicum Road, west, along the drip-line of all these trees to ensure root protection from construction activity. Tree removal permits are required for the Maple tree and any other protected trees on the site proposed for removal. Any and all work that may impact municipal trees located to the north must be recommended by the supervising arborist and be pre-approved by the Esquimalt Parks Services staff.

Comments from the Advisory Design Review Committee

This application was re-considered at the regular meeting of Advisory Design Review Committee [DRC] held on November 13, 2013.

Members comments were generally positive relating to the revisions to the plans which included:

- moving all four buildings slightly north to improve separation from the southern property line;
- Moving Buildings A and B and Buildings C and D apart to create an enhanced garden path and better distribute the mass of the buildings on the site.
- enhanced plantings along the southern property line to improve privacy and separation;
- distribution of visitor parking across the site,
- enhancement of the Tillicum Road façades and streetscapes; and
- provide improved pedestrian connectivity to the park for all residents.

The members' comments focused primarily around replacement of the retaining wall adjacent to the Tillicum Road sidewalk.

The DRC resolved that the application be forwarded to Council with a **recommendation of approval** subject to the following conditions:

1. That the applicant incorporate a diversity of materials and colour possibly including permeable surfaces in the drive aisle;
2. That the retaining walls along the Tillicum Road frontage be re-built including consideration of incorporating modulation, signage and niches to enhance visual interest and improve the pedestrian realm of this sidewalk;
3. That the applicant consider enhancing the treatment of the western fence located at the end of the drive aisle;
4. That the applicant include environmental considerations (passive solar) when refining the architectural elevations design of the project.

Comments from the Advisory Planning Commission

This application was considered at the regular meeting of Advisory Planning Commission [APC] held on December 17, 2013. Members commented that this proposal would enhance the southbound approach to Esquimalt coming into the Township across the Tillicum Road bridge. Discussion surrounded the preservation of the trees located directly north of the site and storm water management proposed for the site.

The APC resolved that the application be forwarded to Council with a **recommendation of**

approval subject to the following conditions:

1. That a tree impact study be provided for approval by the Township staff arborist and inclusion in the application; and
2. That confirmation be provided that rain gardens, proposed as part of the landscape plan, would be capable of capturing storm water from the rooftops of proposed Building B and Building D as identified in the site plan stamped "Received November 27, 2013".

In response to these conditions the applicant has provided a letter from LADR Landscape Architects, stamped "Received January 23, 2014" stating that storm water captured from Unit 5 and Unit 10 [eastern most units] would be routed into absorbent landscaping provided along the property frontage adjacent to Tillicum Road [Schedule "O"]. The applicant has recently revisited the possibility of installing storm water capture within the front setback and their civil engineer has determined it WILL NOT be achievable in this area as it would have a negative impact on the integrity of the abutting retaining walls. Consequently, the applicant is proposing that the storm water management be incorporated elsewhere on the site.

Additionally, the applicant has provided an Tree Assessment Report produced by Talbot Mackenzie and Associates, stamped "Received January 23, 2014", [Schedule "P"] evaluating the condition of the trees located in Esquimalt Gorge Park. The certified arborist determined that the development could proceed without an unreasonable or detrimental impact to these trees as long as certain precautions are observed during excavation and construction.

Comments form Parks and Recreation Advisory Committee

This application was considered at the regular meeting of Parks and Recreation Advisory Committee [PRC] held on April 2, 2014. Members commented that the developer should be responsible for the cost of installation of the proposed pathways leading from the rear yards of the northern five units and the common use gate.

The PRC resolved that the application be forwarded to Council with a recommendation of approval based on the following conditions:

1. The Committee encourages Council to direct staff to negotiate a solution to tie in the existing path to main gate.
2. That Council advise the developer to consider the Public Arts Policy when designing the retaining wall.
3. Direct staff to monitor Developer's protection of all trees.

Comments from the Director of Parks and Recreation after PRC Meeting

The application for redevelopment of 1060 Tillicum Road was considered at the April 2, 2014 meeting of the Parks and Recreation Advisory Committee. As a result of the detailed presentation of this development application, staff have further considered the impacts of the proposal on that portion of Esquimalt Gorge Park directly abutting the subject property as well as the concerns raised by the Parks and Recreation Advisory Committee members.

Detailed review of the proposed plans has revealed concerns relating to impacts of the individual gates allowing access from each of the five units backing onto the park in addition to the proposed common access. Staff are significantly concerned that the uncontrolled access from these units to a relatively narrow, sloped, section of park that abuts both the primary

vehicular access to the park and significant traffic volume on Tillicum Road creates risk to both the residents and the Township.

Furthermore, staff do not support the installation of a picket fence at the modest height of 1.2 metres along the property line abutting the park. Notwithstanding the modest grade level screening provided by the existing grove of trees, this combination of visual permeability and low fence height could easily result in a diminished aesthetic at the gateway to Esquimalt Gorge Park.

While staff agree that it is desirable for residents of the proposed townhouses to have access from the private realm to the park, the interests of all Esquimalt residents, the integrity of the park and the management of risk must also be considered. Accordingly, should Council consider the application favourably, staff recommend the following conditions be considered by Council:

1. That the developer ensure funds are provided to install a single durable pathway linking the proposed common gate, located on the lot line abutting the park to the existing pedestrian pathway within the Esquimalt Gorge Park. Alignment of the trail and the location of the common gate to be determined on-site between the Developer and the Township to ensure for the best connection into the park with the least disruption to the existing vegetation.
2. That fencing, required to be installed along the lot line abutting the park, shall not be less than 1.8 metres in height to ensure appropriate separation between the public and private realm.
3. That fencing, required to be installed along the lot line abutting the park, shall not be visually permeable at a height less than 1.5 metres.
4. That fencing, required to be installed along the lot line abutting the park, shall be restricted to having a single common pedestrian access to Esquimalt Gorge Park. This fencing should be installed, maintained and if required replaced in the future by the Developer and subsequent Strata Committee.
5. That the Developer provide a detailed tree protection plan, acceptable to the Township, and that the necessary tree protection precautions are kept in place throughout the construction process to ensure that the park trees are not negatively impacted by construction.

Staff recognise the value of providing increased visual presence at the entrance to the park, however, the negative impacts on both the visual integrity of the park entrance, and on public safety due to the proximity of the gates to both the park entrance and Tillicum Road need to be considered. The proposed restrictions would not impact the ability of residents to view the park from the proposed raised decks which would likely function as the primary amenity area for each unit as they are located directly off the living areas. Only the grade level areas would be modestly screened and modestly secure from the park while common access for all residents of the development would be preserved.

Comments from Council:

Council read Official Community Plan Bylaw, 2006, No. 2646, Amendment Bylaw No. 2825 [Schedule "A"] a first and second time and read Zoning Bylaw, 1992, No 2050, Amendment

Bylaw No. 2827 [Schedule “B”] a first time at the regular meeting of Council, held May 5, 2014. Council directed staff work with the applicant to increase setbacks, enhance screening and alter the building design to enhance the privacy of adjacent properties. Council members also commented that adding an Electric Vehicle Charging Station and exploring innovative energy efficiency technology was desirable.

In response to these comments the applicant met with staff and subsequently amended the proposed design as follows:

1. Increasing the minimum rear setback from 2.8 metres to 5.0 metres [increase of 2.2 metres]
2. Increasing the minimum setback to the southeastern property line from 2.98 metres to 3.48 metres [increase of 0.5 metres].
3. Adding a total of ten Serbian Spruce trees to the draft landscape plan.
4. Reducing the size of the Dining Room window to a “Piano Window”.
5. Committing to installing an Electric Vehicle Charging Station adjacent to one of the Visitor Parking spaces.
6. Adding three bicycle lockup spaces.
7. Adding one motorcycle parking space.

The proposed changes substantially improve the relationship of the proposed buildings to the existing adjacent properties. Increasing setbacks accommodates the installation of large conifers which would enhance screening and visually break up the mass of Building A and Building C when viewed from the adjacent properties located to the west. In conjunction with these changes, the reduction in the size of the dining room windows in Unit #1 and Unit #5 reduces both the actual and perceived overlook of the properties located to the west thereby adequately addressing the OCP Design Guideline relating to minimizing visual intrusion onto the privacy of the surrounding homes.

It is also noteworthy that the applicant has amended the proposed fencing located along the northeastern property line to a 1.8 metres fence, consistent with feedback from Parks Services and limited access to and from the park to a single gate.

Council subsequently read Zoning Bylaw, 1992, No 2050, Amendment Bylaw No. 2827 [as amended] [Schedule “B”] a second time on June 9, 2014 and directed staff to schedule a Public Hearing for both bylaws.

Council also authorized staff to coordinate with the property owner who voluntarily offered to register a Section 219 Covenant restricting the installation of any gate across the vehicular maneuvering aisle entrance prior to the adoption of Amendment Bylaw No. 2825 and Amendment Bylaw No. 2827. Detailed review of the application revealed that a number of other commitments made by the applicant during Council Committee meetings and before Council could not be required should the OCP Amendment and Rezoning be approved. Accordingly, these items were included within the scope of the Draft Section 219 Covenant [Schedule “D”] for Council consideration.

Zoning

F.A.R., Lot Coverage, Height and Setbacks: The following chart compares the setbacks, height, lot coverage and floor area ratio of this proposal with the requirements of the most comparable existing zone, RM-3 [Multiple Family Residential Zone]:

	RM-3 (Multiple Family Townhouse)	Proposed CD Zone (10 Townhouse Units)
Minimum Unit Size	75 m ²	130 m ²
Floor Area Ratio	0.60	0.69
Lot Coverage	25%	39%
Setbacks		
• Front	7.5 m	5.0 m
• Rear	7.5 m	5.0 m
• Side	4.5 m/ 4.5 m	3.4/ 1.7 m
Building Height	9.0 m	9.6 m
Off Street Parking	20 spaces	13 spaces

Floor Area Ratio measures buildable space in ratio to the size of the lot on which a building sits. The combined F.A.R of this proposal is 0.69 which is greater than the 0.60 maximum allowable in the RM-3 zone however it is consistent with the maximum density of 0.70 identified within the OCP. The combined Lot Coverage is 36% which is substantially greater than the 25% maximum permitted in the RM-3 [Multiple Family Residential] zone [Schedule "J"].

High density Townhouse developments in Esquimalt are limited to a height of 9.0 metres measured to the mid-height of the roof from average grade. The applicant proposes buildings of varying height, the tallest of which measures 9.6 metres, slightly greater than the established standard.

Parking Bylaw, 1992, No. 2011 requires 2 parking spaces per unit be provided "behind the front face of the principle building" for Townhouse developments. This proposal incorporates a single car garage in each unit and an additional 3 visitor parking spaces thereby failing to satisfy this standard. It is noteworthy that the design accommodates 10 additional parking areas in the driveways of each unit however the current parking bylaw does not recognize tandem parking spaces. If these spaces were considered the parking would exceed the minimum requirement.

Official Community Plan

This proposal is not consistent with the current Land Use Designation applied to the subject property, "Single and Two Unit Residential". The proposal for 10, grade accessible, townhome units requires the OCP Land Use Designation be amended to "Townhouse Residential".

Policies contained in Section 2 – Managed Growth – Land Use Development of the OCP are intended to ensure that this growth occurs in a manner that maintains and enhances individual neighbourhoods and the community as a whole.

Section 2.2 - Residential Land Use of the Official Community Plan recognizes that modest growth is likely to occur through the infilling of vacant or under-utilized parcels, redevelopment of existing residential properties to higher densities (such as townhouses, apartment buildings and mixed commercial-residential uses) and the replacement of existing buildings.

Section 2.2.1(a) states the Township should work toward a more complete community by maintaining a healthy mixture of housing types, accommodating people with a wide range of income levels.

Section 2.2.1(b) states the Township should encourage new residential development with high design standards for building and landscaping and which enhance existing and new neighbourhoods.

Section 2.2.4.1 Multi-Unit Residential Policies [Schedule “H”] are intended to provide more predictability for residents and give direction to design teams preparing development proposals.

Section 2.2.4.1(c) states that the Township encourages multi-unit residential near a Major Road as shown on ‘Schedule B’ of the Official Community Plan. Tillicum Road is identified as a Major Road and has regular transit service.

Section 2.2.4.1(e) states that a mix of housing types will be provided in multi-unit residential areas in order to provide visual interest and to meet the varying housing needs of Esquimalt’s current and future residents.

Section 2.2.4.1(f) states “wherever desirable and achievable, consideration will be given for special needs and assisted housing, including seniors, disabled persons and families”. Given that the proposed design dedicates livable space over three floors, the proposed units are going to be marketed to young families and there is a desire to deliver the units at an “affordable” price, the developer has stated it is not achievable to incorporate accessible or adaptable features into these units.

Section 2.2.4.2 Townhouse Residential [Schedule “H”] states that in the Townhouse Residential areas designated on “Schedule A” of the O.C.P, new buildings up to three storeys with a Floor Area of up to 0.70 may be acceptable provided the neighbours are consulted and the design responds effectively to both its site and surrounding land uses. The west side of this area of Tillicum Road has a consistent built form of duplexes to the south of the subject property and a contained and consistent neighbourhood of single family homes located along Gosper Crescent to the west of the site. The design of the proposed buildings, when combined with the topography of the site, would allow the development to appropriately fit into the Tillicum Road streetscape. The amended siting of buildings in relation to the western property line combined with the alterations to window design and the applicants commitment to install ten large conifer trees address privacy concerns previously raised by staff.

ISSUES:

1. Rationale for Selected Option

The proposed ten (10) unit townhouse development is not consistent with the current OCP land use designation however there are a number of OCP policies which support the use of this site for Townhouse Residential. The site location on a busy road, it’s “gateway” location as the first private parcel on the west side of Tillicum Road entering the Township and its proximity to Esquimalt Gorge Park make a change to the land use designation supportable.

Recent amendments to the proposed siting of the building landscaping enhancements, and changes to window openings adequately address Development Services staff concerns regarding visual intrusion onto adjacent properties. Additionally, changes to fence type and height as well as limiting access to Esquimalt Gorge Park to a common gate mitigate

concerns raised by Parks Services. The combination of changes significantly improves the relationship of the proposed buildings to the neighbouring sites while maintaining the integrity of the overall design.

2. Organizational Implications

This Request for Decision has no organizational implications.

3. Financial Implications

This Request for Decision has no financial implications.

4. Sustainability & Environmental Implications

The applicant has completed the Esquimalt Green Building Checklist [Schedule "M"]. The applicant proposes to construct the townhomes to a minimum Energuide 80 standard. Increasing density in residential neighbourhoods is believed to increase the sustainability of the municipality as a whole.

5. Communication & Engagement

In accordance with Council Policy PLAN-25 [Schedule "Q"], the applicant consulted with neighbouring residents and property owners within 100 metres of the subject properties to solicit their opinion and, where practical, to incorporate comments and suggestions in the final proposal.

The applicant delivered notices to local residents and held a consultation event at the Esquimalt Legion, 622 Admirals Road, on Wednesday, September 4, 2013 at which the 10 unit, townhouse proposal was presented. In addition to the required meeting, the applicant solicited responses from local residents and has provided copies of signed letters as well as a summary of responses [Schedule "R"].

As this proposal requires an amendment to the Official Community Plan, staff, at the direction of Council, and with respect to *Local Government Act* Section 879 and Section 881, circulated the application to the following bodies for consideration and comment:

- Esquimalt First Nation
- Songhees First Nation
- Esquimalt Chamber of Commerce,
- Esquimalt Residents Association,
- West Bay Residents Association,
- Lyall Street Residents Association,
- Board, Capital Regional District
- Council, District of Saanich
- Board, School District No. 61 (Greater Victoria)
- Board, School District No. 93 (Conseil Scolaire Francophone de la Columbia Britanique)
- Department of National Defence (Base Commander, CFB Esquimalt)
- Victoria Police
- Saanich Police

No comments have been received regarding the proposed amendment from any of the organizations contacted.

As this is a rezoning application, notices were mailed to tenants and owners of properties located within 100 metres (328 ft) of the subject property on June 27, 2014 advising them that Council will be considering the requested rezoning on Monday, July 14, 2014 [Schedule

“C”]. Notice of the Public Hearing was printed in the July 4th and July 9th editions of the Victoria News and signs indicating that the properties are under consideration for a change in Official Community Plan Designation and Zoning have been updated to show the date, time and location of the Public Hearing.

To date, staff have received one letter of support for the application and five letters opposing this application [Schedules S through X]. It is important to note that the letter of opposition submitted by Catherine Lunan, 1015 Gosper Crescent [Schedule “U”] is signed by the majority of the residents living on Gosper Crescent.

ALTERNATIVES:

1. Council **approve third reading** of Amendment Bylaw No. 2825 and **third reading** of Amendment Bylaw No. 2827 and directs staff to coordinate registration of a Section 219 Covenant prior to returning the bylaws to Council.
2. Council **approve third reading and adoption** of Amendment Bylaw No. 2825 and **approve third reading and adoption** of Amendment Bylaw No. 2827.
3. Council directs staff to amend Amendment Bylaw No. 2825 and Amendment Bylaw No. 2827 to accommodate issues raised at the public hearing and return them to Council for further consideration including scheduling a new public hearing if required by the *Local Government Act*.
4. Council **defeat** Amendment Bylaw No. 2825 and Amendment Bylaw No. 2827.

CORPORATION OF THE TOWNSHIP OF ESQUIMALT

BYLAW NO. 2825

A Bylaw to amend Bylaw No. 2646, cited as the
"Official Community Plan Bylaw, 2006, No. 2646"

Staff Report DEV-14-050
Schedule "A" – OCP Amendment
Bylaw No. 2825

THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF
ESQUIMALT, in open meeting assembled, enacts as follows:

1. This bylaw may be cited as the "*OFFICIAL COMMUNITY PLAN BYLAW, 2006, NO. 2646, AMENDMENT BYLAW NO. 2825*".
2. That Bylaw No. 2646, cited as the "Official Community Plan Bylaw, 2006, No. 2646" be amended as follows:
 - (1) On Schedule "A" of the Official Community Plan Bylaw No. 2646, being the Land Use Designation Map, by changing the designation of PID: 025-917-277, Lot E (DD EW45993), Section 10, Esquimalt District, Plan 11683 [1060 Tillicum Road] shown cross-hatched on Schedule "A" attached hereto, from Single and Two Unit Residential to Townhouse Residential.
 - (2) On Schedule "C" of the Official Community Plan Bylaw No. 2646, being the Development Permit Areas Map, by changing the designation of PID: 025-917-277, Lot E (DD EW45993), Section 10, Esquimalt District, Plan 11683 [1060 Tillicum Road] shown cross-hatched on Schedule "A" attached hereto, from D.P.A. Area No. 5 – Enhanced Design Control Residential to D.P.A. No. 1 – Multi-Unit Residential.

READ a first time by the Municipal Council on the 5th day of May, 2014.

READ a second time by the Municipal Council on the 5th day of May, 2014.

A Public Hearing was held pursuant to Sections 890 and 892 of the *Local Government Act* on the ---- day of -----, 2014.

READ a third time by the Municipal Council on the ---- day of -----, 2014.

ADOPTED by the Municipal Council on the ---- day of -----, 2014.

BARB DESJARDINS
MAYOR

ANJA NURVO
CORPORATE OFFICER



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

BYLAW NO. 2827

A Bylaw to amend Bylaw No. 2050, cited as the
"Zoning Bylaw, 1992, No. 2050"

Staff Report DEV-14-050
Schedule "B" – Zoning Amendment
Bylaw No. 2827

THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF
ESQUIMALT, in open meeting assembled, enacts as follows:

1. This bylaw may be cited as the *"ZONING BYLAW, 1992, NO. 2050, AMENDMENT BYLAW NO. 2827"*.
2. That Bylaw No. 2050, cited as the "Zoning Bylaw, 1992, No. 2050" be amended as follows:

- (1) by adding the following words and figures in Part 31, Zone Designations, in the appropriate alpha-numeric sequence:

"Comprehensive Development No. 89 (1060 Tillicum Road) CD No. 89"

- (2) by adding the following text as Section 67.76 (or as other appropriately numbered subsection within Section 67):

67.76 COMPREHENSIVE DEVELOPMENT DISTRICT NO. 89 [CD NO. 89]

In that Zone designated as CD No. 89 [Comprehensive Development District No. 89] no Building or Structure or part thereof shall be erected, constructed, placed, maintained or used and no land shall be used except in accordance with and subject to the regulations contained in or incorporated by reference into this Part.

(1) **Permitted Uses**

The following Uses and no others shall be permitted:

- a) Townhouse Residential
- b) Two Family Residential
- c) Home Occupation

(2) **Parcel Size**

The minimum Parcel Size of fee simple Parcels created by subdivision shall be 2070 square metres.

(3) **Number of Principal Buildings**

Not more than four (4) Principal Buildings shall be located on a Parcel.

(4) **Number of Dwelling Units**

No more than ten (10) Dwelling Units shall be located on a Parcel.

(5) **Unit Size**

Dwelling Units shall not be less than 130 square metres.

(6) **Floor Area Ratio**

The Floor Area Ratio shall not exceed 0.69.

(7) **Building Height**

- (a) No Principal Building shall exceed a Height of 9.6 metres.
- (b) No Accessory Building shall exceed a Height of 2.5 metres.

(8) **Lot Coverage**

- (a) Principal Buildings and Structures combined shall not cover more than 39% of the Area of the Parcel.
- (b) Notwithstanding Section 8(a), Principal Buildings shall not cover more than 38% of the Area of the Parcel

(9) **Siting Requirements**

(a) **Principal Buildings:**

- (i) No Principal Building shall be located within 5.0 metres of the Front Lot Line.
- (ii) No Principal Building shall be located within 3.8 metres of the northeastern Side Lot Line.
- (iii) No Principal Building shall be located within 5.5 metres of the southwestern Side Lot Line.
- (iv) No Principal Building shall be located within 5.0 metres of the Rear Lot Line.
- (v) Principal Buildings shall be separated by not less than 2.9 metres

(b) **Accessory Buildings:**

- (i) Front Setback: No Accessory Building shall be located in front of the front face of a Principal Building
- (ii) Side Setbacks: No Interior Side Yard setback shall be required

- (iii) Rear Setback: No Rear Yard setback shall be required
- (iv) Building Separation: No Accessory Building shall be located within 1.0 metre of any Principal Building.

(10) **Siting Exception**

Within the CD-89 zone, the minimum distance to the northeastern and southwestern Lot Lines may be reduced by not more than 2.1 metres to accommodate exterior decks, attached to and forming part of a Principal Building.

(11) **Fencing**

- a) Subject to Part 4, Section 22, no fence shall exceed a Height of 1.2 metres within 6.3 metres of a Lot Line abutting a Highway
- b) Notwithstanding Part 4, Section 22(a), fencing located on top of a retaining wall abutting the Front Lot Line shall be measured distinctly and shall not exceed a height of 1.2 metres.
- c) No fence sited beyond 6.3 metres of a Lot Line abutting a Highway shall be less than a height of 1.8 metres nor exceed a height of 2.0 metres.
- d) No fence sited beyond 6.3 metres of a Lot Line abutting a Highway shall be visually permeable at a height less than 1.5 metres.

(12) **Landscaping and Open Space**

Landscaping and Open Space shall be provided as shown on the landscape plan approved as part of the active Development Permit.

(13) **Off-Street Parking**

- (a) Notwithstanding Section 13 of Parking Bylaw, 1992, No. 2011 (as amended), off-street parking shall be provided in the ratio of 1.3 spaces per Dwelling Unit.
- (b) Notwithstanding Section 9(4) of Parking Bylaw, 1992, No. 2011 (as amended), one (1) parking stall, contained within a Principal Building, shall be provided for each Dwelling Unit.
- (c) A minimum of 3 Visitor Parking Spaces shall be provided.

- (3) by changing the zoning designation of PID: 025-917-277, Lot E (DD EW45993), Section 10, Esquimalt District, Plan 11683 [1060 Tillicum Road] shown cross-hatched on Schedule "A" attached hereto from RD-3 [Two Family/ Single Family Residential] to CD No. 89 [Comprehensive Development District No. 89].

- (4) by changing Schedule 'A' Zoning Map, attached to and forming part of "Zoning Bylaw, 1992, No. 2050" to show the changes in zoning classification effected by this bylaw.

READ a first time by the Municipal Council on the 5th day of May, 2014.

READ a second time by the Municipal Council on the 9th day of June, 2014.

A Public Hearing was held pursuant to Sections 890 and 892 of the *Local Government Act* on the ---- day of -----, 2014.

READ a third time by the Municipal Council on the ---- day of ----, 2014.

ADOPTED by the Municipal Council on the ---- day of ----, 2014.

BARBARA DESJARDINS
MAYOR

ANJA NURVO
CORPORATE OFFICER





CORPORATION OF THE TOWNSHIP OF ESQUIMALT

Municipal Hall, 1229 Esquimalt Road, Esquimalt, B.C. V9A 3P1
Website: www.esquimalt.ca Email: info@esquimalt.ca

Voice: (250) 414-7100
Fax: (250) 414-7111

June 27, 2014

NOTICE OF PUBLIC HEARING

An application for a change in Official Community Plan Land Use Designation and Zoning has been received from Kimberley Colpman, representing Large and Co. Developers, on behalf of Datatech Developments Inc., Inc. No. BC0060270, the registered owner of 1060 Tillicum Road.

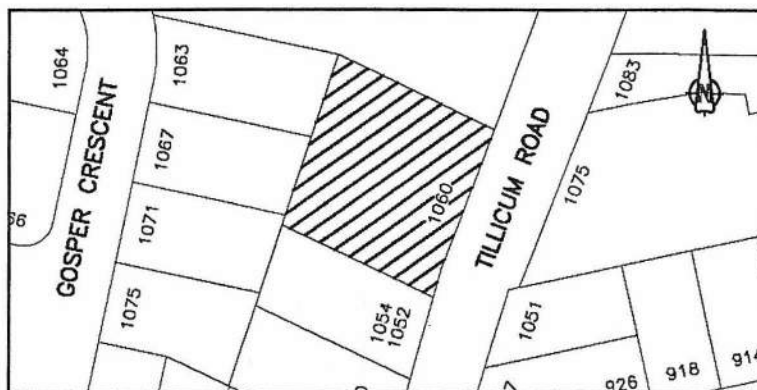
Purpose of the Application:

Official Community Plan Bylaw, 2006, No. 2646, Amendment Bylaw No. 2825 provides for a change in land use designation of 1060 Tillicum Road [legal description below] shown hatched on the map below from Single and Two Unit Residential to Townhouse Residential and from Development Permit Area No.5 – Enhanced Design Control Residential to Development Permit Area. No.1 – Multi-Unit Residential; and

Zoning Bylaw, 1992, No. 2050, Amendment Bylaw No. 2827 provides for a change in the zoning designation of 1060 Tillicum Road [legal description below] shown hatched on the map below from RD-3 [Two Family/Single Family Residential] to CD No. 89 [Comprehensive Development District No. 89].

The general purpose of these bylaws is to facilitate redevelopment of the subject property as ten townhouse units located in four detached buildings.

Site Location:



Legal Description: PID 025-917-277, Lot E (DD EW45993), Section 10, Esquimalt District, Plan 11683
[1060 Tillicum Road]

The Municipal Council will consider this application at the **Regular Meeting of Council commencing at 7:00 p.m., Monday, July 14, 2014, in the Council Chambers, Esquimalt Municipal Hall, 1229 Esquimalt Road, Esquimalt, B.C.** Affected persons may make representations to Council at that time or submit a written submission prior to that date.

"Please turn over"

Information related to this application may be reviewed at the Development Services counter, Municipal Hall, 1229 Esquimalt Road, from 8:30 a.m. until 4:30 p.m., Monday to Friday (excluding Saturdays, Sundays, Statutory Holidays) until July 14, 2014.

ANJA NURVO
DIRECTOR OF CORPORATE SERVICES

Personal information contained in communications to Council and its Committees is collected under the authority of the Community Charter and Local Government Act and will be used to assist Council members in decision making. Please note that your comments relating to this matter will form part of the Township's public record and may be included in a public agenda and posted on our website.

TERMS OF INSTRUMENT - PART 2

RECITALS:

- A. The Transferor is the registered owner in fee-simple of those lands with civic address of 1060 Tillicum Road, more particularly described in Item #2 of Form C, in the Township of Esquimalt in Province of British Columbia, namely (the "**Lands**").
- B. The Transferee is the Township of Esquimalt ("**Transferee**" or "**Township**").
- C. The Transferor has submitted an application to the Township to amend the Official Community Plan Land Use Designation and to rezone the Lands (the "**Amendment Bylaws**") to permit a 10-unit residential townhouse housing development, and acknowledging that it is in the public interest that the construction, use and density of development of the Lands be controlled, and the amenities offered be secured, the Transferor has volunteered and wishes to grant this covenant to the Transferee, and the Transferee has accepted this covenant and required its registration as a condition of the Amendment Bylaws (the "**Agreement**").
- D. Section 219 of the *Land Title Act* gives authority for a covenant and indemnity, whether of a negative or positive nature, to be registered against the Lands and granted in favour of the Transferee with provisions:
- in respect of the use of land or the use of a building on or to be erected on land;
 - that land is to be built on in accordance with the covenant;
 - that land is not to be built on or subdivided except in accordance with the covenant;
 - that land is not to be used, built on or subdivided; and
 - that parcels of land designated in the covenant and registered under one or more indefeasible titles are not to be sold or otherwise transferred separately.

NOW THEREFORE in consideration of the payment of the sum of \$10.00 by the Transferee to the Transferor (receipt and sufficiency acknowledged), the mutual covenants and agreements contained in this Agreement, and for other good and valuable consideration, the parties covenant and agree as to the following, including under Section 219 of the *Land Title Act*:

Restrictions and Requirements on Development

1. Notwithstanding broader or greater uses, density or other regulations in the Transferee's zoning bylaw, the Transferor covenants and agrees the Lands must not be built upon, used or otherwise developed or occupied except in accordance with all of the following conditions:
- (a) **No gate across vehicular maneuvering aisle:** No gate or other obstruction of any type or kind whatsoever may be installed, erected, affixed or otherwise present across the driveway or vehicular maneuvering aisle accessed off of Tillicum Road.
 - (b) **EnerGuide for New Houses 80®:** All buildings and units must be built to comply with the EnerGuide for New Houses 80® energy performance standards.
 - (c) **Electric Car Charging Station:** No less than one (1) electric car charging station must

be provided and maintained, with dedicated parking space, on the Lands.

(d) **Bicycle Parking:** No less than three (3) parking spaces for bicycles, with lock-up facilities, must be provided and maintained on the Lands.

(e) **Motorcycle Parking:** No less than one (1) parking space for motorcycles must be provided and maintained on the Lands.

(f) **StormWater Capture:** Provision for storm water capture works in the form of rain gardens to be provided and maintained on the Lands where feasible from an engineering perspective, as determined in the reasonable discretion of, and design of which to be reviewed and approved by, the Township Director of Engineering and Public Works.

(g) **Landscaping:** No less than ten (10) mature Serbian Spruce Trees must be planted and maintain (including replaced as necessary) so as to create an aesthetic visual barrier to properties to the west, such trees to be located in the landscaped area between the western property line and the buildings most proximate thereto.

2. The Transferor further covenants and agrees to be solely responsible for documenting compliance with the above-noted conditions and to provide, at the request of the Transferee, copies of any reports, receipts or other documentation relevant to the conditions.

Restrictions and Requirements Prior to Development

3. **Construction of trail connection:** Notwithstanding broader or greater uses, density or other regulations in the Transferee's zoning bylaw, the Transferor covenants and agrees the Lands must not be:

- (a) subdivided (including under the *Strata Property Act*),
- (b) further built upon, or
- (c) used for any use other than continuation of the uses existing at the time of registration of this agreement,

until the Transferor has, at its sole cost and without expectation of compensation from the Transferee, satisfied the following conditions:

(i) either constructed or provided sufficient monetary payment or security to the Transferee to construct or commission the construction of, at the Transferee's option, the installation of a trail approximately 60 square metres in area (approximately 40 metres in length and 1.5 metres in width) from the pedestrian park access, located on the northernmost property line of the Lands to a point on the existing trail network within Esquimalt Gorge Park as determined by the Transferee's Director of Parks and Recreation Services (the "**Trail Works**"); and

(ii) provided sufficient monetary payment or security to the Transferee for painting of new left turn lane highway improvements to facilitate access to the Lands from Tillicum Road, design of which as determined by Transferee's Director of Engineering and Public

Works.

4. At the sole discretion of the Transferee, the Transferee may permit the Transferor to install the Trail Works and in such event, the Transferor shall post sufficient security (being \$6,250 or 125% of the estimated cost of \$5,000) with the Transferee to ensure compliance by the Transferor of its obligation herein to complete the Trail Works. Upon completion of the Trail Works by the Transferor and certification of the Trail Works by the Transferee, the Transferee shall return to the Transferor the security or such portion thereof as is approved by the Transferee to be returned.

5. The parties agree that the Transferor shall not be responsible for maintenance and repair of the Trail Works after the approval and acceptance of such Trail Works by the Transferee.

Indemnity and Release

6. The Transferor covenants and agrees to indemnify and save harmless the Transferee from any and all claims, causes of action, suits, demands, fines, penalties, costs or expenses or legal fees (on a solicitor-client basis) whatsoever, in law or equity, which anyone has or may have against the Transferee or which the Transferee incurs as a result of any loss, damage, deprivation, enrichment or injury, including economic loss, arising out of or connected with the restrictions or requirements of this Agreement, the breach of any covenant in this Agreement, or the use of the Lands contemplated under this Agreement.

7. The Transferor releases and forever discharges the Transferee of and from any claims, causes of action, suits, demands, fines, penalties, costs or expenses or legal fees (on a solicitor-client basis) whatsoever, in law or equity, which the Transferor can or may have against the Transferee for any loss, damage, deprivation, enrichment or injury, including economic loss, arising out of or connected with the restrictions or requirements of this Agreement, the breach of any covenant in this Agreement, or the use of the Lands contemplated under this Agreement.

Registration

8. The restrictions and requirements in this Agreement are covenants running with the Lands in favour of the Transferee and intended to be perpetual, and shall continue to bind all of the Lands when subdivided.

9. At the Transferor's sole cost, the Transferor will register this Agreement and must do everything necessary to secure priority of registration and interest for this Agreement over all encumbrances of a financial nature.

10. The Transferor agrees to execute all other documents and provide all other assurances necessary to give effect to the covenants contained in this Agreement. However, the Transferee acknowledges that if the Amendment Bylaws (or any variation of it that permits the use and density under this Agreement), is not adopted, then this Agreement shall be discharged from the Lands.

General

11. The Transferor covenants and agrees for itself, its heirs, executors, successors and assigns, that it will at all times perform and observe the requirements and restrictions set out in this Agreement.

12. It is mutually understood, acknowledged and agreed by the parties that the Transferee has made no representations, covenants, warranties, guarantees, promises or agreements (oral or otherwise) with the Transferor other than those contained in this Agreement.

13. Nothing contained or implied in this Agreement:

- (a) prejudices or affects the rights, powers or discretion of the Transferee in the exercise of its functions under any public or private statutes, bylaws, orders and regulations, all of which may be fully and effectively exercised in relation to the Lands as if the Agreement had not been executed and delivered by the Transferor;
- (b) imposes any legal duty or obligation, including any duty of care or contractual or other legal duty or obligation, to enforce this Agreement or the breach of any provision in this Agreement; or
- (c) imposes any public law duty, whether arising from the principles of procedural fairness or the rules of natural justice, on the Transferee with respect to its exercise of any right or remedy expressly provided in this Agreement or at law or in equity.

14. The Transferor covenants and agrees that the Transferee may withhold development permits, building permits and other approvals related to the use, building or subdivision of land as necessary to ensure compliance with the covenants in this Agreement, and that the issuance of a permit or approval does not act as a representation or warranty by the Transferee that the covenants of this Agreement have been satisfied.

15. No remedy under this Agreement is to be deemed exclusive but will, where possible, be cumulative with all other remedies at law or in equity.

16. The waiver by a party of any breach of this Agreement or failure on the part of the other party to perform in accordance with any of the terms or conditions of this Agreement is not to be construed as a waiver of any future or continuing failure, whether similar or dissimilar, and no waiver is effective unless it is written and signed by both parties.

17. If any part of this Agreement is held to be invalid, illegal or unenforceable by a court having the jurisdiction to do so, that part is to be considered to have been severed from the rest of this Agreement and the rest of this Agreement remains in force unaffected by that holding or by the severance of that part.


18. This Agreement is to be construed in accordance with and governed by the laws applicable in the Province of British Columbia.

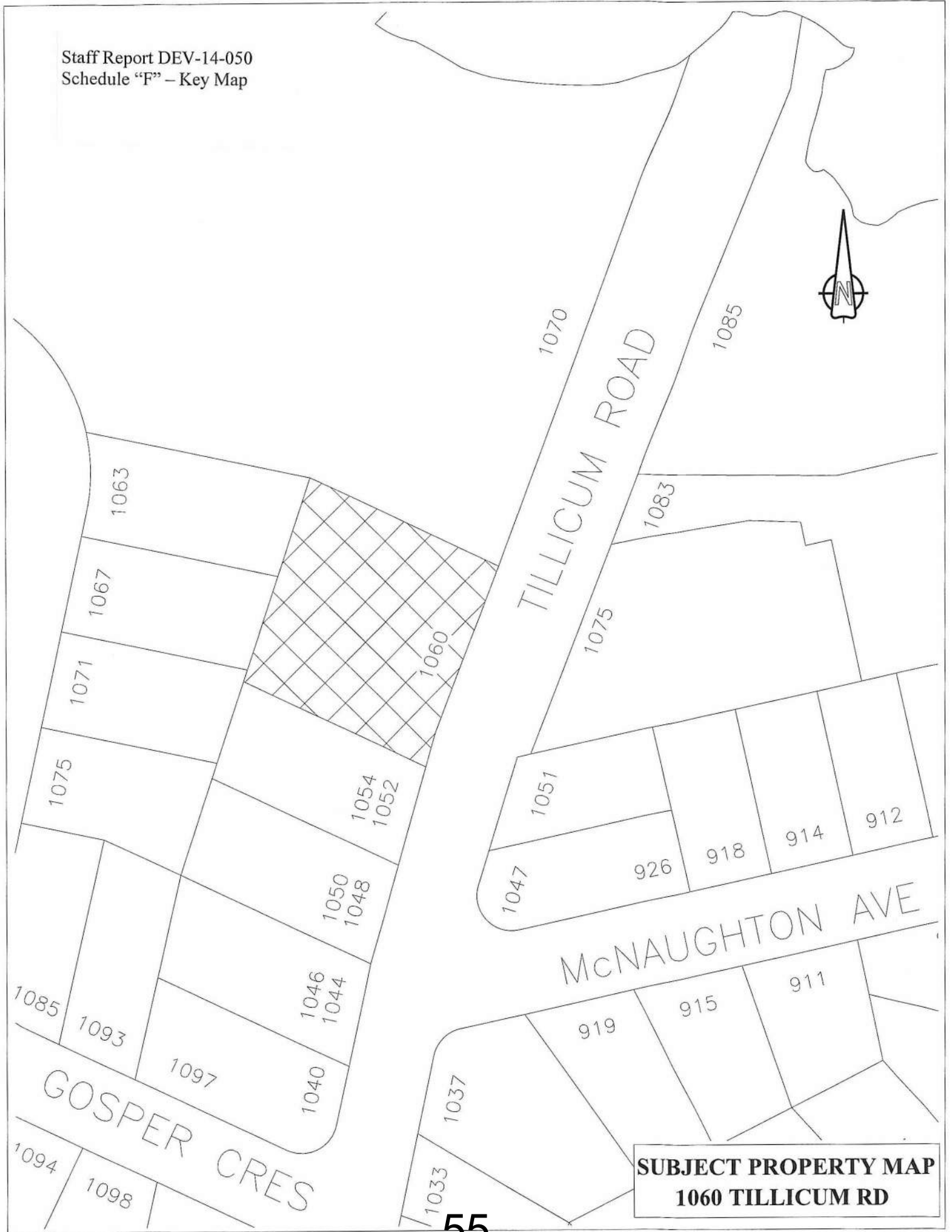
The Transferor and Transferee acknowledge that this Agreement has been duly executed and delivered by the parties executing Forms C and D (pages 1 and 2) attached.

1060 Tillicum Road



Staff Report DEV-14-050
Schedule "E" - 2011 Airphoto

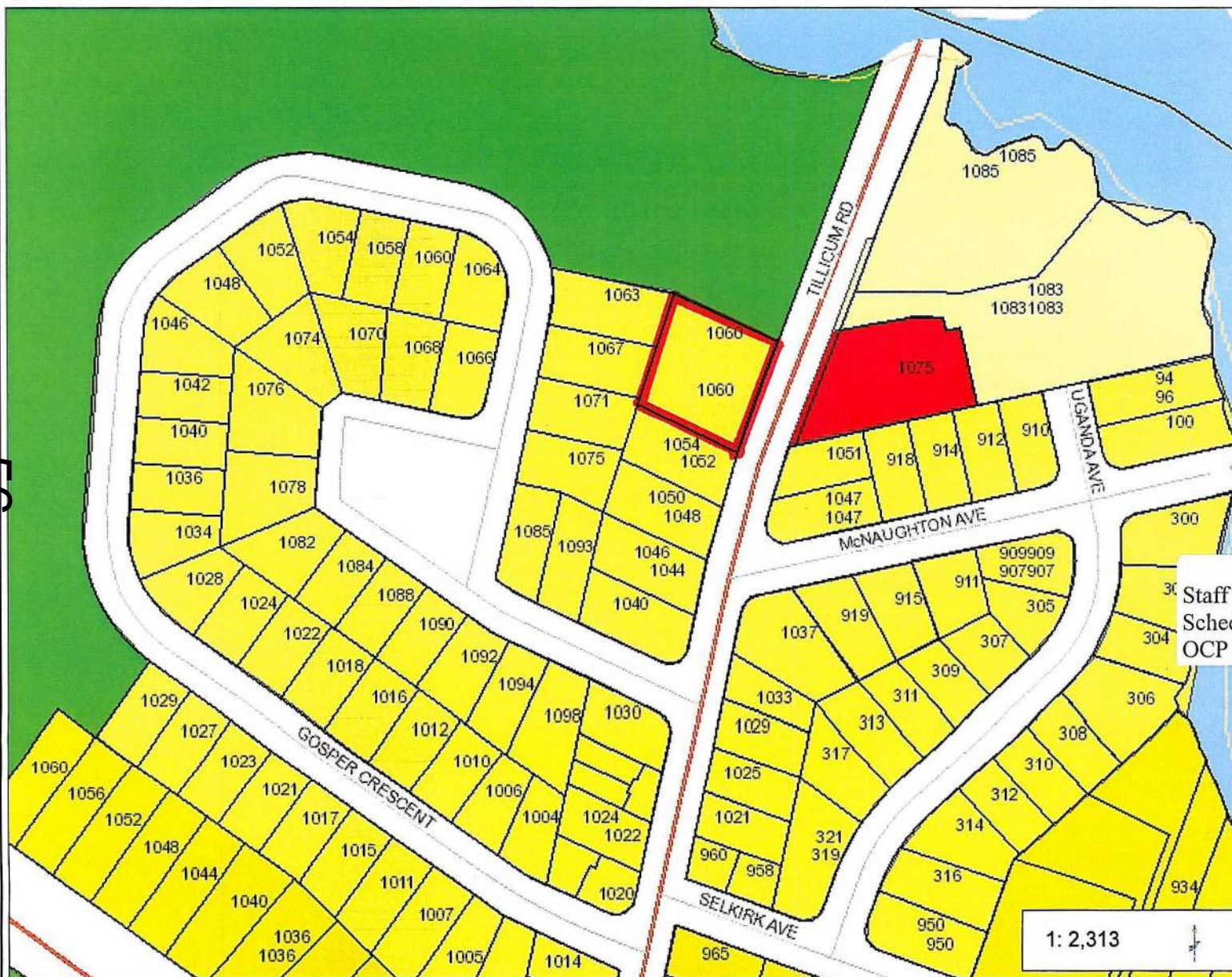
Subject Property Boundary: 



SUBJECT PROPERTY MAP
1060 TILlicum RD

Legend

- Township Boundary
- Land Boundary
- Address
- Parcel
- Parks and Playgrounds
- Land Use Designation**
 - Single and Two-Unit Residential
 - Townhouse Residential
 - Multi-Unit, Low-Rise Residential
 - Multi-Unit, High-Rise Residential
 - Floathome Residential
 - Parks and Open Space
 - Industrial
 - Commercial Mixed-Use
 - Commercial Node
 - Institutional
 - DND Federal Land
- Ocean
- Roads**
 - Main Roads
 - Major Roads
 - Residential Collector Roads



Staff Report DEV-14-050
Schedule "G" – 1060 Tillicum Road -
OCP Land Use Designation Map

Date and time

2014-07-09 05:40

Notes

1060 Tillicum Road
Land Use Designation = Single and
Two Unit Residential
Proposed LUD = Townhouse
Residential

This map is a user generated static output from an Internet mapping site and
is for reference only. Data layers that appear on this map may or may not be
accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

2.2.4 Multi-Unit Residential

Over the years, townhouses and apartment buildings have tended to be developed in clusters throughout the neighbourhoods of Esquimalt. They are generally located in the following areas:

- On both sides of Esquimalt Road from Grafton Street to Dunsmuir Road;
- The area around Craigflower Road and Selkirk Avenue;
- Admirals Road, Astle and Nelson Streets;
- West Bay south of Dunsmuir Road; and
- West Parklands.

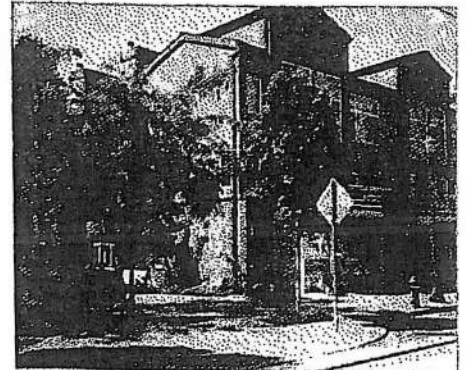
Smaller clusters of multi-unit development are also found along Lampson Street between Devonshire and Old Esquimalt Roads, Lampson Street south of Lyall Street, and Ellery Street south of Esquimalt High School. This scattered pattern of development has contributed to residents' concerns related to the proliferation of multi-unit developments in neighbourhoods where single-unit and two-unit homes have been the predominant land use.

2.2.4.1 Multi-Unit Residential Policies

The following policies provide more predictability for residents in mixed residential use neighbourhoods and give direction to design teams involved in the preparation of development proposals.

- a) Multi-Unit Residential refers to three or more dwelling units on a parcel. Multi-unit Residential does not refer to a single-unit home with a secondary suite.
- b) The Township encourages the concentration of multi-unit residential development where such development is in keeping with the overall goals of this Plan.
- c) Wherever practical, multi-unit residential housing will be located near a Major Road as shown on "Schedule B". This supports transit service and also helps maintain the integrity of single-unit and two-unit housing neighbourhoods;
- d) Wherever feasible, major multi-unit residential projects will be located within reasonable distance of one of Esquimalt's commercial areas in order to encourage walking and cycling;
- e) A mix of housing types will be provided in multi-unit residential areas in order to provide visual interest and to meet the varying housing needs of Esquimalt's current and future residents;
- f) Wherever desirable and achievable, consideration will be given for special needs and assisted housing, including seniors, disabled persons and families.
- g) Within the areas designated on "Schedule A" as Townhouse Residential, Multi-Unit, Low-Rise Residential and Multi-Unit, High-Rise Residential, the following criteria will be used to evaluate development proposals requiring an application for rezoning:
 - o The massing and height of the project will respond sensitively to the prevailing character of the immediate neighbourhood. This will vary by location;

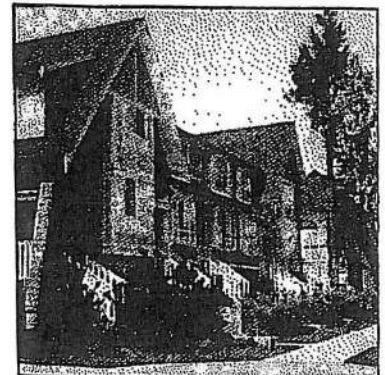
- o The project will relate to the street. Its exterior finishes, scale, treatment of parking areas, and landscaping, will enhance the appearance of the neighbourhood and contribute positively to the streetscape;
 - o The proponent will demonstrate that the neighbourhood has been consulted in a fair and meaningful way, and that residents' concerns have been appropriately responded to in the proposal; and
 - o Where new multi-unit residential projects are proposed, they should not "land-lock", otherwise isolate, or negatively affect the development potential of adjacent parcels. Projects must either consolidate the isolated parcels or leave a sufficient area available to allow for the eventual redevelopment of the adjacent land.
- h) Development proposals with heights and /or densities greater than those set out in policies 2.2.4.2 to 2.2.4.4. may be considered, where appropriate, through variances to zoning and/or parking regulations and density bonusing of floor-space where new affordable, accessible or special needs housing units or amenities are provided for the benefit of the community.
- i) For the purposes of density bonuses, "amenities" may include, but not be limited to:
- o Privately-owned, publicly-accessible open space;
 - o Public art;
 - o Contributions towards the enhancement of public recreation facilities;
 - o Contributions towards street and boulevard enhancements, including street furniture and decorative lighting;
 - o Daycare facilities; and
 - o Preservation of heritage structures or features.
- j) In new multi-unit residential developments, secure bicycle storage for residents should be provided in the ratio of 1.5 storage spaces per dwelling unit. In addition to the residents' parking, each multi-unit building should have six (6) bicycle lock-up spaces for the use of visitors.



A bicycle storage requirement may be waived or varied in a Development Permit where, in the opinion of Council, there is no demonstrated need, such as in a congregate care facility.

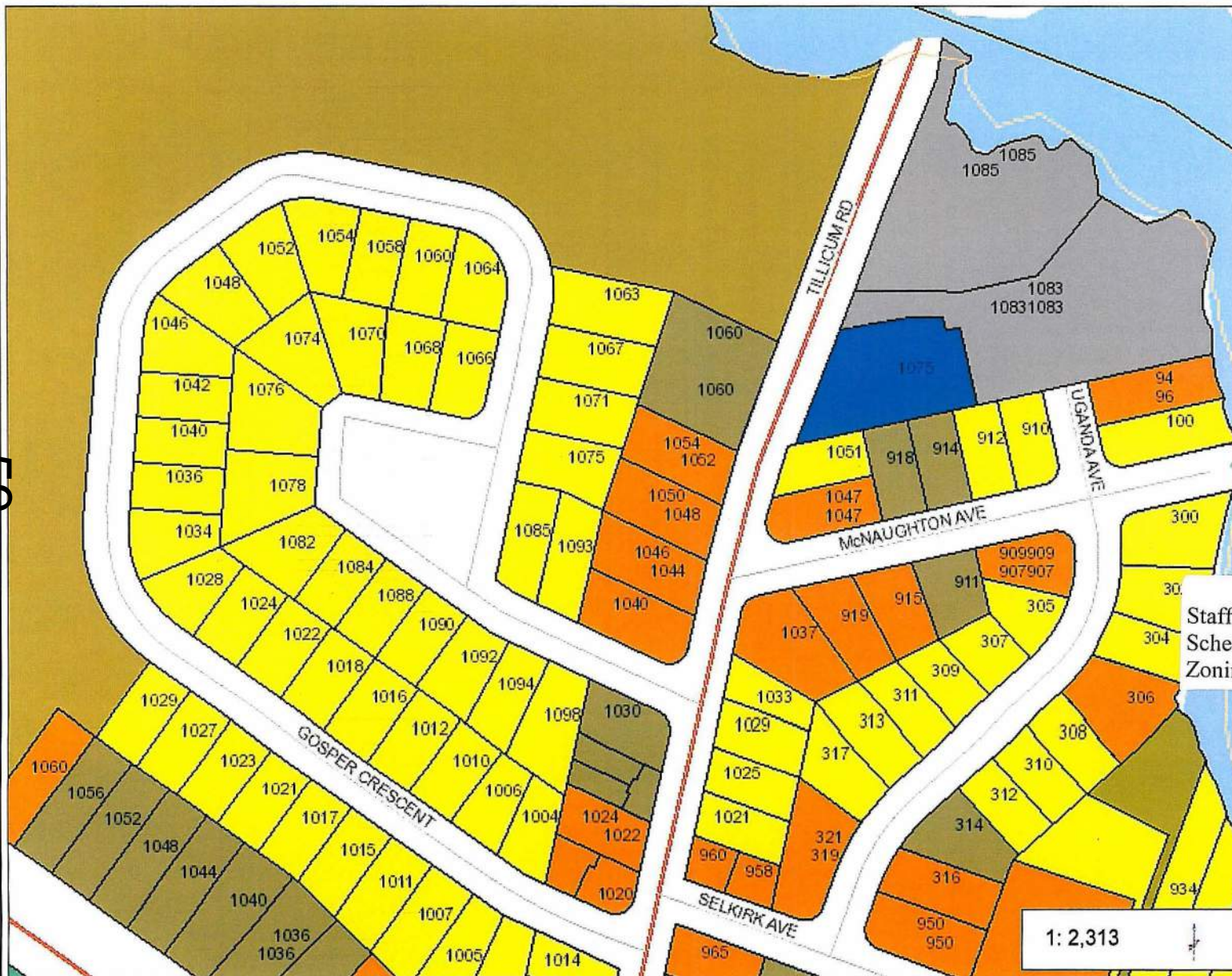
2.2.4.2 Townhouse Residential

In the Townhouse Residential areas designated on "Schedule A", new buildings up to three storeys with a Floor Area Ratio of up to 0.70 may be acceptable provided the neighbours are consulted and the design responds effectively to both its site



Legend

- Township Boundary
- Land Boundary
- Address
- Parcel
- Parks and Playgrounds
- Zoning**
 - Single Family Residential
 - Bed and Breakfast
 - Single Family Large Lot
 - Two Family Residential
 - Two Family/Single Residential
 - Multiple Family Residential
 - Commercial
 - Licensed Liquor Est.
 - Institutional
 - Marine
 - Industrial
 - Town Centre
 - Comprehensive Development
- Ocean
- Roads**
 - Major Roads
 - Residential Collector Roads



Staff Report DEV-14-050
Schedule "I" – 1060 Tillicum Road -
Zoning Map

Date and time

2014-07-09 05:37

Notes

1060 Tillicum Road
Zoning = RD-3
Proposed Zoning = Comprehensive
Development District No. 89 [10 TH
Units]

117.5 0 58.76 117.5 Meters

NAD_1983_UTM_Zone_10N
© Latitude Geographics Group Ltd.

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.
THIS MAP IS NOT TO BE USED FOR NAVIGATION

1: 2,313

43. MULTIPLE FAMILY RESIDENTIAL [RM-3]

The intent of this Zone is to accommodate high density Townhouse or low density Apartment development.

(1) Permitted Uses

The following Uses and no others shall be permitted:

- (a) Townhouse Residential
- (b) Apartment Residential
- (c) Home Occupation

(2) Floor Area Ratio

The Floor Area Ratio shall not exceed 0.60.

(3) Unit Size

The minimum Floor Area for each Dwelling Unit shall not be less than 75 square metres.

(4) Building Height

- (a) No Principal Building shall exceed a Height of 9 metres.
- (b) No Accessory Building shall exceed a Height of 4 metres.

(5) Lot Coverage

- (a) All Principal Buildings, Accessory Buildings and Structures combined shall not cover more than 25% of the Area of a Parcel.
- (b) All Accessory Buildings and Structures combined shall not exceed 10% of the Area of a Parcel.

(6) Siting Requirements

(a) Principal Building

- (i) Front Setback: No Building shall be located within 7.5 metres of the Front Lot Line.
- (ii) Side Setback: No Building shall be located within 4.5 metres of an Interior Side Lot Line nor 3.6 metres of an Exterior Side Lot Line.
- (iii) Rear Setback: No Building shall be located within 7.5 metres of a Rear Lot Line.

(b) Accessory Building

- (i) Front Setback: No Accessory Building shall be located in front of the front face of the Principal Building.

- (ii) Side Setback: No Accessory Building shall be located within 1.5 metres of an Interior Side Lot Line nor 3.6 metres of an Exterior Side Lot Line.
- (iii) Rear Setback: No Accessory Building shall be located within 1.5 metres of a Rear Lot Line.
- (iv) Building Separation: No Accessory Building shall be located within 2.5 metres of a Principal Building.

(7) **Usable Open Space**

Usable Open Space shall be provided in an amount of not less than 7.5% of the Area of the Parcel.

(8) **Fencing**

Subject to Section 22, no fence shall exceed a Height of 1.2 metres in front of the front face of the Principal Building and 2 metres behind the front face of the Principal Building.

(9) **Off Street Parking**

Off street parking shall be provided in accordance with the requirements of Parking Bylaw, 1992, No. 2011 (as amended).

Planning Department,
Township of Esquimalt
527 Fraser Street
Esquimalt, BC V9A 1A1

Staff Report DEV-14-050
Schedule "K" – Development
Proposal Narrative

RE: 1060 Tillicum Road, Lot E (DD EW45993) Section 10, Esquimalt
District, Plan 11683 - *Proposed Rezoning to a Comprehensive
Development Residential Zone*

Large and Co. Developers are pleased to submit a rezoning application for the above noted property which proposes to construct 10 Strata Townhouse Residential units at the site of 1060 Tillicum Road. For over 40 years, Large and Co. has been providing quality housing to residents of Greater Victoria. The success of our projects is a direct result of our willingness to work with, and understand the needs of, the municipality, the community and new homeowners.

To establish the concept for this project, we examined the Official Community Plan (OCP) for the Township of Esquimalt. The OCP clearly outlines the objectives for future growth within the municipality, and how to achieve this growth in a manner that best suits the overall community. Within the OCP, the Regional Growth Strategy highlights that "future enhancement to the tax base will be seen through growth that is likely to occur through redevelopment of existing residential properties to higher densities, such as townhouses." This Strategy also indicates the "need to increase the amount of ground access homes", and Esquimalt's goal to provide "quality housing that meets affordability". All of these factors lead to our proposal of affordable, multi-family townhouses on this site.

We discussed our concept with the Mayor, the Councillors as well as the Planning and Engineering departments. In general, all were supportive of our townhouse concept for this site. There were some concerns raised during these meetings regarding traffic and these have been addressed in subsequent sections of this letter.

Contiguous Neighbours

In the spring, we met with the owners of 1067 and 1063 Gosper, and both were supportive of our concept and were happy to see something being done with the property. We met again with the owners at 1067 Gosper (the owner of 1063 Gosper declined the meeting) to review the plans submitted with this application. They were genuinely pleased with the development and had no further comments at this time.

The representative owner of the Gorge Rd Pub (1075 Tillicum) is supportive of the development density and is currently reviewing the plans with his business partners for any further feedback, which we will subsequently provide when/if received.

Please note, that a formal public meeting will be held with other community neighbours and the outcome(s) of this will be provided subsequent to this letter and application.



June 27, 2013

CORP. OF TOWNSHIP
OF ESQUIMALT

Address:

1060 TILlicum RD

Folio:

2821.010

Project:

Date:

Jul 10, 2013

Folder:

RZ000009

1

Type / Subject:

REZONING -
Rezoning Application

62

Location

The property at 1060 Tillicum Road is a 2,073 m² (22,312 ft²) site located adjacent the Gorge Kinsmen Park. New residents of the proposed townhouse community will have direct access to this 11.65 hectare park that offers walking paths along the Gorge waterway, benches and picnic tables for family gatherings and playgrounds for their children.



1060 Tillicum Road, east view.

The proximity of the property to the park allows us to incorporate these beautiful, natural surroundings into the development plan and support the OCP objective to "link urban and rural spaces, such as parks".



The OCP also encourages "multi-unit residential housing be located near a major road and be a reasonable distance to one of Esquimalt's commercial areas to encourage walking and cycling." This site is located only 350 meters from Fairways Market, the CIBC bank and other amenities. Additionally, the Tillicum Mall, Pearkes Arena, Silver City Movie Theatre, restaurants and the local library are all less than 1 km away.

"Access to good public transportation" is another key initiative in the OCP, promoting green alternatives for residents to access work places, schools and other amenities within Greater Victoria. Tillicum Road is a main bus route and Large and Co. is willing to erect a bus stop shelter in support of this objective, at the municipality's discretion.

Affordability

Esquimalt is one of the most affordable municipalities to live in. However, to remain competitive in the 'affordable market', Esquimalt must be able to offer something more than basic housing at an affordable price. We have addressed this in several ways:



1. By providing gas, gas appliances and in floor radiant heat for all units. Gas is a more affordable energy source and has a predictable long term cost. It bears a higher construction cost which is why it is a feature normally seen only in more expensive development projects. However, we believe this is a worthwhile investment for the development – to provide homeowners comfort in their future financial planning and to use an alternative energy source. Providing natural gas in this development supports the OCP objective of “*planning for energy supply and promoting efficient use of alternative energy.*”
2. By ensuring a design that is appealing so the dwellings retain / increase their value over time. Refer to ‘Design’ section for more details.
3. By choosing a site that is centrally located with easy access to public transport, services, amenities and natural park areas. This will decrease costs for home owners by reducing the costs of car ownership and providing them ready access to free outdoor spaces and local services.

Design

Building Design

The focus of our design is based on the OCP objective of providing a ‘*design that compliments the surroundings and provides an attractive streetscape.*’ To achieve this, the east elevation dwellings on Tillicum have their front entrance facing the road. As well, each are slightly different (e.g. different window spaces, entry overhangs, door colors etc.), to provide a single family dwelling look and feel from the street. To further augment the street appeal, the existing retaining wall on the street frontage will be enhanced with a 2 foot metal picket fence and a low feature planting bed to maintain an open, green visual attractiveness into the site.

Note that vegetative screening will be placed in specific frontage areas to block views to private patio spaces from Tillicum Road. (More details provided in the Landscape Design section)

To tie into the park setting, and to bring vibrancy to the community, a west coast contemporary architecture has been adopted. We have used some natural finishes (cedar siding) and chosen a color palette that compliments the natural park setting. Each unit will have a different color front door to add interest to the building and to uniquely identify each townhome. The final design will align with the OCP’s objective of “*high design standards*”.

We chose to divide the buildings into three and two unit groupings. This results in fewer internal units and extra end units with more windows, light and outside space. All units are 2 bedroom with a flex room on the lower floor, 2.5 bathrooms, kitchen, dining room and living room. Decks are offered for all units. Those on the north side of the development will take advantage of beautiful views into Gorge Kinsmen Park. Units vary in their size but average approximately 1600 sq ft.

This application package includes the Green Building Checklist. Currently, the project is being reviewed by a Certified Energy Professional (Wendy Smith, CEA) who will provide an ENERguide rating for the development. This will be submitted to Planning as soon as it is complete (anticipated by July 5, 2013).

Please note that Large and Co. are certified Built Green developers.

June 27, 2013



Landscape Design

This special site enjoys Gorge Kinsmen Park as one of its contiguous neighbours, adding gorgeous green space and natural landscape to the overall look of the final development. Combining this with the onsite landscaping, addresses the OCP initiative of incorporating *'adequate green space and natural areas'* in development projects.

The Landscape Design is sensitive to the trend of most homeowners wanting low maintenance landscapes. The design achieves this goal through a carefully planned combination of plantings, grass spaces and hardscape. Two trees, both of which are in poor health, will be removed to accomplish the landscape and building designs. Planted areas will focus on drought tolerant species to support environmental objectives of reduced watering. Irrigation systems will also be incorporated to ensure appropriate watering levels (i.e. no overwatering) to maintain the landscape.

The streetscape and visual appeal from Tillicum is a key component of this development. As noted in the Building Design section, we have opted to create a 'front door' street presence on the end units facing Tillicum. By incorporating minor differences in the two end units, we are able to make them look like individual, unique residences, but maintain uniform look to the development. The picket fence and low plantings provide property separation but do not impose on sidewalk pedestrians. Where required for privacy, and to ensure people from Tillicum do not view personal spaces, more dense screenings are provided.

Each unit will have a private fenced patio area at ground level. Units on the north side will also have a gate to access the park. Units on the southern side of the development will access the park through the main park entrance. Within moments, all residents could be strolling through the park, taking their kids to the playground and enjoying the vast green space that is readily available to them. The bonus of this park amenity means the onsite landscaping can remain decorative and low maintenance for the home owners.

Privacy fencing will be constructed along the north, west and south property lines. The fence on the north (park) side, will be a 4' picket fence to optimize safety, privacy and views to the park. A 5' fence with a 1' lattice is proposed for both the south and west property lines, to provide privacy between neighbouring properties. Privacy fences will also be provided between each unit.

The driveway is a natural upward slope into the site and will be a combination of exposed aggregate and stamped concrete to compliment the building and landscape architecture. Pathways and patio spaces will be decorative concrete pavers.

Parking

There are 2 tandem parking spots provided for each townhouse unit. Additionally, there are 3 visitor parking stalls provided. Although the OCP encourages 1 visitor stall for every 4 units (resulting in 5 visitor stalls), this proposed parking configuration is supported by the OCP as it indicates, *"parking can be reduced onsite if the development relates to public transit."*

We anticipate however, that most homeowners will only have one car. This assumption is based on:

- a) the proximity to amenities and public transport; and



- b) our target market being young families.

Studies showing that most people under the age of 35 have only one car and are opting for greener transportation alternatives (e.g. cycling, walking, public transport). This being true, those homeowners with one car will be able to use their additional stall for their visitors.

Garbage

A screened space for central garbage collection is provided on the west side of the site.

Traffic

During our consultations with Councillors, some identified increased traffic for the development as a concern. To determine the traffic impact and access, Large and Co. secured the services of a professional Traffic Engineer (Bunt and Associates). Their report indicates:

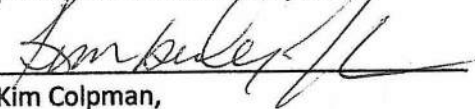
- a) "...the subject development is anticipated to generate a negligible amount of traffic and will not impact the existing road network operation."
- b) "... left turn vehicles into the site driveway is far below thresholds for application of a dedicated left turn lane."

Bunt and Associates has however, provided two appropriate options that support existing park user traffic and townhouse related traffic co-existing. The complete Traffic Report is included in this application package.

Summary

Esquimalt is positioned to become a focus of renewed growth and development due to its proximity and easy access to employment areas of other municipalities, its affordable housing in comparison to other municipalities and its significant areas for potential redevelopment. The strategy for this growth must include quality affordable development that promotes a healthy community and encourages people to live in Esquimalt. Our proposal fully supports these objectives.

Thank you for your consideration of our application. Should you require any further information or clarification, please contact me at any time.


Kim Colpman,
Large and Co. Developers
(250) 893-3097



Address:
1060 TILlicum RD
TRANSPORTATION PLANNERS AND ENGINEERS
Folio:
2821.010
Project:
Date:
Jul 10, 2013
Folder:
9

bunt
& associates

June 26, 2013
Project#: 5927.02

Staff Report DEV-14-050
Schedule "L" – Bunt and Associates
Traffic Study

Earl Large
Large and Co. Developments
607 Vancouver Street
Victoria, BC V8V 3T9

Dear Earl,

Re: Proposed 10 Townhouse Development – 1060 Tillicum Road, Township of Esquimalt

Bunt & Associates has been requested to provide a site access review for a proposed 10 unit townhouse development at 1060 Tillicum Road. The site is currently occupied by a single family dwelling with direct driveway access on Tillicum Road, as shown in the following **Exhibit 1 – Proposed Development Site**.

Exhibit 1 – Proposed Development Site



Typically, projects that are anticipated to have significant impact on the adjacent road network traffic operations are required to conduct a Traffic Impact Assessment. In this case, a traffic study is not required, as the subject development is anticipated to generate a negligible amount of traffic and will not impact the existing road network operation. Discussion on the anticipated amount of site-generated traffic is provided in the following sections. Appropriate access design options have also been developed.

Bunt & Associates Engineering (BC) Ltd.
Suite 535 – 645 Fort Street, Victoria, BC V8W 1G2 Tel 250 592 6122 Fax 250 592 6135
Victoria Vancouver Calgary Edmonton www.bunteng.com



1. TRIP GENERATION

As per standard practice, the Institute of Transportation Engineers Trip Generation Manual (9th Edition), was used to estimate Average Daily, AM and PM Peak Hour site-generated inbound and outbound vehicle trips. Refer to the following Table 1- Trip Generation.

TABLE 1 - Trip Generation Rates Vehicles Per Hour (vph)																				
LAND USES			DAILY TRAFFIC VOLUMES						AM PEAK HOUR TRAFFIC VOLUMES						PM PEAK HOUR TRAFFIC VOLUMES					
ITE Land Use Code	Variable	Size	Trip Rate	% In	% Out	Trips In	Trips Out	2-Way Total	Trip Rate	% In	% Out	Trips In	Trips Out	2-Way Total	Trip Rate	% In	% Out	Trips In	Trips Out	2-Way Total
Proposed Residential Development																				
230	Units	10.00	5.81	50%	50%	29	29	58	0.44	17%	83%	1	4	5	0.52	67%	33%	3	2	5

230 - Residential Condo/Townhouse

As can be seen in the table above, a total of 58 daily two-way trips are anticipated during an Average Weekday. Five (5) two-way trips are anticipated to be generated by the subject development during both the AM and PM Peak Hours. This equates to approximately 1 vehicle every 12 minutes during peak traffic periods. This amount of site-generated traffic will have no noticeable impact on the adjacent road network operations.

2. EXISTING ROADWAY

According to available orthophotography in the area of the proposed development, the existing left turn lane width into Esquimalt Gorge Park is 3.1m wide, with 3.1m northbound and southbound inside travel lanes and 3.5m wide curb lanes. There are sidewalks on both sides of the road and the posted speed is 50km/h.

3. PROPOSED ACCESS

Bunt has assessed requirements and opportunities to provide a safe access configuration for the site. Based on standard left turn lane warrant analysis procedures as outlined in the British Columbia Ministry of Transportation and Highways Site Impact Analysis Requirements Manual, the anticipated number of left turning vehicles into the site driveway is far below thresholds for application of a dedicated left turn lane. However; in an effort to further enhance safety for all traffic in the vicinity of the site driveway, we have developed the attached conceptual access design drawings Exhibit 2 - Proposed Left Turn Lane on Tillicum Road - Option 1 and Exhibit 3 - Proposed Left Turn Lane on Tillicum Road - Option 2. While option 1 separates the proposed developments' left turn movements from those at the park entrance, Option 2 allows for accommodation of future traffic volume growth at the park access. Both design options are appropriate and existing park user traffic and townhouse development related traffic can coexist with either configuration.

We trust that either design option will be satisfactory to the Township of Esquimalt; however, we ask that you confirm the preferred access arrangement with them.



* * * * *

Thank you for the opportunity to work with you on this project and please let us know if we can be of further assistance.

Yours truly,

Bunt & Associates



Wayne Gibson, CTech

Senior Transportation Technician



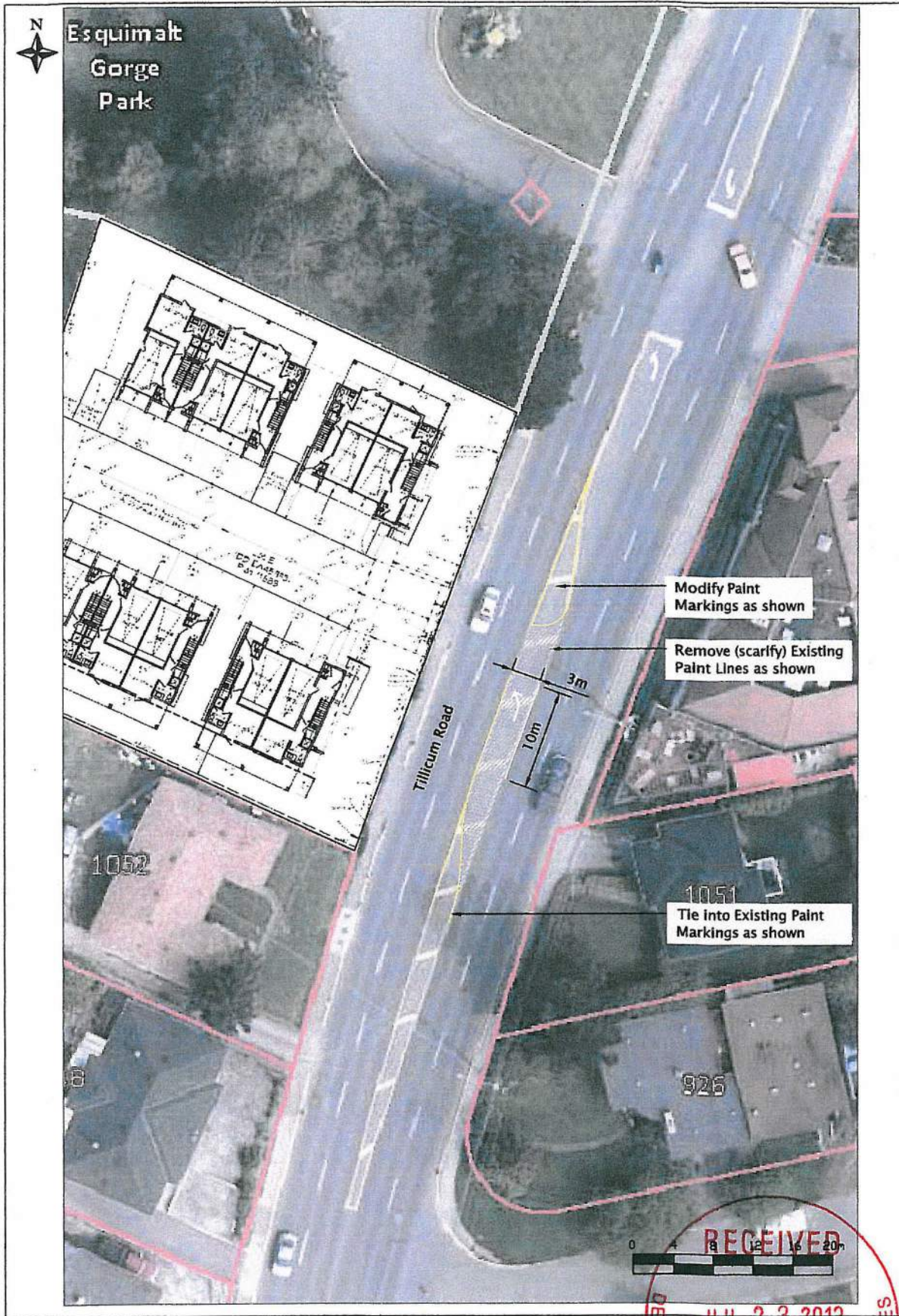


Exhibit 2.0
Proposed Left Turn Lane Modifications on Tillicum Road - Option

Proposed Multi-Family Residential Development - 1060 Tillicum Road
 T-356 June 2013 Scale NTS

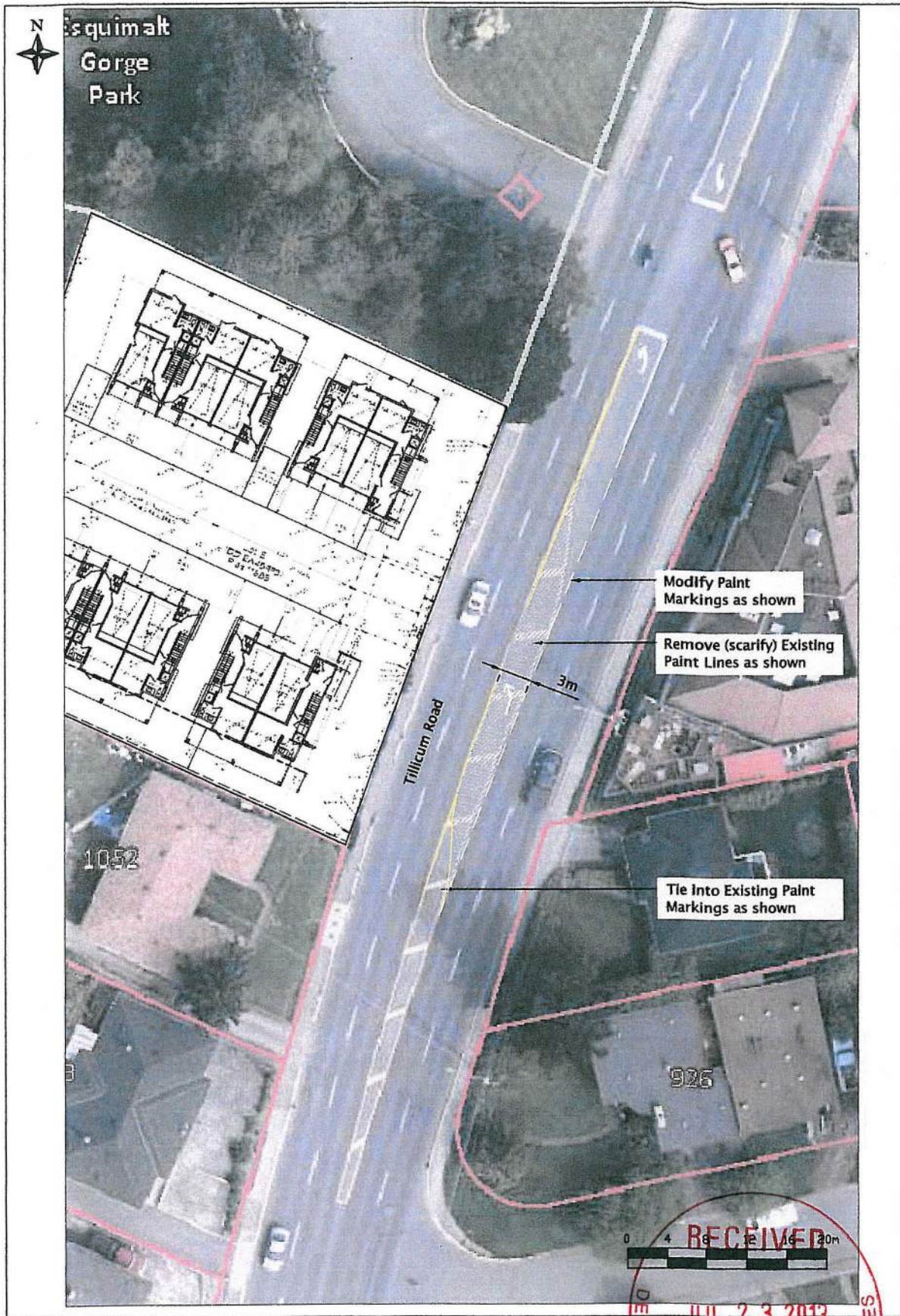
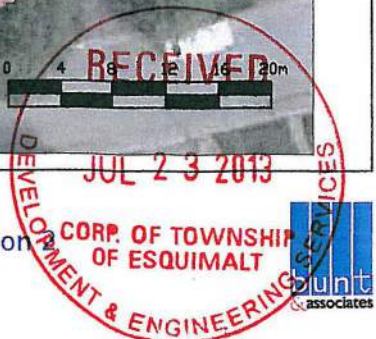


Exhibit 3.0

Proposed Left Turn Lane Modifications on Tillicum Road - Option

Proposed Multi-Family Residential Development - 1060 Tillicum Road
T-356 June 2013 Scale NTS



Address:

1060 TILlicum RD

Folio:

2821.010

Project:

Staff Report DEV-14-050

Schedule "M" – Green Building Checklist



Type / Subject:
REZONING
 Rezoning Application

"One-third of Canada's energy goes to running our homes, offices and other buildings. The federal government's Green Energy Efficiency (Natural Resources Canada) reports that a corresponding one-third of our greenhouse gas (GHG) emissions come from the built environment."
 [Green Building and Development as a Public Good, Michael Buzzelli, CPRN Research Report June 2009]

Please answer the following questions and describe the green and innovative features of your proposed development. Depending on the size and scope of your project, some of the following points may not be applicable.

Green Building Standards

Both energy use and emissions can be reduced by changing or modifying the way we build and equip our buildings.

- 1 Are you building to a recognized green building standard? ☒ Yes ☐ No
 If yes, to what program and level? ENERGISE RATED
- 2 If not, have you consulted a Green Building or ~~LEED~~ consultant to discuss the inclusion of green features? ☒ Yes ☐ No
- 3 Will you be using high-performance building envelope materials, ~~rainscreen siding~~, durable interior finish materials or safe to re-use materials in this project? ☒ Yes ☐ No
 If so, please describe them.
- 4 hard plank, hardi paneling What percentage of the existing building[s], if any, will be incorporated into the new building? N/A %
- 5 Are you using any locally manufactured wood or stone products to reduce energy used in the transportation of construction materials? Please list any that are being used in this project.
- 6 Have you considered advanced framing techniques to help reduce construction costs and increase energy savings? ☒ Yes ☐ No
- 7 Will any wood used in this project be eco-certified or produced from sustainably managed forests? If so, by which organization? OJB
 For which parts of the building (e.g. framing, roof, sheathing etc.)? _____
- 8 Can alternatives to Chlorofluorocarbon's and Hydro-chlorofluorocarbons which are often used in air conditioning, packaging, insulation, or solvents be used in this project? If so, please describe these. Exotic insulation Yes ☐ No ☐
- 9 List any products you are proposing that are produced using lower energy levels in manufacturing. Impossible to answer at this point
- 10 Are you using materials which have a recycled content [e.g. roofing materials, interior doors, ceramic tiles or carpets]? ☒ Yes ☐ No
- 11 Will any interior products [e.g. cabinets, insulation or floor sheathing] contain formaldehyde? Yes ☐ No ☒

Drywall has recycled content, and
it exceeds Built Green Canada Standards



Water Management

The intent of the following features is to promote water conservation, re-use water on site, and reduce storm water run-off.

Indoor Water Fixtures

- 12 Does your project exceed the BC Building Code requirements for public lavatory faucets and have automatic shut offs? Yes ☒ No ☐
- 13 For commercial buildings, do flushes for urinals exceed BC Building Code requirements? Yes ☒ No ☐
- 14 Does your project use dual flush toilets and do these exceed the BC Building Code requirements? Yes ☒ No ☐
- 15 Does your project exceed the BC Building Code requirements for maximum flow rates for private showers? Yes ☒ No ☐
- 16 Does your project exceed the BC Building Code requirements for flow rates for kitchen and bathroom faucets? Yes ☒ No ☐

Storm Water

- 17 If your property has water frontage, are you planning to protect trees and vegetation within 60 metres of the high water mark? [Note: For properties located on the Gorge Waterway, please consult Sections 7.1.2.1 and 9.6 of the Esquimalt Official Community Plan.] Yes ☐ No ☒ N/A
- 18 Will this project eliminate or reduce inflow and infiltration between storm water and sewer pipes from this property? Yes ☐ No ☒ N/A
- 19 Will storm water run-off be collected and managed on site (rain gardens, wetlands, or ponds) or used for irrigation or re-circulating outdoor water features? If so, please describe. _____ Yes ☐ No ☒ N/A
- 20 Have you considered storing rain water on site (rain barrels or cisterns) for future irrigation uses? Yes ☐ No ☒ N/A
- 21 Will surface pollution into storm drains will be mitigated (oil interceptors, bio-swales)? If so, please describe. _____ Yes ☒ No ☐ N/A
- 22 Will this project have an engineered green roof system or has the structure been designed for a future green roof installation? Yes ☐ No ☒ N/A
- 23 What percentage of the site will be maintained as naturally permeable surfaces? _____ %

Waste water

- 24 For larger projects, has Integrated Resource Management (IRM) been considered (e.g. heat recovery from waste water or onsite waste water treatment)? If so, please describe these. _____ Yes ☐ No ☒ N/A

Natural Features/Landscaping

The way we manage the landscape can reduce water use, protect our urban forest, restore natural vegetation and help to protect the watershed and receiving bodies of water.

- 25 Are any healthy trees being removed? If so, how many and what species? Yes ☐ No ☒ N/A
- Could your site design be altered to save these trees?
- Have you consulted with our Parks Department regarding their removal?



- 26 Will this project add new trees to the site and increase our urban forest?
If so, how many and what species? see landscape plan Yes No N/A
- 27 Are trees [existing or new] being used to provide shade in summer or to buffer winds? Yes No N/A
- 28 Will any existing native vegetation on this site be protected?
If so, please describe where and how. see landscape plan Yes No N/A
- 29 Will new landscaped areas incorporate any plant species native to southern Vancouver Island? Yes No N/A
- 30 Will xeriscaping (i.e. the use of drought tolerant plants) be utilized in dry areas? Yes No N/A
- 31 Will high efficiency irrigation systems be installed (e.g. drip irrigation; 'smart' controls)? Yes No N/A
- 32 Have you planned to control invasive species such as Scotch broom, English ivy, Himalayan and evergreen blackberry growing on the property? Yes No N/A
- 33 Will topsoil will be protected and reused on the site? Yes No N/A

Energy Efficiency

Improvements in building technology will reduce energy consumption and in turn lower greenhouse gas [GHG] emissions. These improvements will also reduce future operating costs for building occupants.

- 34 Will the building design be certified by an independent energy auditor/analyst?
If so, what will the rating be? 80-90 Yes No N/A
- 35 Have you considered passive solar design principles for space heating and cooling or planned for natural day lighting? Yes No N/A
- 36 Does the design and siting of buildings maximize exposure to natural light?
What percentage of interior spaces will be illuminated by sunlight? 70 % Yes No N/A
- 37 Will heating and cooling systems be of enhanced energy efficiency (ie. geothermal, air source heat pump, solar hot water, solar air exchange, etc.).
If so, please describe. radiant floor heat throughout + domestic hot H₂O on same system for each unit
If you are considering a heat pump, what measures will you take to mitigate any noise associated with the pump? N/A Yes No N/A
- 38 Has the building been designed to be solar ready? Yes No N/A
- 39 Have you considered using roof mounted photovoltaic panels to convert solar energy to electricity? Yes No N/A
- 40 Do windows exceed the BC Building Code heat transfer coefficient standards? Yes No N/A
- 41 Are energy efficient appliances being installed in this project?
If so, please describe. Tru Appliances Yes No N/A
- 42 Will high efficiency light fixtures be used in this project?
If so, please describe. Yes No N/A
- 43 Will building occupants have control over thermal, ventilation and light levels? open windows Yes No N/A
- 44 Will outdoor areas have automatic lighting [i.e. motion sensors or time set]? Yes No N/A
- 45 Will underground parking areas have automatic lighting? Yes No N/A



Air Quality

The following items are intended to ensure optimal air quality for building occupants by reducing the use of products which give off gases and odours and allowing occupants control over ventilation.

46	Will ventilation systems be protected from contamination during construction and certified clean post construction?	Yes	No	<u>N/A</u>
47	Are you using any natural, non-toxic, water soluble or low-VOC [volatile organic compound] paints, finishes or other products? If so, please describe. _____	<u>Yes</u>	No	N/A
48	Will the building have windows that occupants can open?	<u>Yes</u>	No	N/A
49	Will hard floor surface materials cover more than 75% of the liveable floor area?	<u>Yes</u>	No	N/A
50	Will fresh air intakes be located away from air pollution sources?	<u>Yes</u>	No	N/A

Solid Waste

Reuse and recycling of material reduces the impact on our landfills, lowers transportation costs, extends the life-cycle of products, and reduces the amount of natural resources used to manufacture new products.

51	Will materials be recycled during demolition of existing buildings and structures? If so, please describe. <u>Grahams Dem to salvage the house.</u>	<u>Yes</u>	No	N/A
52	Will materials be recycled during the construction phase? If so, please describe. <u>materials used @ 1 foot x larger, rest available to public, remainder removed from site</u>	<u>Yes</u>	No	N/A
53	Does your project provide enhanced waste diversion facilities i.e. on-site recycling for cardboard, bottles, cans and or recyclables or on-site composting? <u>area provided by large co.</u>	<u>Yes</u>	No	N/A <u>Strata to purchase containers</u>
54	For new commercial development, are you providing waste and recycling receptacles for customers? <u>Strata</u>	Yes	<u>No</u>	N/A

Green Mobility

The intent is to encourage the use of sustainable transportation modes and walking to reduce our reliance on personal vehicles that burn fossil fuels which contributes to poor air quality.

55	Is pedestrian lighting provided in the pathways through parking and landscaped areas and at the entrances to your building[s]?	Yes	No	<u>N/A</u>
56	For commercial developments, are pedestrians provided with a safe path[s] through the parking areas and across vehicles accesses?	Yes	No	<u>N/A</u>
57	Is access provided for those with assisted mobility devices?	<u>Yes</u>	No	N/A
58	Are accessible bike racks provided for visitors?	Yes	No	<u>N/A</u>
59	Are secure covered bicycle parking and dedicated lockers provided for residents or employees?	Yes	No	<u>N/A</u>
60	Does your development provide residents or employees with any of the following features to reduce personal automobile use [check all that apply]: <input type="checkbox"/> transit passes <input type="checkbox"/> car share memberships <input type="checkbox"/> shared bicycles for short term use <input type="checkbox"/> weather protected bus shelters <input type="checkbox"/> plug-ins for electric vehicles			

Is there something unique or innovative about your project that has not been addressed by this Checklist? If so, please add extra pages to describe it.





For: Phil Large
Large and Co.
1060 Tillicum Rd. Townhouse Development

Wendy Smith B.Sc., CEA
Performance Energy Advisors

Certified Energy Advisor
2964 Qu'Appelle St.
Victoria, BC V9A 1V2
Phone (cell): 250 661 9551
Office : 778-432-0605
E-mail: wendy@performanceadvisors.ca

July 16 2013

EnerGuide Rating Service for New Houses

Preliminary Report for all Buildings (10 units total) at 1060 Tillicum Rd., Esquimalt

Target Rating required by Municipality of Esquimalt : EnerGuide 80

All units reach this target with the construction practices confirmed by the architect as noted below.

Foundation	Slab on Grade – R12 full underslab
Wooden Walls	All 2"x6", 16" o.c., 3 stud corners, w/R20, 1/2" sheathing
Exposed Floors	I Joists, 16" o.c., 3/4" plywood, R28
Attic and Roof	Flat : I Joists, 16" on centre, R28, Heel Height = 1'
Windows	Vinyl framed thermally broken, low-e coating, argon, thermally broken spacer
Doors	All = Fibreglass
Air Change Rate	4 air changes per hour @ 50 Pa (see note below)
Heating System	All Levels – in-floor heating, Combo Gas boiler, 91% efficiency QuietSide boiler, DPW120A-B, 120,000 BTU/hr
Hot Water	Combo with heating system
Ventilation	Exhaust fans as per code
Appliances	3 EStar appliances : Fridge, dishwasher and clothes washer supplied by builder/ developer
Lighting	100%CFL lighting, both inside and outside of the units

Limitation of the Hot 2000 Model for these Units:

Air Leakage - All units will be tested at pre-drywall stage to ensure a min. air leakage rating of 4. However, this CEA cannot guarantee this rate until the units are tested, upon completion of the project.



Address:
1060 TILlicum RD

Folio:
2821.010

Project:

Type / Subject:

REZONING -
Rezoning Application

Date:
Jul 10, 2013

Folder:
RZ000009

76

Her Worship Mayor Barbara Desjardins and Councillors

Township of Esquimalt

527 Fraser Street

Esquimalt, BC V9A 1A1

Staff Report DEV-14-050

Schedule "N" – Development

Proposal Narrative - Amended

May 24, 2104



RE: ParkView Townhomes - Rezoning Application

1060 Tillicum Road

[Lot E (DD EW45993) Section 10, Esquimalt District, Plan 11683]

Introduction

At the May 05, 2014 Council Meeting, Council approved the following recommendation:

1. That Council resolves that Bylaw No. 2825, which would amend Official Community Plan Bylaw, 2006, No. 2646 by changing the Land Use Designation and relevant Development Permit Area of PID 025-917-277, Lot E (DO EW45993), Section 10, Esquimalt District, Plan 11683 [1060 Tillicum Road] shown cross hatched on Schedule 'A' of Bylaw No. 2825, attached hereto, from Single and Two Unit Residential to Townhouse Residential and from D.P.A. No.5- Enhanced Design Control Residential to D.P.A. No.1 - Multi-Unit Residential, be considered for first and second reading; and
2. That Council resolves that Bylaw No. 2827, which would amend Zoning Bylaw, 1992, No. 2050 by changing the zoning designation of PID 025-917-277, Lot E (DD EW45993), Section 10, Esquimalt District, Plan 11683 [1 060 Tillicum Road] shown cross hatched on Schedule 'A' of Bylaw No. 2827, attached hereto, from RD-3 [Two Family/ Single Family Residential] to CD No. 89 [Comprehensive Development District No. 89] be considered for first reading; and
3. That staff be directed to coordinate with the property owner to register a S.219 Covenant on the title to the property in favour of the Township of Esquimalt, restricting the installation of any gate across the vehicular manoeuvring aisle entrance, prior to the adoption of Bylaw No. 2825 and Bylaw No. 2827.

It is my understanding there are no outstanding issues for our proposal to proceed to Public Hearing with respect to the Official Community Plan Bylaw amendment outlined in item #1. Additionally we agree to register the covenant as outlined in item #3.

With regard to item #2, the presented Bylaw was given first reading with an expectation from Council we address questions raised during the May 05, 2014 meeting, prior to granting second reading.

Background

The updated proposal you see before you is a result of many months of consultation with neighbours, municipal departments and committees as well as several professional groups including Design, Landscape, Traffic, Arborist, and Energy experts. Before addressing Council's recommendations, I want to outline the changes that have been incorporated as a result of previous committee meetings. I believe this is important as it shows how the collaborative efforts of all those involved has seen the design evolve and mature – ultimately providing a superior proposal.

Since September 2013, I have presented a proposal twice to the Design Review Committee (DRC) and once to both the Advisory Planning Committee (APC) and the Parks and Recreation Committee (PRC). After each of these meetings, I was asked to review comments and make changes to the submission. As a result of the changes made, these committees have recommended support of the application.

Design Review Committee

Presentations were made at two separate meetings (September 11, 2013 and November 13, 2104). This is the summation of the recommendations from the both:

1. That there be a stronger living space;
2. That there be stronger entrances facing towards Tillicum Road and the Park;
3. Site grade should be better incorporated into the design;
4. That there be a stronger emphasis on the gardens;
5. That there be less concentration on cars;
6. That it feels too much like an autocourt;
7. That there be more pedestrian connectivity;
8. That there more access to the park from the site, perhaps a gateway;
9. That the applicant incorporate a diversity of materials and colour possibly including permeable surfaces in the drive aisle;
10. That the retaining walls along the Tillicum Road frontage be re-built including consideration of incorporating modulation, signage and niches to enhance visual interest and improve the pedestrian realm of this sidewalk;
11. That the applicant consider enhancing the treatment of the western fence located at the end of the drive aisle;
12. That the applicant included environmental considerations (passive solar) when refining the architectural elevations design of the project.

In response to this, we made many changes to the design which include:

1. At the request of DRC, moved the entire development 2.0' towards the north (park side) and away from the south property line, resulting in more focus on the park. Additional relief to the south setback was provided by adding a tree in the back yard of all south units that will grow to the height of the 2nd floor deck and provide privacy for both the home owner and south neighbour.
2. Created a bolder front entrance on the east elevation through the use of materials and re-design to achieve stronger entrances facing Tillicum.
3. Added a private, recessed locking gate entry off Tillicum with a lit pathway that meanders through beautiful landscape to enhance the streetscape and provide pedestrian connectivity.
4. Included more trees (Cherry Trees at the request of DRC) along Tillicum to continue the 'park like' feel, to ensure screening of private spaces from the street and to provide a stronger emphasis on gardens. Additionally, we reduced patio size on south units and incorporated grass and plantings.
5. Moved buildings A / B further apart to create a common, secure greenway path and more access to the park. The gate will be secured for safety and will feature a pergola for added splendour. This separation

allowed for additional plantings to support stronger emphasis on gardens and more light into end units for stronger living spaces.

6. Emphasized 'green' landscaping in drive aisle to reduce the impact of hardscape and concentration of cars, by adding trees on either side of drive aisle and green screening all guest parking.
7. Incorporated a curved design pattern in the drive aisle using contrasting brushed and colored concrete to narrow the look of the drive aisle and to further reduce the impact of the hardscape.
8. Created a colored pedestrian pathway on the north side of the drive aisle to provide a visual cue for pedestrians and create more pedestrian connectivity.
9. Incorporated rain gardens and a decorative grate to capture storm water.
10. Replaced the entire retaining wall along the east frontage.
11. Added plantings along the western fence at the end of the drive aisle.
12. With respect to environmental considerations, we contracted Wendy Smith B.Sc., CEA of Performance Energy Advisors to conduct an energy survey of the proposal, and provide an EnerGuide rating, as required by the Township of Esquimalt. The rating achieved is '80', which committee members strongly commended during their review.

Advisory Planning Committee

The presentation to APC on December 17, 2013 was met with very favorable review. Members felt it was thorough and had responded well to the recommendations of the DRC. Only two recommendations resulted from this meeting:

1. That a tree impact study be provided for approval by the Township staff arborist and inclusion in the application; and
2. That confirmation be provided that rain gardens, proposed as part of the landscape plan, would be capable of capturing storm water from the rooftops of proposed Building B and Building D as identified in the site plan stamped "Received November 27, 2013".

On January 15, 2014 Talbot MacKenzie & Associates conducted a Tree Impact Study which has been incorporated into the application. Additionally, the Landscape Plan was updated to include the capture of storm water from the rooftops of Buildings B and D.

Parks and Recreation Committee

April 2, 2014 I presented the proposal to the Parks and Recreation committee. Subsequent recommendations include:

1. That the developer ensure funds are provided to install a single durable pathway linking the proposed common gate, located on the lot line abutting the park to the existing pedestrian pathway within the Esquimalt Gorge Park. Alignment of the trail and the location of the common gate to be determined on-site between the Developer and the Township to ensure for the best connection into the park with the least disruption to the existing vegetation.

2. That fencing, required to be installed along the lot line abutting the park, shall not be less than 1.8 metres in height to ensure appropriate separation between the public and private realm.
3. That fencing, required to be installed along the lot line abutting the park, shall not be visually permeable at a height less than 1.5 metres.
4. That fencing, required to be installed along the lot line abutting the park, shall be restricted to having a single common pedestrian access to Esquimalt Gorge Park. This fencing should be installed, maintained and if required replaced in the future by the Developer and subsequent Strata Committee.
5. That the Developer provide a detailed tree protection plan, acceptable to the Township, and that the necessary tree protection precautions are kept in place throughout the construction process to ensure that the park trees are not negatively impacted by construction.

With respect to items 1 and 5, Large & Co. agrees and will work cooperatively with the Parks and Recreation department. Items 2,3, and 4 have been addressed and show as modifications on this most recent proposal.

New Proposal

After the Council meeting on May 05, 2014 I met with Planning to summarize the comments and recommendations of Council. These include:

1. Review setbacks along the south and west property lines to mitigate overlooks and privacy.
2. Address window overlooks on the west property line.
3. Explore the inclusion of an electric car charge parking stall.
4. Consider the Public Arts Policy when designing the retaining wall.
5. Review environmental considerations (e.g. passive solar) for the development.

Setbacks – South and West Property Line

To relieve the south and west setbacks we have modified the proposal as follows:

1. Moved building C away from the west property line resulting in:

Setback	Original Proposal	Revised Proposal
West: To Wall Face	10.0' (3.05m)	17.45' (5.32m)
West: To Main Floor Deck	9.17' (2.80m)	16.58' (5.05m)

Note: The west property line angles away from Building C creating greater setbacks you move toward the north. The western setback at the front of Building C is **22.6' (6.91m)**.

2. Moved buildings C and D away from the south property line resulting in:

Setback	Original Proposal	Revised Proposal
South: To Wall Face	16.76' (5.11m)	18.40' (5.61m)
South: To Main Floor Deck	9.76' (2.98m)	11.40' (3.48m)

3. Moved building A away from the west property line resulting in:

Setback	Original Proposal	Revised Proposal
West: To Wall Face	14.79' (4.50m)	18.38' (5.59m)
West: To Main Floor Deck	13.03' (3.97m)	16.62' (5.06m)

Note: As with Building C, the west property line also angles away from Building A creating greater setbacks you move toward the north. The western setback at the back of Building A is **21.23' (6.42m)**.

Window Overlooks - West Property Line

1. Changed large dining room window on west elevation of Buildings A and C to a smaller piano window.
2. Incorporated Serbian Spruce trees into the landscape along the west property fence. These are 18 – 20' evergreen trees that will be planted strategically in groupings of 3 to minimize overlooks and maximize privacy.

Electric Car Charge

An electric car charge station has been added to the guest car stall on the north side of the site, between buildings A and B.

Public Arts Policy

Council asked us to incorporate some aspect of the Public Arts Policy when rebuilding the retaining wall along Tillicum. The Policy indicates that art work may be incorporated into ...' civic infrastructure and furnishings such as gates, streetlights or signage...'. To this end, the proposal is to incorporate the 'ParkView' sign on or within the new retaining wall. It will blend into and become part of the streetscape. The goal is to maintain an overall impression for the entire development that speaks to good design with no one element overpowering or distracting.

Environmental Considerations

As mentioned previously, a professional report outlining highlighting that ParkView will have an EnerGuide rating of '80' was included in the original application. With this rating the proposal meets the environmental standards for the municipality.

Other Enhancements

In addition to the suggestions from Council, a few other enhancements have been incorporated in the revised proposal:

1. Added 3 bicycle parking stalls.
2. Added one motor scooter parking stall.
3. Due to the movement of the buildings, incorporated additional landscaping in the rear yards of units 5-10, and adjacent units 1 and 5.
4. *Note: All Parks and Recreation Committee suggestions are also included in the revised proposal.*

Conclusion

Thank you for considering our revised proposal. ParkView is a wonderful opportunity to encourage families to own a *new* home in the township of Esquimalt, and avoid the commute from Langford. Proximity to all amenities as well as the outdoor spaces of Gorge Park, its walk-ability and affordability, makes ParkView a very desirable community to live.

I trust my revised proposal meets with your approval and I respectfully request Council to recommend the application be granted second reading and be moved forward to Public Hearing.

Sincerely,


Kim Colpman, Applicant for
Large & Co. Developers

c: 250-893-0397

e: kjcolpman@gmail.com



LADR LANDSCAPE ARCHITECTS

28-495 DUFFLIN RD
VICTORIA, BC
V8Z 1B5

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ADMIN@LADRLA.CA
WWW.LADRLA.CA

Staff Report DEV-14-050
Schedule "O" - LADR - Stormwater
Maangemnet Letter

January 13, 2014

Mayor and Council
Corporation of the Township of Esquimalt
Municipal Hall
1229 Esquimalt Road
Esquimalt, BC V9A 3P1

Dear Mayor Desjardins and Councilors,

Re: OCP Amendment and Rezoning Application for 1060 Tillicum Road

We are pleased to advise you that after presenting to and receiving feedback from Esquimalt's Design Review and Advisory Planning Committees, LADR has reviewed on-site stormwater management opportunities for this project with Delcan Civil Engineering consultants and, as a result, the project will incorporate roof water discharge from units 10 and 5 into adjacent absorbent landscape areas via disconnected rain leaders. The roof water from these two units will be directed to the adjacent east facing absorbent landscape where it will be allowed to infiltrate. To handle overflow that may occur during occasional large rain events, a lawn drain connected to the storm system will be provided for each discharge area. This approach allows for introduction of a stormwater management initiative as recommended by APC, and, at the same time, protects the 'gateway' streetscape aesthetic recommended by the Design Review Committee. It is one of the stormwater management strategies recommended in Greater Vancouver's 'Stormwater Source Control Design Guidelines 2012'.

Additional stormwater management will be provided by the absorbent landscape throughout the project site, through: crown (tree canopy) interception; throughfall and stemflow; evapotranspiration; soil infiltration; and surface vegetation.

We trust this information is of interest. Please do not hesitate to contact our office if you have any questions or require additional information. Thank you.

Yours very truly,
LADR Landscape Architects

Bev Windjack, MBCSLA, CSLA, ASLA, LEED® AP B, D+C





Talbot Mackenzie & Associates

Consulting Arborists

Staff Report DEV-14-050
Schedule "P" – Arborist Report

January 15, 2014

Large & Co.
607 Vancouver Street
Victoria, BC V8V 3T9

Attention: Phil Large



Re: Parkview - 1060 Tillicum Road

During our November 14, 2013 site visit, at your request, we examined a row of trees that is located within Gorge Park and where it borders the property at 1060 Tillicum Road. We also reviewed the plans for the proposed redevelopment of this property and determined the potential impact of this proposal on the municipal park trees.

With the exception of Grand fir #6, the trees are not native species and all are exhibiting some indicators of health stress or decline. The information regarding these trees was entered on a tree resource spreadsheet, which you will find attached to this report.

It is our opinion, from the information compiled during our site visit, that the excavation for the building footprint will not have an unreasonable or detrimental impact on the park trees. However, precautions need to be observed during the construction phase to isolate and protect the critical root zones of the park trees from the construction impacts by erecting barrier fencing. Where possible, the fencing should be erected at the perimeter of the critical root zones, as defined in our tree resource spreadsheet. Where the building footprint and or patio areas encroach within the critical root zone areas, the fencing should be erected one metre off the edge of the building footprint.

The patio areas do encroach within these defined critical root zone areas, but the fencing can be relocated at the time that the patios are constructed. In addition, the patio areas must be designed at a grade that permits them to be floated over the root zones of the trees, with little or no excavation below the existing grade.

To reiterate, it is our opinion that the project can be completed without having a detrimental impact on the park trees, if the precautions outlined above are followed.

Box 48153 RPO Uptown
Victoria, BC V8Z 7H6
Ph: (250) 479-8733 ~ Fax: (250) 479-7050
Email: treehelp@telus.net

..../2

Please do not hesitate to call us at 250-479-8733 should you have any further questions.

Thank you.

Yours truly,



Tom Talbot & Graham Mackenzie
ISA Certified, & Consulting Arborists

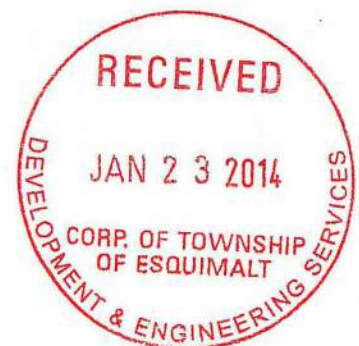
Enclosures: Tree Resource spreadsheet, tree location diagram

Disclosure Statement

Arborists are professionals who examine trees and use their training, knowledge and experience to recommend techniques and procedures that will improve the health and structure of individual trees or group of trees, or to mitigate associated risks.

Trees are living organisms, whose health and structure change, and are influenced by age, continued growth, climate, weather conditions, and insect and disease pathogens. Indicators of structural weakness and disease are often hidden within the tree structure or beneath the ground. It is not possible for an arborist to identify every flaw or condition that could result in failure nor can he/she guarantee that the tree will remain healthy and free of risk.

Remedial care and mitigation measures recommended are based on the visible and detectable indicators present at the time of the examination and cannot be guaranteed to alleviate all symptoms or to mitigate all risk posed.



Box 48153 RPO Uptown
Victoria, BC V8Z 7H6
Ph: (250) 479-8733 ~ Fax: (250) 479-7050
Email: treehelp@telus.net

January 14, 2012

TREE RESOURCE
for Parkview - 1060 Tillicum Road

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<i>Tree #</i>	<i>d.b.h. (cm)</i>	<i>PRZ</i>	<i>CRZ</i>	<i>Species</i>	<i>Crown Spread(m)</i>	<i>Condition Health</i>	<i>Condition Structure</i>	<i>Relative Tolerance</i>	<i>Remarks / Recommendations</i>
1	85	15.3	8.5	Austrian pine	12.0	fair	good	good	Multiple stems.
2	50	9.0	5.0	Scots pine	10.0	fair	fair	good	Significant trunk lean. Surface root development.
3	33	5.9	4.0	Norway spruce	7.0	fair	good	moderate	Sparse foliage in lower canopy. Some health stress.
4	36	6.5	4.3	Norway spruce	8.0	poor	poor	moderate	Sparse foliage throughout canopy. Declining health. Indicators of insect infestation and disease infection. Extensive sapsucker injury on trunk. Multiple growth leaders with a weakness at the stem union.
5	45	8.1	5.5	Norway spruce	9.0	fair	good	moderate	Some sapsucker injury on trunk. Minor health stress.
6	66	11.9	9.5	Grand fir	10.0	poor	fair	poor	Decline and dieback in upper half of the canopy. Co-dominant growth leaders.

Prepared by:
Talbot Mackenzie & Associates
ISA Certified, and Consulting Arborists
Phone: (250) 479-8733
Fax: (250) 479-7050
email: Treehelp@telus.net



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Important

This map is for general information purposes only. The Capital Regional District (CRD) makes no representations or warranties regarding the accuracy or completeness of this map or the suitability of the map for any purpose. This map is not for navigation. The CRD will not be liable for any damage, loss or injury resulting from the use of the map or information on the map and the map may be changed by the CRD at any time.

Printed Thu, Jan 16, 2014



1060 Tillicum

Regional Community Atlas

Capital Regional District
gis@crd.bc.ca
<http://www.crd.bc.ca>





CORPORATION OF THE TOWNSHIP OF ESQUIMALT

COUNCIL POLICY

Staff Report DEV-14-050
Schedule "Q" – Council Policy Plan-25

**TITLE: Public Input on Rezoning and OCP
Amendment Applications**

NO. PLAN - 25

POLICY:

1. Applications for a change in zoning or amendment to the Official Community Plan to permit an increase in residential density or a change of land use are subject to this Policy. Prior to submitting an application for an increase in residential density or a change of land use, the applicant is required to consult with neighbouring residents and property owners within a 100 metre radius of the subject property to solicit their opinions so that, if possible, the proposal can be revised to address their concerns.
2. Applications which would result in a change to the Official Community Plan or Zoning Bylaw shall not be forwarded to the Advisory Planning Commission or a Committee of Council until a public meeting to solicit public input has been held and written documentation which clearly indicates the opinions of neighbouring residents and property owners has been provided [see point 4) below].
3. Notice of the required public meeting shall:
 - (a) include the date, time and place of the public meeting;
 - (b) be delivered by mail or by hand at least three days before and not more than 10 days before the meeting;
 - (c) the notice must provide a general description of the proposal and include a contact person and their telephone number;
4. The public meeting shall
 - (a) be held at the subject property or another location in the immediate neighbourhood;
 - (b) if the meeting is not held at the development site [subject property] sufficient graphic materials and photographs should be available to familiarize attendees with the location and physical characteristics of the site and show how the proposed development would appear once constructed.
5. Documentation of neighbouring residents' and property owners' opinions shall consist of:
 - (a) a map showing properties within a 100 metre radius of the subject property and colour-coded or otherwise marked to indicate owners and residents

EFFECTIVE DATE:
May 2, 2011

APPROVED BY:
Council

REFERENCE

AMENDS NO.
Original

PAGE 1 OF 2

TITLE: Public Input on Rezoning and OCP Amendment Applications	NO. PLAN - 25
<p>support for or opposition to the proposed development; and</p> <p>(b) letters signed by owners and residents of properties within 100 metres of the subject property indicating their support for or opposition to the proposed development.</p> <p>5. Persons considering the submission of a request for an Official Community Plan amendment or change of zoning to permit an increase in residential density or a change of land use shall be provided a copy of this Council Policy. A copy of this Policy shall be placed in the Development Services department in public view.</p>	

EFFECTIVE DATE: May 2, 2011	APPROVED BY: Council	REFERENCE	AMENDS NO. Original	PAGE 2 OF 2
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Planning Department,
Township of Esquimalt
527 Fraser Street
Esquimalt, BC V9A 1A1

November 27, 2013

Re: 1060 Tillicum ParkView – Neighbourhood Consultation

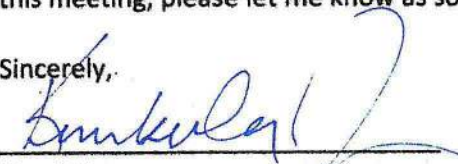
As part of the requirement for our rezoning application we have conducted a thorough consultation with the neighbours surrounding the subject property. Our approach includes personal one-on-one meetings to explain our proposal and give people an opportunity to ask questions and provide input. We expanded our consultation beyond the 100m requirement to those neighbours we felt had a sight line or a connection to the subject property. Where possible, and where people were willing, we collected letters from these neighbours, which are included in this package.

Additionally, we held a Community Meeting on September 04, 2013 at the Royal Canadian Legion Board Room. A letter from the ERA Director summarizing this meeting is included in this package - 'In general, no one was opposed to the concept of townhouses on this site.'

As a result of our consultation, there is 100% support for building ten townhouses on this property. The Pub Owners across the street did however, raise questions regarding traffic and the possibility of a crosswalk. As part of our application, we submitted a detailed Traffic Report (Bundt and Associates) that provided options to address these concerns. Your Engineering department has reviewed and accepted this report. As well, one neighbour believes the guest parking may not be enough, but is not opposed to the townhouse concept.

I understand this package is required prior the APC meeting. If there is anything more you need prior to this meeting, please let me know as soon as possible.

Sincerely,


Kim Colpman
Large and Co. Developers



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September 25, 2013

Kim,

Thank you for presenting your proposal to rezone the property at 1060 Tillicum and construct 10 Strata Townhouse Residential units to the community on September 04, 2013. Directors of the ERA found the presentation informative, sorry we could not stay for the entire meeting due to a prior commitment.

To summarize the meeting I would say it was well attended and that you explained how you wish to proceed with the project. In terms of design, some did not like the colors others liked it or had no comment. The items of concern raised in the meeting while we were in attendance were:

- a) The impact on traffic with additional cars on Tillicum and the access to/from the site. You did explain that a certified Traffic Engineer had done a Traffic Report. They concluded there will be no impact on the amount of traffic and that options had been provided to the Township to improve exiting/entering the development. Comments were made that this may be an opportunity for you and the Township to work together to correct the entrance into Gorge Park and your complex at the same time.
- b) The difficulty of pedestrians crossing Tillicum and the need for a crosswalk. Perhaps this is a chance for you and the Township to work together and determine if a crosswalk is feasible.
- c) Some residents felt that Esquimalt needed three-bedroom townhouses. This would be more suitable to families with children.
- d) One resident was concerned about sufficient parking on site for owners and visitors.

In general, we did not hear anyone opposed to the concept of townhouses on this site and some felt this was a good use of the property.

Sincerely,
Peter Ryan
ERA Director

1060 Tillicum - Park View Neighbour Consultation

Address	Name	Date Seen	In Favor?			Letter?	Comments
			Yes	No	Neutral		
1060 Gosper	Sharon and Ken Moulson	July 26	<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>	In favor of the development proposal. Concerns regarding guest parking.
1063 Gosper	Diane	Jan 23	<input checked="" type="checkbox"/>				Happy with development concept and is not interested in meeting again or signing a letter.
1064 Gosper	Audrey Farnden	July 18			<input checked="" type="checkbox"/>		
1066 Gosper	Tracey Werry	July 18	<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>	
1067 Gosper	Lorne and Bev Armstrong	Jan 23 June 25	<input checked="" type="checkbox"/>				At initial meeting were in favor of concept but wanted to see more detailed Plans. Met again to show plans and they really liked the design and concept. Offered to provide letter of support, have followed up, however not received it at time of submission.
1071 Gosper	Bill and Caroline Greg	July 18	<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>	
1075 Gosper							Tried three times. Left notice for Community Meeting in mailbox.
1097 Gosper							Tried three times. Left notice for Community Meeting in mailbox.
918 McNaughton	Ramona	July 23					Spoke at front door briefly. Left my card to contact me if any concerns. No feedback received.
919 McNaughton	Ashley Ortega	July 22	<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>	
1033 Tillicum							Tried three times (would not answer door). Left notice for Community Meeting in mailbox.
1037 Tillicum							Tried three times. Left notice for Community Meeting in mailbox.
1040 Tillicum	Holly Webb	July 17	<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>	
1044/46 Tillicum	Joe Degroot	July 25	<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>	
1047 Tillicum/926 McNaughton	Paul Smith	Aug 28	<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>	
1048 Tillicum	Nancy	July 25	<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>	
1050 Tillicum	Stacey Tlucko	July 17	<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>	
1048/50 Tillicum	Don Mollard (Owner)	Sept 6	<input checked="" type="checkbox"/>				Attended Public Meeting and called me to follow up. In favor of development. Offered to provide letter of support, have followed up, however not received it at

Submitted Nov 27, 2013

1060 Tillicum - Park View Neighbour Consultation

Address	Name	Date Seen	In Favor?			Letter?	Comments
			Yes	No	Neutral		
							time of submission.
1051 Tillicum							Tried three times (would not answer door). Left notice for Community Meeting in mailbox.
1052/54 Tillicum			<input checked="" type="checkbox"/>				Contacted owner and was referred to the owner's property advisor. Advisor indicated they had no issues with development proposal but did not provide letter.
Gorge Pub	Jim Legh and Tom Burley	July 26	<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>	Owners are not opposed but are concerned about pedestrian safety and would like to see a cross walk between our development and the Pub..
Gorge Point	Canvassed Neighbours with view to property. <i>All residents notified via Strata Chair (Sue Hanley) re: Public Meeting</i>						
110							Tried three times. Owner is Navy and mostly away.
111							Vacant at time of canvassing.
112							Tried three times.
210							Vacant. Unit in Probate
211	Rosemary Waldie	July 22	<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>	
212		July 22			<input checked="" type="checkbox"/>		Has no comment, no objections but does not want to sign a letter.
308							Vacant. Resident recently passed.
309							Tried three times.
310	John Barton	July 22	<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>	
406							Tried three times.
407	E. Merkel	July 22	<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>	
408	P. Madeley	July 22	<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>	

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RE: Development Proposal for 1060 Tillicum Road

A representative from Large and Co met with ~~me~~ us to review their plans for a 10 unit townhouse development at 1060 Tillicum Road. ~~We~~ We had opportunity to comment and ask questions on the proposal.

Comments: See Attached

Name: Ken & Sharon Moulson

Address: 1060 Gosper Crescent

Signature: SA Moulson

Date: July 28, 2013

The townhome development proposal as presented and shown by Kim Colpman appears to be a reasonable plan for the development of the property at 1060 Tillicum. At first glance the development would certainly enhance this property which has been allowed to deteriorate over the past few years and we applaud Large & Co for bringing a quality development to Esquimalt. Anything that enhances the image of Esquimalt is welcome. Hopefully the strata council will maintain the property especially as it will be visible to people entering the Gorge Park.

Parking for this development is our **primary** concern and Kim addressed our concerns by clarifying that each townhome will have 2 parking spots assigned to it (one in a covered garage) and one in front of each townhome. However, we are **NOT** convinced that **3** guest spots will be sufficient and if you take into account that there is no parking on Tillicum Road in front of the proposed development, there is a high probability that Gosper Crescent will be the parking spot of choice as the trail through Gorge Park to Tillicum provides convenient access to the development. As residents of this particular area of Gosper Crescent we currently must put up with employees of Gorge Pointe Pub parking here and we have had no success with Esquimalt in solving this problem. It appears that, in Esquimalt, there is no legal requirement for any development, commercial or otherwise, to park anywhere specific therefore public streets become the option. Esquimalt appears not to care that the residents of such streets must either endure the parking problem or petition for *residential only parking* at a cost to the municipality. The Gorge Pointe Pub and The Ironwood townhome development are two examples.

Therefore, we request that our concern with guest parking issues connected to this proposed development be noted.

RE: Development Proposal for 1060 Tillicum Road

A representative from Large and Co met with me/us to review their plans for a 10 unit townhouse development at 1060 Tillicum Road. I/we had opportunity to comment and ask questions on the proposal.

Comments: it would be nice to have
a family oriented units to get
more kids in the neighbourhood.

Name: Tracey Werry

Address: 1066 Gosper Cres

Signature: Werry

Date: July 18th, 2013

Kim Colpman

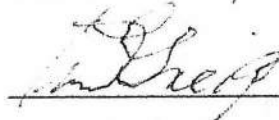
RE: Development Proposal for 1060 Tillicum Road

A representative from Large and Co met with me/us to review their plans for a **10** unit townhouse development at 1060 Tillicum Road. I/we had opportunity to comment and ask questions on the proposal.

Comments: Thank you for your visit, and
presentation as per the Drawings,
conforming to the development
proposal. We have no objection
and are quite relieved that the
subject was not a Condominium
matter

Name: William (Bill) GREIG (1071 Gosper Cres)

Address: 1071 GOSPER CRES ESQUIMALT

Signature: 

Date: 20th July 2013

RE: Development Proposal for 1060 Tillicum Road

A representative from Large and Co met with me/us to review their plans for a 10 unit townhouse development at 1060 Tillicum Road. I/we had opportunity to comment and ask questions on the proposal.

Comments: I have no issues with the
development as presented.

Name: Ashley Ortega

Address: 919 McNAUGHTON AVE

Signature: Ashley Ortega

Date: July 22 / 2013

RE: Development Proposal for 1060 Tillicum Road

A representative from Large and Co met with me/us to review their plans for a 10 unit townhouse development at 1060 Tillicum Road. I/we had opportunity to comment and ask questions on the proposal.

Comments: OK with townhouse
project as presented.

Name: Holly Webb

Address: 1040 Tillicum RD

Signature: Holly Webb

Date: July 17/13

RE: Development Proposal for 1060 Tillicum Road

A representative from Large and Co met with me/us to review their plans for a 10 unit townhouse development at 1060 Tillicum Road. I/we had opportunity to comment and ask questions on the proposal.

Comments: Looks good

Name: R.J. Dillbrook

Address: 1046 + 1044 TILlicum

Signature: R.J. Dillbrook

Date: 25 JULY 2013

Paul Smith

1047 Tillicum rd.
Esquimalt, B.C.

1 October, 2013

Kim Colman
Owner Agent
1060 Tillicum rd.
Esquimalt, B.C.

Dear Kim,

Thank you for taking the time to discuss and the information regarding the rezoning of 1060 Tillicum to a multi-family townhouse use of property.

The site plan has nice views of the park, and the new construction will be a welcome addition to the 1000 block of Tillicum rd.

Sincerely yours,

Paul Smith

RE: Development Proposal for 1060 Tillicum Road

A representative from Large and Co met with me/us to review their plans for a 10 unit townhouse development at 1060 Tillicum Road. I/we had opportunity to comment and ask questions on the proposal.

Comments:

Good idea - always a need.

Name:

Nancy A. MARSON

Address:

1048 TILlicum Rd.

Signature:

N. A. Marson

Date:

July 28/13.

RE: Development Proposal for 1060 Tillicum Road

A representative from Large and Co met with me/us to review their plans for a 10 unit townhouse development at 1060 Tillicum Road. I/we had opportunity to comment and ask questions on the proposal.

Comments: I support the townhouse
project as presented.

Name: Stacey Tucker

Address: 1050 Tillicum Rd

Signature: Stacey Tucker

Date: July 18 2013

RE: Development Proposal for 1060 Tillicum Road

A representative from Large and Co met with me/us to review their plans for a 10 unit townhouse development at 1060 Tillicum Road. We had opportunity to comment and ask questions on the proposal.

Comments: Doesn't really affect our view.
No objection so long as it is
aesthetically pleasing. (nicely landscaped)

Name: R WALDIE (Rosemary)

Address: 211- 1085 TILlicum.

Signature: Rwaldie

Date: July 22/2013

RE: Development Proposal for 1060 Tillicum Road

A representative from Large and Co met with me/us to review their plans for a 10 unit townhouse development at 1060 Tillicum Road. I/we had opportunity to comment and ask questions on the proposal.

Comments:

No Problem.

Name:

John W. Bartor

Address:

310-1080' TILlicum

Signature:

John W. Bartor

Date:

July 22/13

RE: Development Proposal for 1060 Tillicum Road

A representative from Large and Co met with me/us to review their plans for a 10 unit townhouse development at 1060 Tillicum Road. I/we had opportunity to comment and ask questions on the proposal.

Comments: Would not bother me. No
objections to townhouse plan
presented.

Name: E. MERKEL

Address: 407B 1085 Tillicum Rd.

Signature: Elfriede Merkel

Date: July 22, 2013

RE: Development Proposal for 1060 Tillicum Road

A representative from Large and Co met with me/us to review their plans for a 10 unit townhouse development at 1060 Tillicum Road. I/we had opportunity to comment and ask questions on the proposal.

Comments: NO OBJECTIONS AT ALL
SOUND LIKE GOOD PLAN

Name: P. H. Madley

Address: 408-1085 TILlicum:

Signature: P. H. Madley

Date: July 22nd 13

Trevor Parkes

From: Audrey Farnden
Sent: March 19, 2014 12:21 PM
To: Trevor Parkes
Subject: property at 1060 Tillicum Road

Staff Report DEV-14-050
Schedule "S" – Letter of Opposition
Audrey Farnden, 1064 Gosper Crescent

Trevor Parkes
Senior Planner
Township of Esquimalt

Last evening I read the information on the proposed townhouses at 1060 Tillicum Road. I am concerned that the lot coverage will be 36% instead of the approved 25% and that the allowed 9.0 metres height to mid-roof is to be extended to 9.6 metres. This says to me that the contractor is pushing the limits to see what he can get away with.

The current parking bylaw does not recommend tandem parking. This proposal for one car garages and three visitor spots seems very limited for ten townhouses. As a former Welcome Wagon Hostess I am well aware of the difficulties faced by visitors to townhouses, condominiums and apartments. In the past ten years this has become increasingly difficult with more cars per household. Indeed, on the part of Gosper Crescent where I live(1064) cars per household has more than doubled in the past 5 years. even though the area is well served by buses. This complex is in need of at least 5 visitor parking spots for eight townhouses instead of ten.

This report it states that there should be minimum visual intrusion into the privacy of the surrounding homes but shows that there will be considerable loss of privacy for homes at 1063, 1067 and 1071 Gosper by the height of building C.

Audrey Farnden
1064 Gosper Crescent



Rezoning Application Ref—1060 Tillicum Road // dated 12 — December 2013

The EXISTING ZONING is RM-3 Which is intended to ensure that any growth occurs in a manner to minimize visual intrusion onto the privacy of surrounding established properties.

On page 4 of the OCP Amendment and Rezoning a chart there displays clearly that this development is not meeting the requirements of RM-3 IN 8 OF 9 stated subjects.

It is my opinion that this development should not be approved until all affected surrounded properties and STATED ZONING Bylaws are complied with.

As a further item that requires some attention the entrance to the park is frequently used as a spillover PARKING LOT especially in weekend periods by the Gorge pub and I would assume this would be used in the same manner by the adjacent development if it is approved. I would suggest that NO parking signs be posted in a very visible manner at the park and also Gosper Crescent to protect the adjacent residential area from spillover also be considerations in these matters.

Thank you

Bill Greig (1071, Gosper Crescent)

Staff Report DEV-14-050
Schedule "T"- Letter of Opposition
Bill Greig, 1071 Gosper Crescent



May 23, 2014

Mayor and Council
Township of Esquimalt

Staff Report DEV-14-050
Schedule "U" – Letter of Opposition
Catherine Lunan, 1015 Gosper Crescent
Includes signed support from majority
of Gosper Crescent residents



RE: OCP AMENDMENT AND REZONING APPLICATION 1060 TILlicum ROAD

On May 28, 2014, Township of Esquimalt Senior Planner, Trevor Parkes, contacted me to discuss a misunderstanding of proposed traffic changes associated with the proposed townhouse development at 1060 Tillicum Road that formed part of letter I submitted to Mayor and Council on behalf of the residents of Gosper Crescent. As a result of my conversation with Mr. Parkes, I am submitting this updated letter and petition against the rezoning of this property and development on behalf of the residents of Gosper Crescent.

These are the following concerns that need to be addressed before considering approval of this application.

1. Increased traffic turning in and off Tillicum right after the Gorge bridge. There was a traffic study done by the developer stating that there would be no significant impact on traffic patterns. As residents, we completely disagree with this report. It is hard and dangerous enough presently to merge onto Tillicum from Gosper Crescent without increasing density of cars from a development right after the bridge being put in and increasing the traffic pressure on Tillicum. Although the lines are being amended to accommodate two cars turning into the townhouse complex, there will be increased traffic on the roadway and there is also the issue of how residents of the complex are going to exit potentially blocking lanes on Tillicum turning left and right. We, as the residents of Gosper Crescent, have no other place to exit but onto Tillicum and sometimes have to wait up to 10 minutes to get out from Gosper and even at that point it is very dangerous to merge. A solution would be for the developer to pay for sensor light on the second exit from Gosper nearest to the bridge so that a car from Gosper could safely mitigate onto Tillicum. The sensor light should not significantly back up traffic as it would only be a delay of a few seconds while a car turned.
2. There needs to be formal parking enforcement in Esquimalt. There will be some visitor parking and one parking spot per townhouse but most people have more than one vehicle so it is most likely that the extra vehicles will be parked on Gosper as it is a short walk on a pathway to the proposed site of the townhouses making it more dangerous for residents navigating the street and children playing on the street. Speaking with the residents they are frustrated currently with people from the Gorge Pointe Pub, Esquimalt yards and park users using their street as a parking lot and have communicated that although it is residential parking only, it is not enforced. The police are too busy to deal with the problem consistently and in a timely manner and there is no full time by law parking enforcement officer to deal with parking. The time has come for Esquimalt to either have a full time by law enforcement officer 24/7 with a number you can call

or contract it out to a company who will enforce parking by for example issuing stickers to residents and ticketing people that are not residents of the street. The enforcement and payment of these tickets should pay for the parking enforcement so there should be no significant cost to taxpayers.

3. That during construction of 1030 and 1060 Tillicum that there are no construction or construction workers vehicles parked all over Gosper making it more dangerous for the residents to navigate the crescent. The residents are frustrated enough with the parking without further aggravating the situation.
4. That all of the areas on Tillicum between Gorge and Craigflower are not going to be zoned to townhouses as there is a big difference between the density of traffic from duplexes on one lot to 10 townhouses on a two lots. Esquimalt should consider this very carefully when addressing the review of the OCP plan.
5. Environmental impacts on the park re: further development, construction, sewage, electrical, removal of trees. There needs to be further study on this before approval. Esquimalt needs to protect the natural environment of the park so that all residents of Esquimalt can enjoy the natural beauty of the park in the future.

Enclosed is a petition from the residents of Gosper Crescent with the understanding that the issues of parking and traffic remain the same no matter what amendments are in this letter.

Out of the whole crescent that this petition was presented to, there was only one household that did not favour this petition. I will be contacting the residents to attend the public forum for this development. My hope is that the council as a whole will carefully consider all of these concerns before approval rezoning and amendment of the OCP plan. This is a very important to all residents of Gosper Crescent and I do not want this to become a contentious issue between the Township of Esquimalt and the residents of this crescent. I have, hopefully, clearly relayed the concerns of the residents and have given suggestions to ensure that these concerns are addressed before any approval. We, as the residents of Gosper Crescent, feel that we need to take a stand on these issues now before this development or any other further development between the bridge and Craigflower. These changes must be made prior to any further consideration of any amendment to the Official Community Plan or changes to Zoning for this site as we do not want them to be implemented after the fact.

Thanks you for your attention in this matter and if you would like to contact me for any reason my number is below.

Yours truly,

Catherine Lunan



Canvass Petition

April 23/14

1060 Tillicum development right beside park

Proposal 10 strata townhouse units construction in 4 buildings on lot

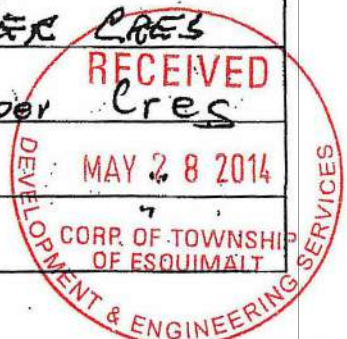
Has not passed the advisory commission yet

Concerns:

1. Parking on Gosper – there will be some visitor parking and one parking unit with each townhouse unit but most people do not have one vehicle so where are those extra vehicles going to be parked. There is a path that is a short distance through the park that leads to Gosper so extra vehicles will most likely be parked on Gosper where it is convenient. Right now there is a lot of vehicles parked on Gosper from residents which makes it increasingly hard to navigate the crescent and gives us less visual of the street which makes it dangerous for residents without the increased pressure of more vehicles parked on the crescent. The condo that was built on Tillicum is already parking sometimes on Gosper. We have no formal parking enforcement in Esquimalt. *Already dealing with Gorge Pub dev. parking, parking from Tillicum*
2. Increased traffic turning in and out off of Tillicum right after the Gorge bridge. There was a traffic study done on Tillicum by developer saying that there would be no significant impact on traffic patterns. We are not in agreement with this as it is hard enough merging onto Tillicum without more traffic turning in and out of a new townhouse complex even with a new merge lane being put onto Tillicum. If the developer wants to build a complex this situation needs to be addressed (ie. maybe developer paying for a traffic light on a sensor whereby if someone is trying to get out on Gosper it turns red on Tillicum so that we may safely get onto Tillicum). This safety situation must be addressed before any approval occurs.
3. The adjacent neighbours have no objection. My concern is that the neighbours have no objection as they also have the option to develop. This approval is setting a precedent for further subdivision and sub development which puts increasing pressure on traffic, parking and the environmental impact on the park.
4. Environmental impacts on the park re further development, construction, sewage electrical, removal of trees etc. I think there needs to be a study on this before approval.

<i>MARTIN FEA</i>	<i>1006 GOSPER CRES.</i>
<i>Thelma Davies</i>	<i>1016 GOSPER CRES.</i>
<i>John Lyons</i>	<i>1004 Gosper Cres</i>
<i>Neil</i>	<i>1097 Gosper cr</i>

Maika Anderson	1001 Gosper Crescent.
KIRSTY LAUDERDALE	1005 Gosper Cres.
ROSS LAUDERDALE	1005 Gosper Cres.
Patricia Nadeau.	1007 Gosper Cres.
Robert Moist	1010 Gosper Cres
Linda & Mark	1010 Gosper Cres
Elizabeth Williams	1012 Gosper Cr
Bryan Williams	1012 Gosper Cr
Bill Pope	1017 Gosper Cres.
Bill Pope	1017 Gosper Cr.
Bill Pope	1018 Gosper Cr.
Art Green	1022 Gosper Cr
Bill Pope	1024 Gosper Cr.
Bill Pope	1029 Gosper Cr
Shannon Childs	1023 Gosper Cres
Kenneth Hancock	1068 Gosper Cr
Laurie Hancock	1068 Gosper Cr.
Lorenzo Doll	1076 Gosper Cres.
Pete Jackson	1078 Gosper Cr.
Jean Jackson	1078 Gosper Cr.
Jane & Bob	1082 "
Elise & Bob	1082 "



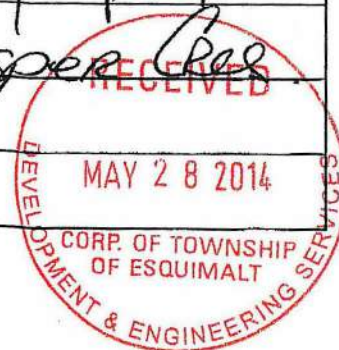
Kirk Stinchcombe *

* note that we do not object to this development per-se. However we
 are in support of the residents in voicing our strong concerns about the present
 safety and inconvenience with traffic situations at Gosper + Tillikum.

1084 " "

114

Wendy Artfield	1088 Gosper Crescent
Richard Duncy	1090 Gosper Crescent
Maple Duncy	1090 Gosper Cres.
Edna L. Duncy	1093 Gosper Cres
David W. Allen	1085 Gosper Cres.
S Woodford	1075 GOSPER CR.
Wm Greig	1071 Gosper Cr.
Grace	1067 Gosper Cres.
John Greig	1034 Gosper Cres
Edna Greig	1034 Gosper Crs.
Karate Duncy	1092 Gosper Cresc.
JB Inkpen	1092 GOSPER CRES.
Wm Farnham	1044 Gosper Cres.
MIKE ROTH	1054 Gosper Cres
R Fyfe	1052 Gosper
W. Harsley	1046 GOSPER.
A. Harsley	1046 Gosper
John Harsley	1042 Gosper
Chris Whimbey	1042 Gosper
Deborah Harsley	1006 Gosper Cres



Staff Report DEV-14-050
Schedule "V" – Letter of Support
Lorne Armstrong, 1067 Gosper
Crescent



Re: Development Proposal for 1060 Tillicum Road

A representative from Large and Co. (Kim Colpman) met with me/us to review their updated plans that were resubmitted to the municipality in May 2014, for a 10 unit townhouse development at 1060 Tillicum Road .

The changes to the original proposal were explained and we have no objections to this new proposal.


Comments: Garbage Enclosure & Containers
Our concern is to ensure that the garbage
containers are self locking and odour containing
A rubber or vinyl gasket at closure point
to inhibit vermin and insects

* Called Alpine to confirm secure bins will
be provided. Kim.

* Contacted home and Ber w this information - June 2/20

Name: LORNE ARMSTRONG

Address: 3355 TIBBITT CR. → 1067 GOSPER CR.

Signature: 

Date: 30/05/14

To: Esquimalt Municipal Council

From: Haley Kuppers and Ben Furtado
1063 Gosper Crescent, Esquimalt, BC

Re: Public Input on Variance Permit for Townhouse Development at 1060
Tillicum Road

Date: July 9th, 2014



Staff Report DEV-14-050
Schedule "W" – Letter of Opposition
Haley Kuppers and Ben Furtado, 1063
Gosper Crescent

We recently became owners of 1063 Gosper Crescent. Prior to purchasing the home we were informed of the potential redevelopment of 1060 Tillicum Road. We do not agree with the variance to zoning from duplex to a 10 unit townhouse development.

On June 18, 2014 the house on 1060 Tillicum was demolished and we had several concerns:

- 1) On multiple days work was done after 5 pm
- 2) High noise and dust levels
- 3) Site was only secured by ribbon tape and we have observed numerous people walking in the ribboned off-zone and on the demolition rubble.
- 4) Workers observed on site did not follow Health and Safety procedures – no hearing protections, no dust masks, no safety vests and smoking inside excavator cab.
- 5) The unsightly and unattractive demolition rubble has not been removed for approximately 3 weeks.

In light of these infractions the contractor is demonstrating little concern about the impact of this development on our neighbourhood. Our expectation is that construction is done during working hours and at a high level of safety.

Of greater concern to us is the proposed high density of this rezoning proposal. A project of 10 townhouses on 2 lots is unacceptable to us for the following reasons:

1) Our visual and noise privacy would be compromised based on the positioning of 10 townhomes adjacent to our property

- A) decks and windows overlook our property from a higher height than the rest of our zoned area allowing townhouse dwellers to see into our yard which we feel is not an acceptable level of redevelopment
- B) trees on the property line and adjacent to the proposed redevelopment enhance current privacy and noise control and we do not want these trees to be removed and do not want to compromise on our privacy

C) we want to confirm that a 6-8 foot fence with fast-growing trees and shrubs to maximize privacy and noise levels would be incorporated with the landscape between the properties

2) A major concern we have is related to the increased traffic levels of this proposal.

A) 3 visitor parking spaces for 10 townhouse units is absolutely unrealistic considering occupants may have more than one vehicle and may not use their garages for parking. We feel the current zoning is in place to keep the parking density at a safe level

B) Tillicum Road is a high traffic road throughout the day and there will be an increased safety risk should the density of this development be for 10 townhomes. In addition to the turn into the park and to Gosper Crescent the proposed development will create potential for increased accidents for vehicles turning out of the development and for vehicles turning out of Gosper Crescent. This is already a problem for Gosper residents merging onto Tillicum for speeding traffic coming from Craigflower and the Tillicum Bridge. Now drivers coming from both directions on Tillicum will have more dangerous traffic conditions.

C) A sensor light for Gosper residents would be highly important

D) There are currently no markings on Tillicum to promote pedestrian or pedal bike safety

3) Minimal parking provided for the townhouses will impact parking levels of our residential neighbourhood.

A) There are already issues with increased overflow parking from the Kinsmen Gorge Park. This results in numerous vehicles parked in front of our property, providing a visually unappealing gateway to the park.

B) Overflow parking from the proposed Townhouses is a short walk down the path beside our property but will increase traffic on the crescent and specifically in front of our single family residence. Current zoning for our street will be infringed upon

We expect the rezoning development of 1060 Tillicum Road to respect the current density values of this residential neighbourhood. Our experience with the developer thus far has shown little attention to the negative impact on our neighbourhood. We hope the District of Esquimalt prioritizes the needs of the Gosper Crescent neighbourhood which is zoned to value family safety, privacy and low traffic. This neighbourhood was meant to be a quiet street with a community park and this proposal should be configured according to the safety and values of the existing neighbourhood.



Trevor Parkes

From: Lee Thorpe
Sent: July 9, 2014 9:13 PM
To: Council; Trevor Parkes; (b) (6)
Subject: 1060 Tillicum Road

Staff Report DEV-14-050
Schedule "X" – Letter of Opposition
Lee and Rolly Thorp, 1071 Gosper Crescent

We, Lee and Rolly Thorpe, own a home at 1017 Gosper Crescent.

We have a concern about the proposed development of ten townhouse units at 1060 Tillicum Road.

We believe that there is insufficient parking space for vehicles in a development of this size. This will result in townhouse residents and their guests parking on Gosper Crescent or in The Gorge Park. Gosper Crescent is already congested by vehicles parked on the street and overflow from the townhouse units will make it worse.

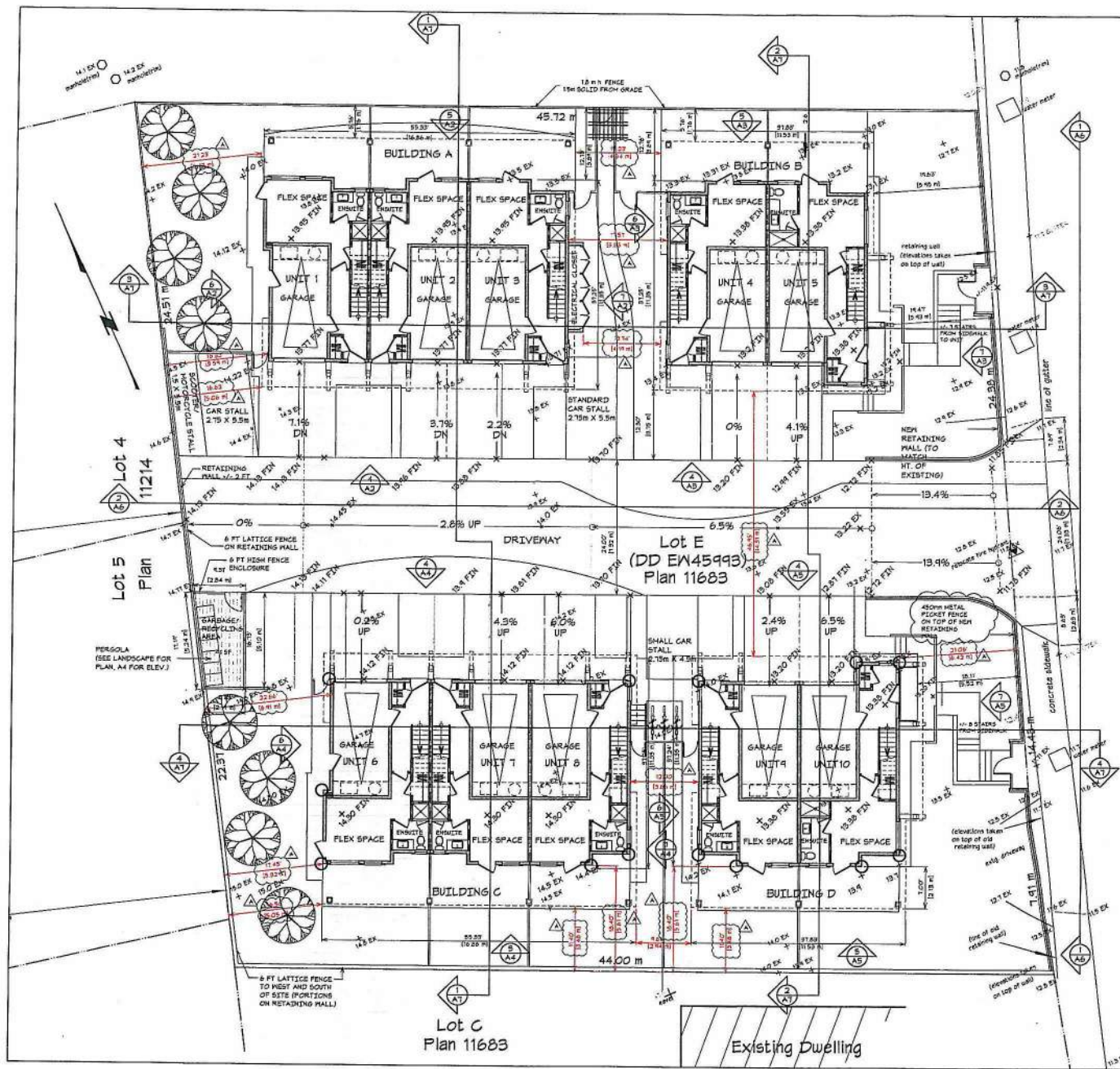
The other concern we have is vehicles from the townhouses entering Tillicum Road, or turning into the complex from Tillicum Road. It is already very difficult to turn onto Tillicum Road from Gosper Crescent. This additional traffic will increase congestion and create more of a safety hazard. There is already considerable traffic from the Gorge Point Pub and the park. A suitable turning lane and traffic light might mitigate some of these issues.

We understand that these two lots are zoned for duplexes. Two duplexes will have much less traffic than ten townhouses.

Sincerely,

Lee and Rolly Thorpe





PROJECT DATA

LEGAL DESCRIPTION:
Lot E (DD EN45993), Plan 11683,
Section 10, Esquimalt District.

SITE AREA 2,012.4 m² (22,312 SF)

NO. OF UNITS 10

FAR (15,351/22,312) = .64

BUILDING A
AVG GRADE = 45.21' (13.78 m)
BUILDING HT = 30.5' (9.24 m)

TOTAL FLOOR AREA BLDG A 4,616 SF

BUILDING B
AVG GRADE = 45.5' (13.26 m)
BUILDING HT = 30.30' (9.24 m)

TOTAL AREA BLDG B 3,075 SF

BUILDING C
AVG GRADE = 41.6' (12.68 m)
BUILDING HT = 29.0' (8.84 m)

TOTAL AREA BLDG C 4,585 SF

BUILDING D
AVG GRADE = 45.3' (13.81 m)
BUILDING HT = 28.5' (8.64 m)

TOTAL AREA BLDG D 3,075 SF

TOTAL GROSS FLOOR AREA 15,351 SF (1426 m²)

PERSONAL STRUCTURES
(8 GARAGE/RECYCLING AREA)
HEIGHT OF STRUCTURE = 8.0' (2.44 m)
(FROM FINISHED GRADE)

TOTAL AREA BELOW RECYCLE PERSONA 141 SF (13.1 m²)
TOTAL AREA BELOW PARK ENTRY PERGOLA 29 SF (2.7 m²)

SITE COVERAGE
BLDG A 2,456 SF
BLDG B 1,720 SF
BLDG C 2,410 SF
BLDG D 1,733 SF
PERGOLA A 141 SF
PERGOLA B 29 SF
TOTAL 8,465 SF

COVERAGE = 8,465/22,312 = 37.88% = 38%

SETBACKS

BUILDING A
NORTH TO WALL FACE: 12.16' (3.64 m)
EAST TO MAIN FLR DECK: 9.76' (2.97 m)
SOUTH N/A (14.8/14.54 m TO BLDG B)
WEST N/A (46.95/14.31 m TO BLDG C, MAIN FLOOR DECK)

BUILDING B
NORTH TO WALL FACE: 12.16' (3.64 m)
EAST TO MAIN FLR DECK: 9.76' (2.97 m)
SOUTH TO WALL FACE: 19.62' (5.96 m)
WEST TO MAIN FLR DECK: 18.44' (5.71 m)

BUILDING C
NORTH N/A (46.95/14.31 m TO BLDG A, MAIN FLOOR DECK)
EAST N/A (46.95/14.31 m TO BLDG B, MAIN FLOOR DECK)
SOUTH TO WALL FACE: 11.4' (3.46 m)
WEST TO MAIN FLR DECK: 11.45' (3.48 m)

BUILDING D
NORTH N/A (46.95/14.31 m TO BLDG B, MAIN FLOOR DECK)
EAST TO WALL FACE: 21.06' (6.42 m)
SOUTH TO COLUMN & CANOPY: 10.11' (3.02 m)
WEST TO MAIN FLR DECK: 11.4' (3.46 m)

PARKING COVERED 10 STALLS



ZEBRADESIGN

1161 NEWPORT AVE
Victoria, B.C. V8S 5E6
Phone: (250) 360-2144 Fax: (250) 368-2115

Drawn By:

Date: MAY 23, 2014

Scale: 1/8"=1'-0"

Project:
Proposed Townhouses
1060 Tillamook Rd.
Esquimalt, BC

Title:

SITE PLAN

Revision:

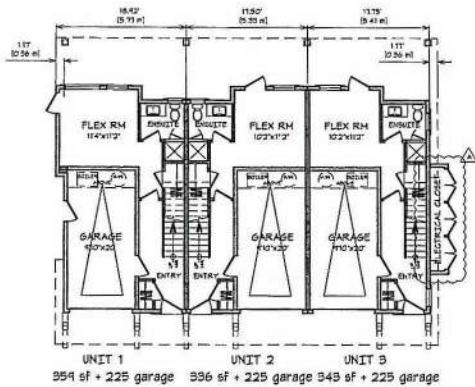
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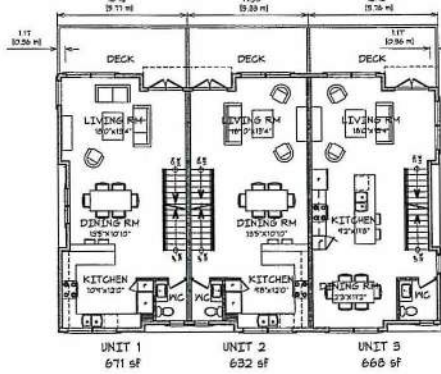
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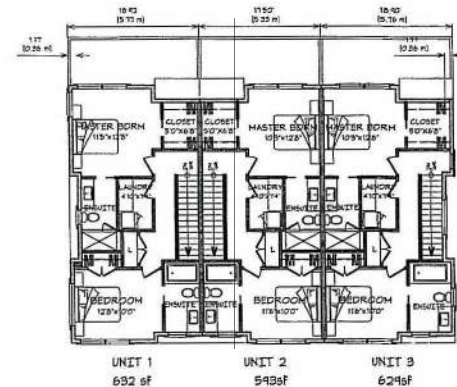
Staff Report DEV-14-050
Schedule "Y" – Architectural Plans/
Landscaping Concept Plan



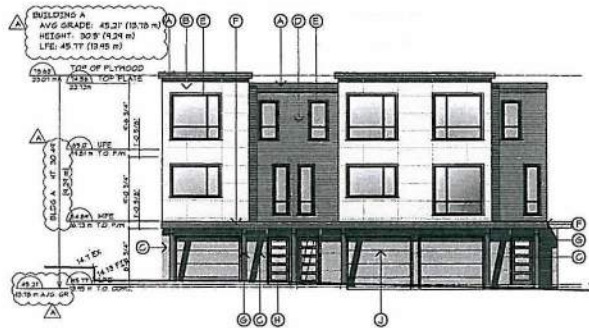
1
A2 BUILDING A: ENTRY FLOOR PLAN
SCALE: 1/8" = 1'-0"



2
A2 BUILDING A: MAIN FLOOR PLAN
SCALE: 1/8" = 1'-0"



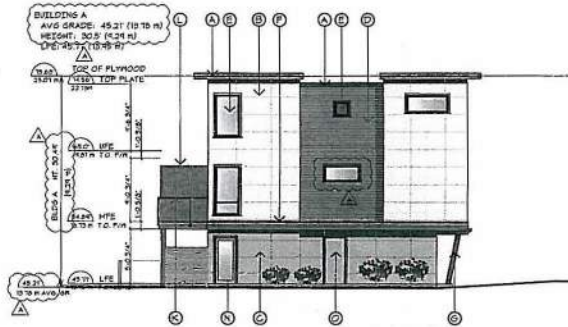
3
A2 BUILDING A: UPPER FLOOR PLAN
SCALE: 1/8" = 1'-0"



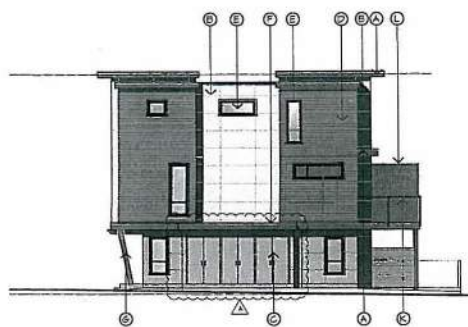
4
A2 BUILDING A: SOUTH ELEVATION
SCALE: 1/8" = 1'-0"



5
A2 BUILDING A: NORTH ELEVATION
SCALE: 1/8" = 1'-0"



6
A2 BUILDING A: WEST ELEVATION
SCALE: 1/8" = 1'-0"



7
A2 BUILDING A: EAST ELEVATION
SCALE: 1/8" = 1'-0"

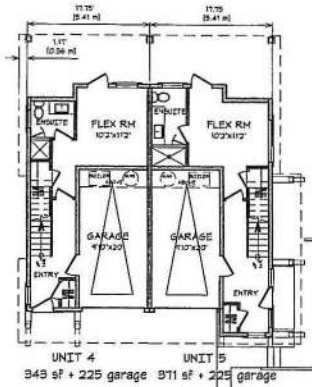


FINISHES LEGEND

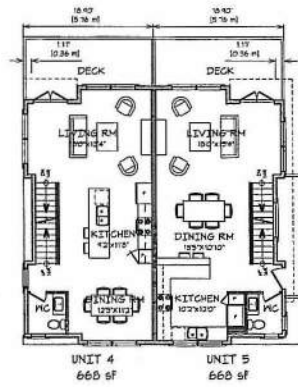
- A FLOOR FASCIA G/M PAINTED METAL FLASHINGS
- B HARDY BOARD PANEL SIDING (COLOR A)
- C HARDY BOARD PANEL SIDING (COLOR B)
- D CEDAR SIDING, STAINED
- E VINYL WINDOWS W/ HD TRIM G/M PAINTED NO SELL
- F FLOOR BELLY BAND G/M PAINTED METAL FLASHINGS
- G FOR POSTS AND BEAMS, STAINED
- H FLOOR DOORS WITH GLAZING, STAINED
- J PRE-HANG GARAGE DOOR
- K METAL AND GLASS GARAGE RAIL
- L CEDAR SCREENS, STAINED
- M FLOOR FRENCH DOORS, STAINED
- N FLOOR DOORS WITH GLAZING, PAINTED
- O METAL GARAGE DOOR, PAINTED
- P SOLID FLOOR DOORS, STAINED

REVISIONS & ISSUES	DATE
1. REVISE FLOOR TO CLERESTORY ON BAY, AND RAIL CLERESTORY BAY SIDE INCLUDING A CM 1.4 & 8. FLOOR REVISE BLDG. Ht. INCREASE BY 3"	31/05/14

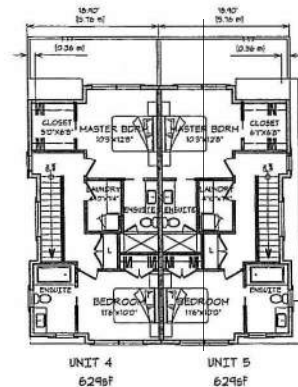
ZEBRADESIGN	
1161 NEWPORT AVE Victoria, B.C. V8S 2E8 Phone: (250) 363-3141 Fax: (250) 363-3115	
Drawn By:	
Date:	MAY 23, 2014
Scale:	1/8"=1'-0"
Project:	Proposed Townhouses 1060 Tillicum Rd. Esquimalt, BC
Title:	BUILDING A PLANS + ELEVATIONS
Revision:	Sheet:
A	A2
Proj. No.	



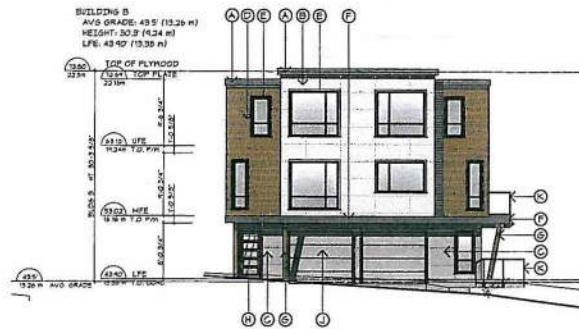
1 BUILDING B: ENTRY FLOOR PLAN
SCALE: 1/8" = 1'-0"



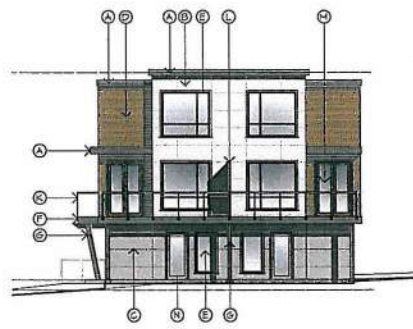
2 BUILDING B: MAIN FLOOR PLAN
SCALE: 1/8" = 1'-0"



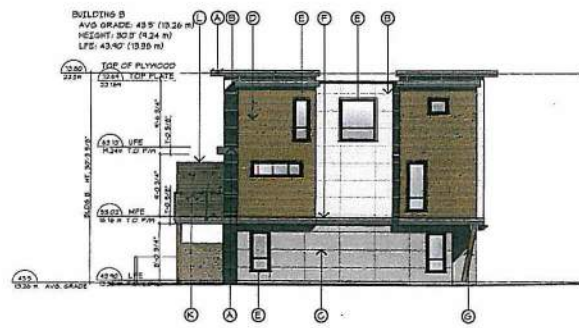
3 BUILDING B: UPPER FLOOR PLAN
SCALE: 1/8" = 1'-0"



4 BUILDING B: SOUTH ELEVATION
SCALE: 1/8" = 1'-0"



5 BUILDING B: NORTH ELEVATION
SCALE: 1/8" = 1'-0"



6 BUILDING B: WEST ELEVATION
SCALE: 1/8" = 1'-0"



7 BUILDING B: EAST ELEVATION
SCALE: 1/8" = 1'-0"

FINISHES LEGEND

- A WOOD PANELS, C/PK PAINTED METAL FLASHINGS
- B HARDY BOARD PANEL SIDING (COLOUR A)
- C HARDY BOARD PANEL SIDING (COLOUR B)
- D CEDAR SIDING, STAINED
- E VINYL SIDING, C/PK TRIM C/PK PAINTED WOOD SELL
- F WOOD BELLY BAND C/PK PAINTED METAL FLASHINGS
- G FIRM POSTS AND BEAMS, STAINED
- H WOOD DOORS WITH GLAZING, STAINED
- J PRE-HANG GARAGE DOOR
- K METAL AND GLASS GUARD RAIL
- L CEDAR SCREENS, STAINED
- M WOOD FRENCH DOORS, STAINED
- N WOOD DOORS WITH GLAZING, PAINTED
- O METAL GARAGE DOOR, PAINTED
- P SOLID WOOD DOORS, STAINED



ZEBRADESIGN

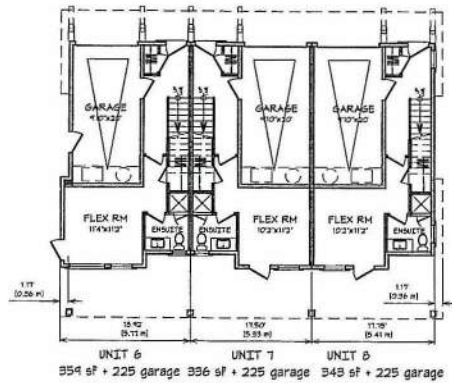
1161 NEWPORT AVE
Victoria, B.C. V8S 5E8
Phone: (250) 367-1414 Fax: (250) 368-2115

Drawn By:
Date: FEB. 7, 2014
Scale: 1/8"=1'-0"

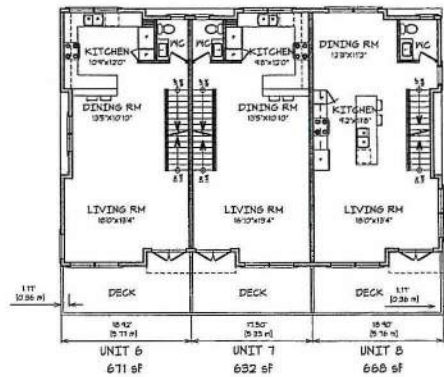
Project:
Proposed Townhouses
1060 Tillicum Rd,
Esquimalt, BC

Title:
BUILDING B
PLANS + ELEVATIONS

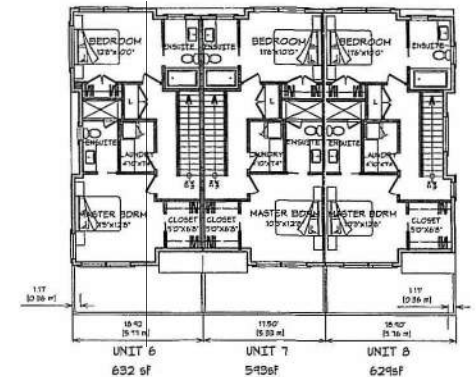
Revision: Sheet:
A3
Proj. No.



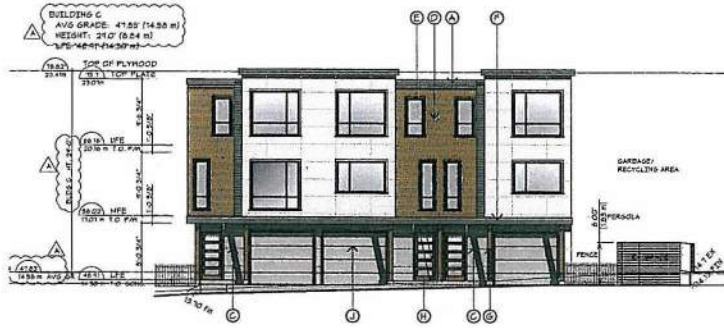
1 BUILDING C: ENTRY FLOOR PLAN
SCALE: 1/8" = 1'-0"



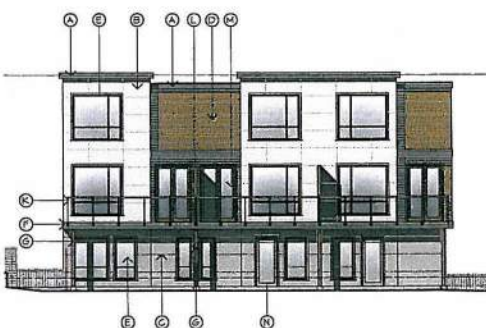
2 BUILDING C: MAIN FLOOR PLAN
SCALE: 1/8" = 1'-0"



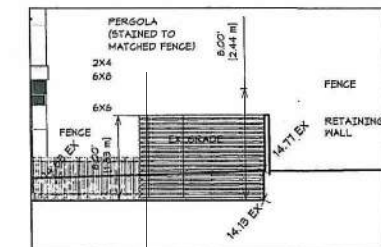
3 BUILDING C: UPPER FLOOR PLAN
SCALE: 1/8" = 1'-0"



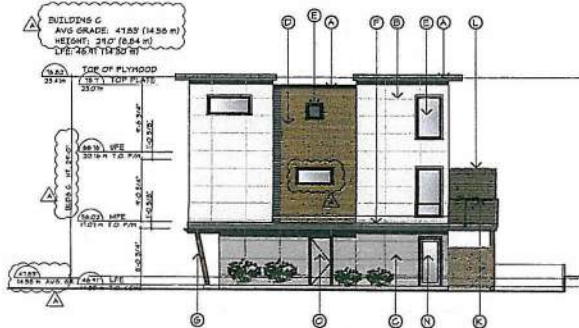
4 BUILDING C: NORTH ELEVATION
SCALE: 1/8" = 1'-0"



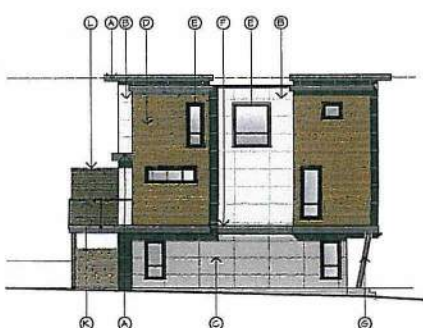
5 BUILDING C: SOUTH ELEVATION
SCALE: 1/8" = 1'-0"



6 GARbage/RECYCLING AREA
SCALE: 1/4" = 1'-0"



7 BUILDING C: WEST ELEVATION
SCALE: 1/8" = 1'-0"



8 BUILDING C: EAST ELEVATION
SCALE: 1/8" = 1'-0"

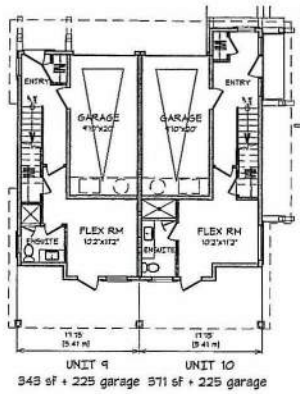
FINISHES LEGEND

- A ROOF FASCIA C/P PAINTED METAL FLASHING
- B HARDY BOARD PANEL SIDING (COLOUR A)
- C CEDAR SIDING, STAINED
- D VINYL SIDING, STAINED
- E VINYL SIDING, STAINED
- F ROOF BELLY BAND C/P PAINTED METAL FLASHING
- G FOR ROOF AND BEAMS, STAINED
- H ROOF DOORS WITH GLAZING, STAINED
- I PRE-HANG, GARAGE DOOR
- J METAL AND GLASS GUARD RAIL
- K CEDAR SCREENS, STAINED
- L ROOF FRENCH DOORS, STAINED
- M ROOF DOORS WITH GLAZING, PAINTED
- N METAL GARAGE DOOR, PAINTED
- P SOLID ROOF DOORS, STAINED

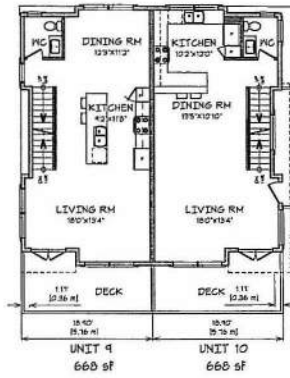


REV.	DESCRIPTION	DATE
1	REVISION 4 ISSUES	
2	REVISION 5 ISSUES	

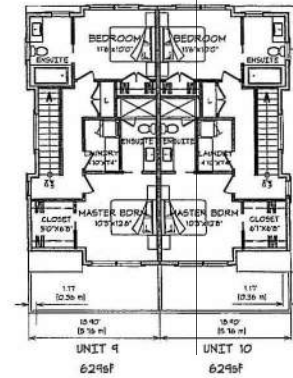
ZEBRADESIGN	
1161 NEWPORT AVE Victoria, B.C. V8S 5E5 Phone: (250) 340-2144 Fax: (250) 340-2115	
Drawn By:	
Date:	MAY 23, 2014
Scale:	1/8"=1'-0"
Project:	Proposed Townhouses 1060 Tillicum Rd. Esquimalt, BC
Title:	BUILDING C PLANS + ELEVATIONS
Revision:	Sheet:
A	A4
Proj. No.	



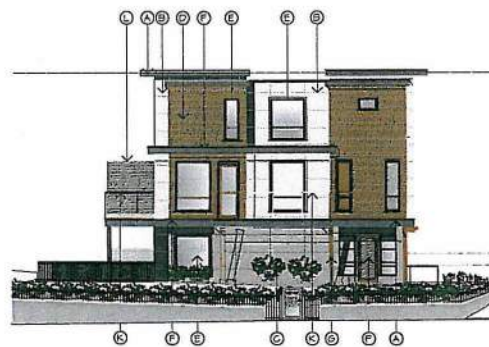
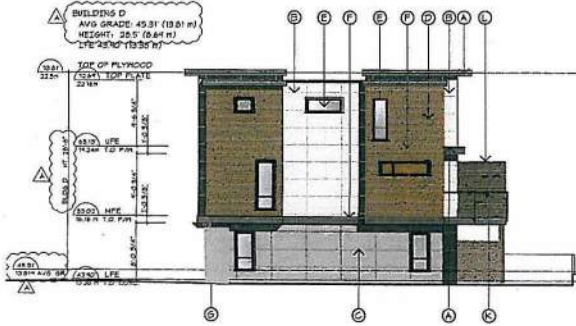
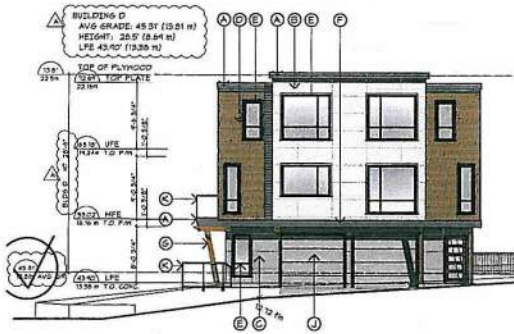
1 BUILDING D: ENTRY FLOOR PLAN
SCALE: 1/8" = 1'-0"



2 BUILDING D: MAIN FLOOR PLAN
SCALE: 1/8" = 1'-0"



3 BUILDING D: UPPER FLOOR PLAN
SCALE: 1/8" = 1'-0"



FINISHES LEGEND

- A ROOF FASCIA C/PN PAINTED METAL FLASHINGS
- B HARDY BOARD PANEL SIDING (COLOUR A)
- C CEDAR SIDING, STAINED
- D VINYL WINDOWS P/V NO TRIM C/PN GATED W/O SILL
- E ROOF BELLY BAND C/PN PAINTED METAL FLASHINGS
- F FOR POSTS AND BEAMS, STAINED
- G ROOF DOORS WITH GLAZING, STAINED
- H FIRE-RATED GARAGE DOOR
- I METAL AND GLASS GUARD RAIL
- J CEDAR SCREENS, STAINED
- K ROOF FRENCH DOORS, STAINED
- L ROOF DOORS WITH GLAZING, PAINTED
- M METAL GARAGE DOOR, PAINTED
- P SOLID ROOF DOORS, STAINED

REVISIONS & ISSUES		
REV.	DESCRIPTION	DATE
A	REVISE BLDG. #7, INCREASE BY 3/8"	2/10/14

ZEBRADESIGN

1151 NEWPORT AVE
Victoria, B.C. V8S 5E5
Phone: (250) 360-2144 Fax: (250) 368-2115

Drawn By: _____
Date: MAY 22, 2014
Scale: 1/8"=1'-0"

Project:
Proposed Townhouses
1060 Tillicum Rd.
Esquimalt, BC

Title:
BUILDING D
PLANS + ELEVATIONS

Revision: _____ Sheet: **A5**
Proj. No. _____



1 EAST STREETScape (FACING TILLICUM) BUILDINGS D + B
A6 SCALE: 1/8" = 1'-0"

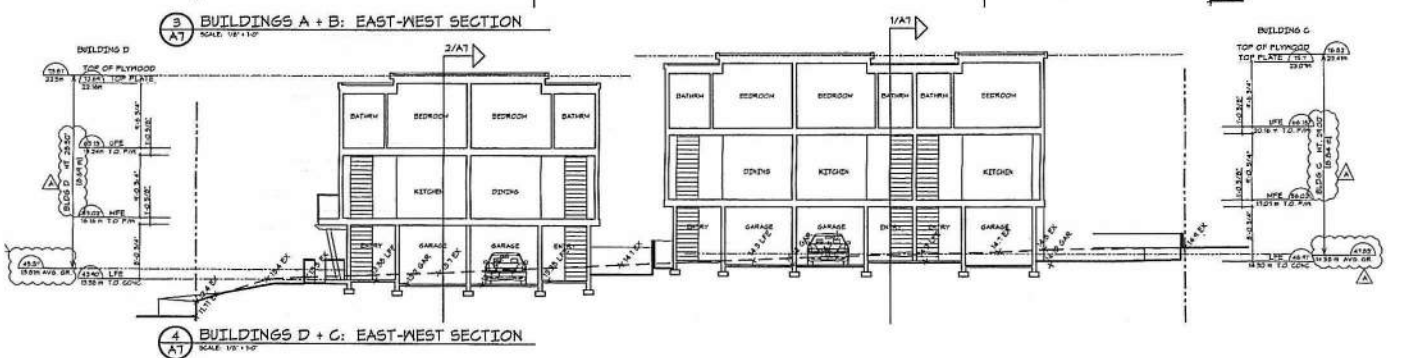
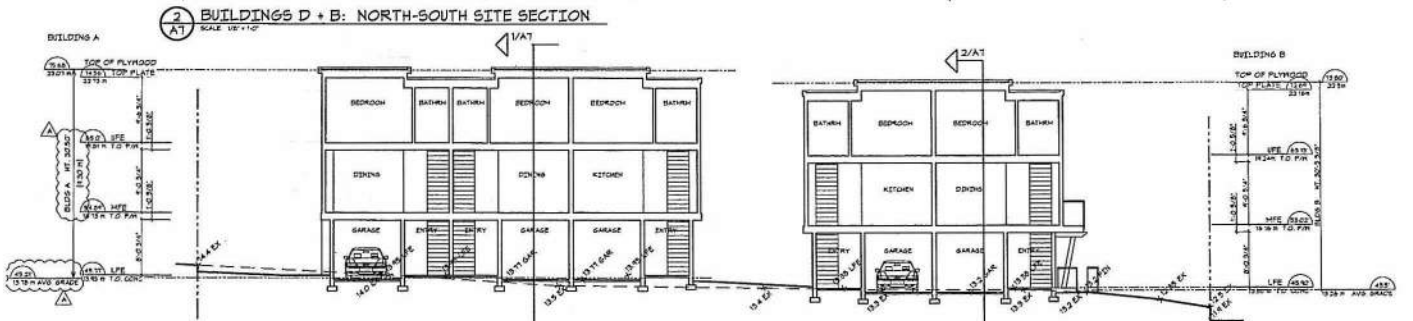
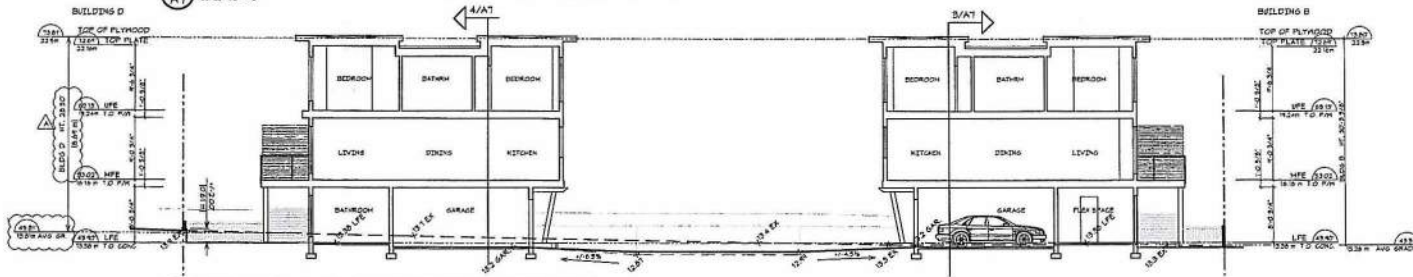
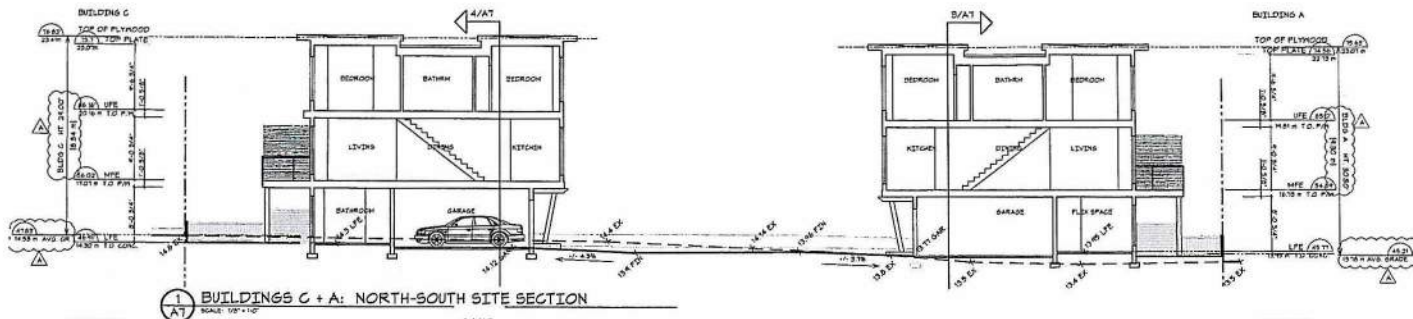


2 SOUTH STREETScape (FACING DRIVE AISLE) BUILDINGS A + B
A6 SCALE: 1/8" = 1'-0"



ZEBRADESIGN	
1161 NEWPORT AVE Victoria, B.C. V8S 3G5 Phone: (250) 360-2144 Fax: (250) 360-2115	
Drawn By:	
Date: MAY 23, 2014	
Scale: 1/8"=1'-0"	
Project:	
Proposed Townhouses 1060 Tillicum Rd. Esquimalt, BC	
Title:	
STREETSCAPES	
Revision:	Sheet:
A	A6
Proj.No.	

REVISIONS & ISSUES		
REV	DESCRIPTION	DATE
A	BLOCK A MOVED EAST 11.6' BLOCK C MOVED 21' + EAST 1' 9' IN NORTH, BLOCK D MOVED NORTH 3.4'	21/05/14



ZEBRADESIGN

1161 NEWPORT AVE
Victoria, B.C. V8S 5E6
Phone: (250) 360-2144 Fax: (250) 360-2115

Drawn By:

Date: MAY 23, 2014

Scale: 1/8" = 1'-0"

Project:

Proposed Townhomes
1060 Tillicum Rd.
Esquimalt, BCTitle: SITE SECTIONS
CROSS + LONGITUDINAL
SECTIONS

Revision:

Sheet:

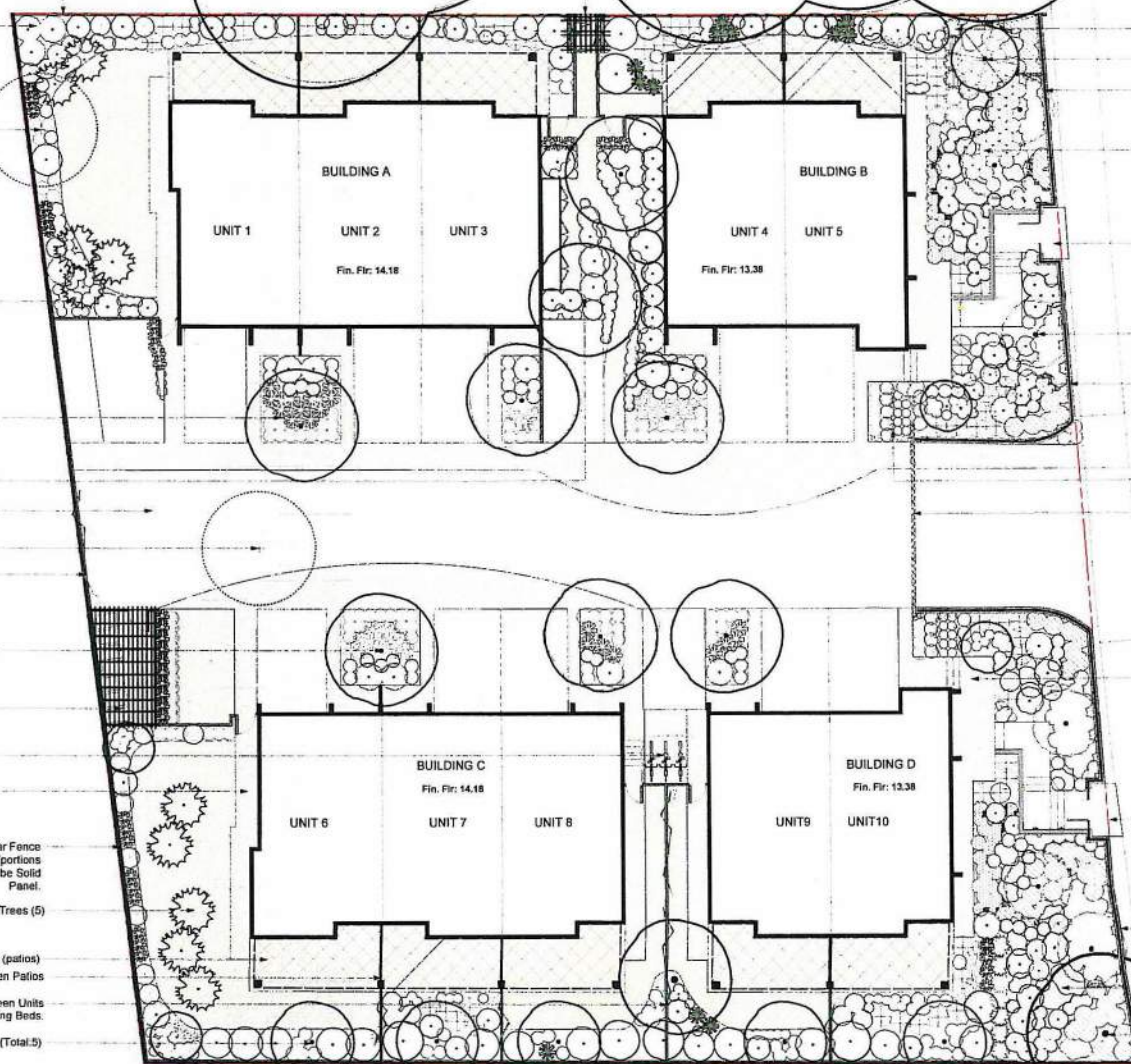
A

A7

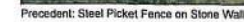
Proj. No.

REVISIONS & ISSUES	
REV.	DESCRIPTION
A	BLOCK A MOVED EAST 11M BLOCK C MOVED 21M EAST & 3M NORTH. BLOCK D MOVED NORTH 3M. BEDS HT. INCREASES A-DY C-D, D -5/8"
	DATE: 2/10/14

Milky Way Kousa Trees in Rear G



October Glory Maple
(Total:1)

[illegible]

Rev. May 29-14
Rev. May 22-14
Rev. Oct 22-13
June 26-13

1060 Tillicum - Landscape Concept



LADR LANDSCAPE ARCHITECTS

Project No: 1310 Jun-12-13

20-495 Dupplin Rd. Victoria B.C. V8Z 1B8
Phone: (250) 506-0105 Fax: (250) 412-0696



(DD EW45993), Plan 11683.
Section 10, Esquimalt District.

Scale 1:250

2.5 0 2.5 5 15

All distances are in metres.
Lot dimensions derived from registered plans.

Elevations are based on the Corporation of the Township of Esquimalt Datum.

CIVIC ADDRESS: 1060 Tillicum Road, Victoria B.C.

P.I.D. 025-917-277

Legend

25.0
+ Ground shot with elevation

File Ref: Zebra Design Plan dated May 23, 2014

129

Site Area = 0.207 ha

MICHAEL CLAXTON
LAND SURVEYING INC.

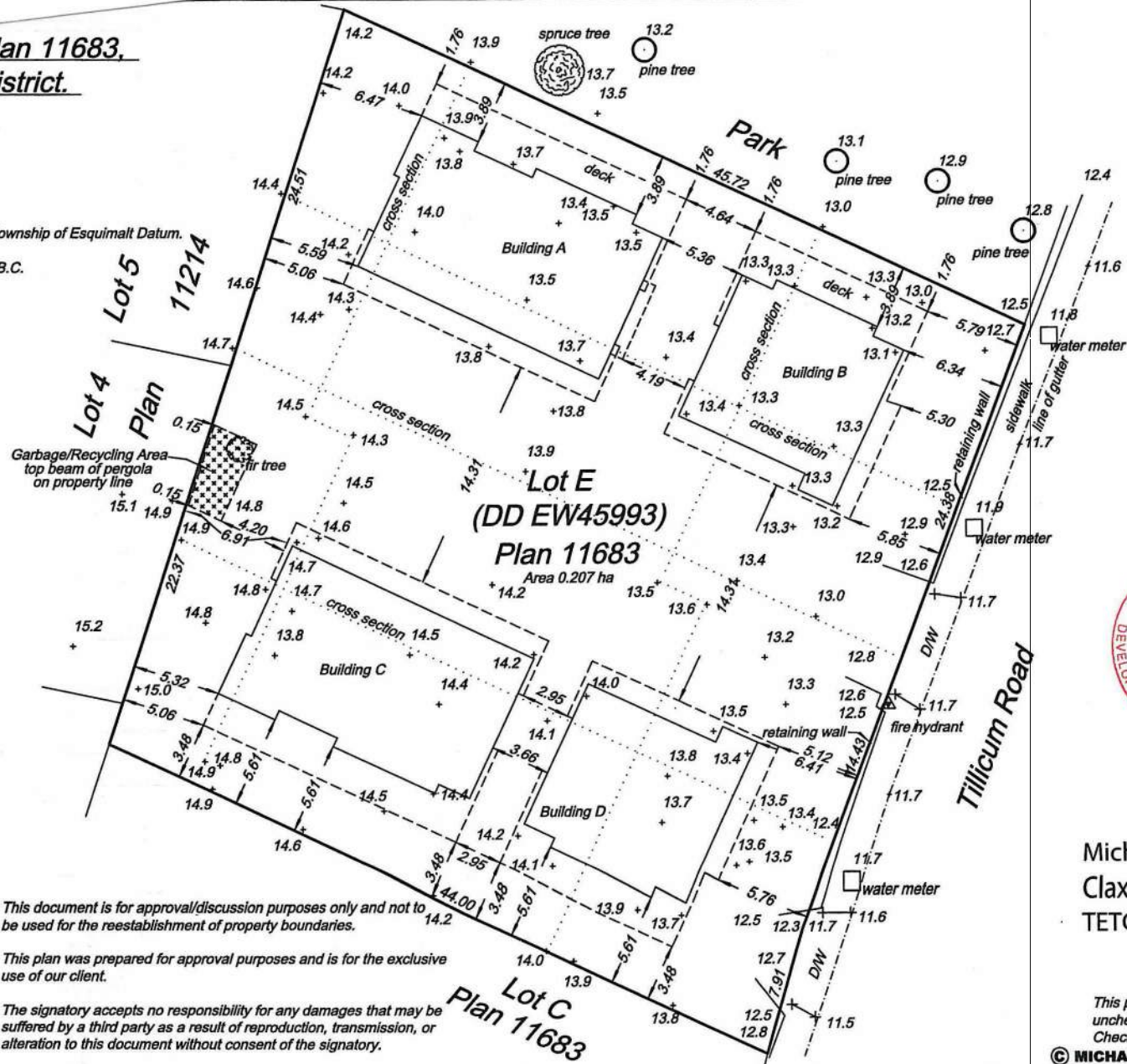
B.C. & Canada Lands Surveyor
Unit 80A 4223 Commerce Circle
Victoria, B.C. V8Z-6N6
Phone: 250-479-2258 Fax: 250-479-3831
Email: surveys@hilbre.ca

File: 18957(Esquimalt 4) June 2, 2014

This document is for approval/discussion purposes only and not to be used for the reestablishment of property boundaries.

This plan was prepared for approval purposes and is for the exclusive use of our client.

The signatory accepts no responsibility for any damages that may be suffered by a third party as a result of reproduction, transmission, or alteration to this document without consent of the signatory.



Michael
Claxton
TETGQA

Digitally signed by Michael
Claxton TETGQA
DN: cn=CA, cn=Michael
Claxton TETGQA, o=BC Land
Surveyor, ou=Verify ID at
www.juricert.com/UKUP.cfm?
id=TETGQA
Date: 2014.06.02 15:03:05
+0700

This plan is prepared from
unchecked field data.
Check measurements prior to construction.

© MICHAEL E. CLAXTON, B.C.L.S. 2014

Staff Report DEV-14-050
Schedule "Z" – BCLS Site Plan



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

Municipal Hall, 1229 Esquimalt Road, Esquimalt, B.C. V9A 3P1
Website: www.esquimalt.ca Email: info@esquimalt.ca

Voice: (250) 414-7100
Fax: (250) 414-7111

June 27, 2014

NOTICE OF PUBLIC HEARING

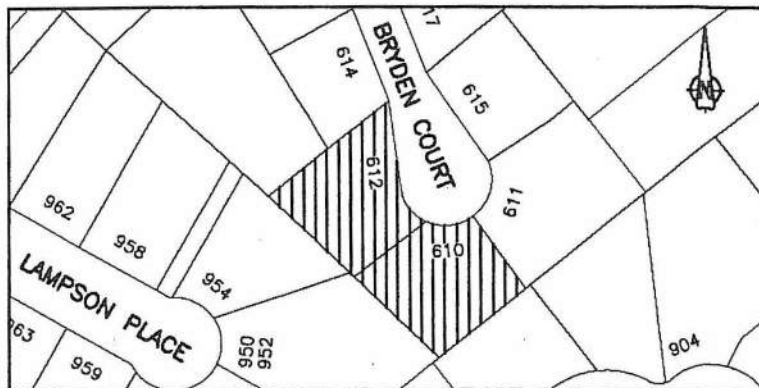
An application for a change in zoning has been received from Brad Cunnin, representing Brad Cunnin Land Surveying Inc., on behalf of Brock Davies and Glenn Davies, the registered owners of 610 Bryden Court and Kenneth Davies and Doris Davies, the registered owners of 612 Bryden Court.

Purpose of the Application:

Zoning Bylaw, 1992, No. 2050, Amendment Bylaw No. 2840 provides for a change in the zoning designation of 612 Bryden Court and the western 194m² of 610 Bryden Court [legal descriptions below] shown hatched on the map below [Figure 1] from RD-3 [Two Family/Single Family Residential] to RS-1 [Single Family Residential].

The general purpose of this bylaw is to facilitate subdivision of the two subject properties into three lots. Approval of the requested change in zoning would enable the creation of two RS-1 zoned lots while leaving the remainder of 610 Bryden Court zoned RD-3. The existing home at 612 Bryden Court is proposed to be retained and a new home would be constructed on the proposed new lot [Figure 2].

Site Location: Figure 1:



Legal Description: PID 000-042-277, Lot 26, Section 11, Esquimalt District, Plan 5646
[610 Bryden Court]
PID 005-987-008, Lot 25, Section 11, Esquimalt District, Plan 5646
[612 Bryden Court]

The Municipal Council will consider this application at the **Regular Meeting of Council commencing at 7:00 p.m., Monday, July 14, 2014, in the Council Chambers, Esquimalt Municipal Hall, 1229 Esquimalt Road, Esquimalt, B.C.** Affected persons may make representations to Council at that time or submit a written submission prior to that date.

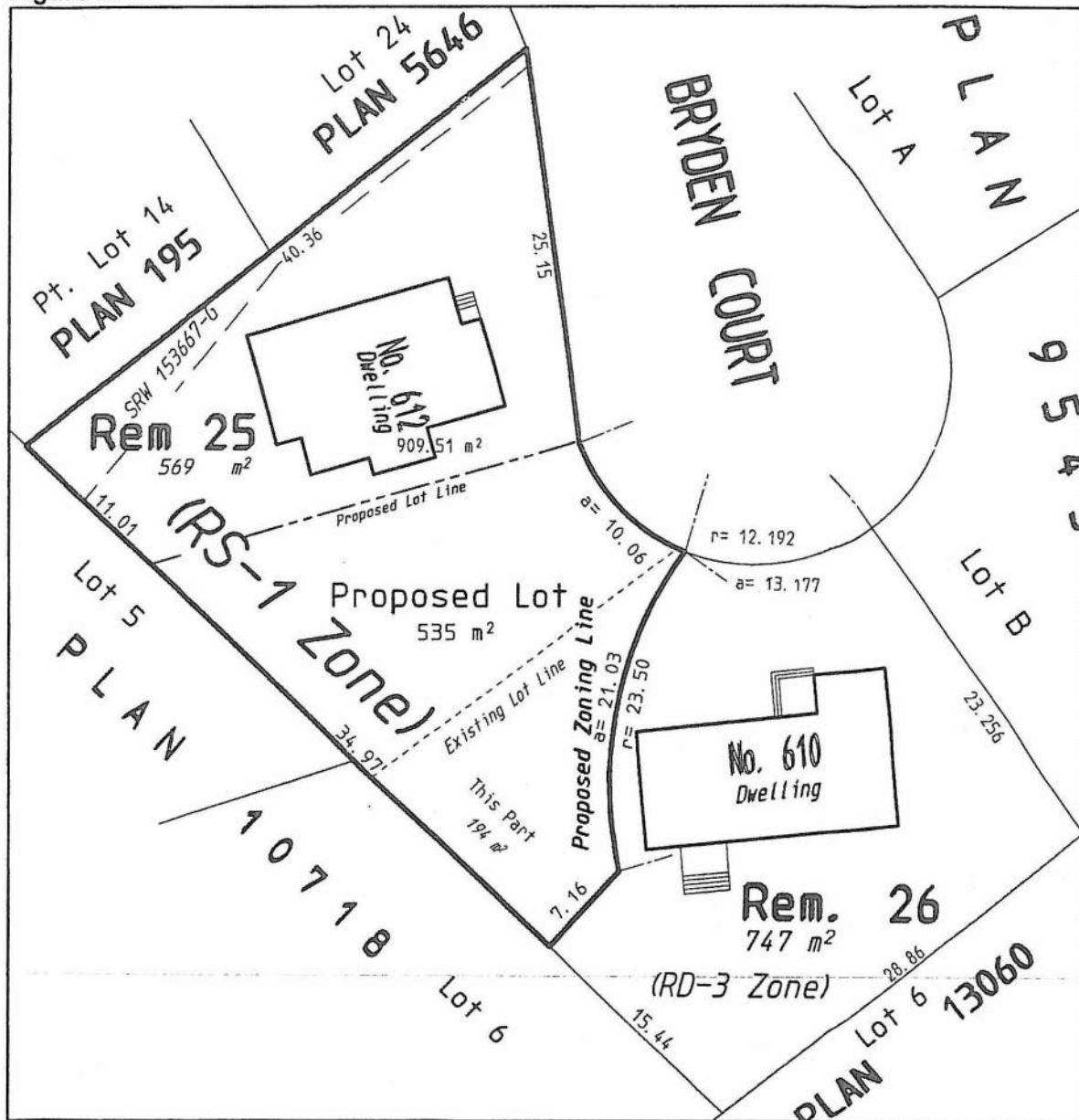
"Please turn over"

Information related to this application may be reviewed at the Development Services counter, Municipal Hall, 1229 Esquimalt Road, from 8:30 a.m. until 4:30 p.m., Monday to Friday (excluding Saturdays, Sundays, Statutory Holidays) until July 14, 2014.

ANJA NURVO
DIRECTOR OF CORPORATE SERVICES

Personal information contained in communications to Council and its Committees is collected under the authority of the Community Charter and Local Government Act and will be used to assist Council members in decision making. Please note that your comments relating to this matter will form part of the Township's public record and may be included in a public agenda and posted on our website.

Figure 2:





CORPORATION OF THE TOWNSHIP OF ESQUIMALT

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

Council Meeting: July 14, 2014
Staff Report No. DEV-14-051

REQUEST FOR DECISION

SUBJECT: REZONING APPLICATION

610 Bryden Court

[PID 000-042-277, Lot 26, Section 11, Esquimalt District, Plan 5646] and

612 Bryden Court

[PID 005-987-008, Lot 25, Section 11, Esquimalt District, Plan 5646]

RECOMMENDATION:

That Council, upon considering comments made at the Public Hearing, resolves that Zoning Bylaw, 1992, No. 2050, Amendment Bylaw No. 2840, attached to Staff Report DEV-14-051 as Schedule 'A', which would amend Zoning Bylaw, 1992, No. 2050 by changing the zoning designation of PID 005-987-008, Lot 25, Section 11, Esquimalt District, Plan 5646 [612 Bryden Court] and the westernmost 194 square metres of PID 000-042-277, Lot 26, Section 11, Esquimalt District, Plan 5646 [610 Bryden Court] shown outlined on Schedule 'A' of Amendment Bylaw No. 2840, from RD-3 [Two Family/ Single Family Residential] to RS-1 [Single Family Residential] be considered for **third reading and adoption**.

RELEVANT POLICY:

Official Community Plan Bylaw, 2006, No. 2646

Zoning Bylaw, 1992, No 2050

Parking Bylaw, 1992, No. 2011

Development Application Procedures and Fees Bylaw No. 2791, 2012

Advisory Planning Commission Bylaw, 2012, No. 2792

Subdivision and Development Control Bylaw, 1997, No. 2175

STRATEGIC RELEVANCE:

This Request For Decision does not directly relate to a specific strategic objective.

Submitted by: Writer Tina Parks

Reviewed by: CAO E. Hurst

Date: July 9/14

STAFF REPORT

DATE: July 7, 2014 Report No. DEV-14-051

TO: Laurie Hurst, Chief Administrative Officer

FROM: Trevor Parkes, Senior Planner

SUBJECT: **REZONING APPLICATION**
610 Bryden Court
[PID 000-042-277, Lot 26, Section 11, Esquimalt District, Plan 5646] and
612 Bryden Court
[PID 005-987-008, Lot 25, Section 11, Esquimalt District, Plan 5646]

RECOMMENDATION:

That Council, upon considering comments made at the Public Hearing, resolves that Zoning Bylaw, 1992, No. 2050, Amendment Bylaw No. 2840, attached to Staff Report DEV-14-051 as Schedule 'A', which would amend Zoning Bylaw, 1992, No. 2050 by changing the zoning designation of PID 005-987-008, Lot 25, Section 11, Esquimalt District, Plan 5646 [612 Bryden Court] and the westernmost 194 square metres of PID 000-042-277, Lot 26, Section 11, Esquimalt District, Plan 5646 [610 Bryden Court] shown outlined on Schedule 'A' of Amendment Bylaw No. 2840, from RD-3 [Two Family/ Single Family Residential] to RS-1 [Single Family Residential] be considered for **third reading and adoption**.

BACKGROUND:

Context

Applicant: Brad Cunnin [Brad Cunnin Land Surveying]

Owners: Kenneth and Doris Davies [612 Bryden Court]
 Brock Davies/ Glenn Davies [610 Bryden Court]

Property Size: Metric: 910 m² [610 Bryden Crt] Imperial: 9795 ft²
 Metric: 904 m² [612 Bryden Crt] Imperial: 9730 ft²

Existing Land Use: Single Family Residences

Surrounding Land Uses:

North:	Single Family Residential
South:	Multiple Family Residential
West:	Two Family Residential
East:	Single Family Residential

Existing Zoning: RD-3 [Two Family/Single Family Residential]

Proposed Zoning: RD-3 [Remainder of 610 Bryden Crt]/ RS-1 [Single Family Residential]

Existing OCP Designation: Single and Two Unit Residential [No change required]

Schedules:

- "A" Zoning Bylaw, 1992, No. 2050, Amendment Bylaw No. 2840;
- "B" Public Hearing Mail Notice [Mailed June 27, 2014]
- "C" Key plan showing location of the subject site;
- "D" 2011 air photo of subject property;
- "E" RD-3 [Two Family/ Single Family Residential] zone
- "F" RS-1 [Single Family Residential] zone
- "G" Property Owner Narrative
- "H" BCLS Site Plan of Proposed Subdivision

Purpose of the Application:

The applicant is requesting a change in zoning from the current RD-3 [Two Family/ Single Family Residential] zone to RS-1 [Single Family Residential] for 612 Bryden Court and the western 194 m² of 610 Bryden Court as detailed on the B.C. Land Surveyor's Sketch Plan prepared by Brad Cunnin BCLS [Schedule 'A']. Should this application be successful, the owners would subdivide the property into two lots that conform to the RS-1 zoning requirements and one lot that conforms to the RD-3 zoning requirements. Both subject properties are owned by members of the Davies family. The creation of a new lot would allow Brock Davies to construct a new single family home abutting his parent's home thereby enabling him to support them as they age in place [Schedule 'G'].

Comments From Other Departments

The plans for this proposal were circulated to other departments and the following comments were received by the APC submission deadline:

Building Inspection: Construct to BC Building Code 2012 and Municipal Building Code Bylaw, 2002, No. 2538. Applicant must address all issues contained within the Township Development Protocol should application be approved. Plans will be reviewed for compliance with BC Building Code 2012 upon submission of a Building Permit application. Applicant must ensure the existing home remains compliant with requirements for limiting distance.

Engineering Services: Engineering staff have completed a preliminary evaluation of Works and Services that would be required for the proposed subdivision to create a new single family lot proposed to be located between 610 Bryden Court and 612 Bryden Court. Staff confirms that the design appears achievable on the site and that appropriate works and services are available in the immediate area. Should the application be approved, additional comments will be provided when detailed civil engineering drawings are submitted as part of a subdivision application.

Fire Services: No objections to this proposal.

Parks Services: Should application be approved, tree protection shall be required during construction of new home to ensure health of Oak trees.

Director of Development Services: Should this rezoning be approved, a Subdivision Development Permit would be required.

Comments from the Advisory Planning Commission [APC]

This application was considered at the regular meeting of APC held on May 20, 2014. Members inquired whether or not any significant trees would need to be removed to accommodate the proposed single family home. The applicant responded that the trees on the site are located outside the building envelope for the proposed home and no trees should need to be removed. Members commented that a more detailed plan showing proposed driveways and the building envelope for the new lot would assist Council in reviewing the application. The APC resolved that the application be forwarded to Council with a **recommendation of approval with the condition that an enhanced site plan be provided.**

In response to this recommendation the applicant has provided an updated BCLS Site Plan, stamped "Received June 3, 2014", which details proposed driveway locations for all three lots as well as the building envelope for Proposed Lot B [Schedule 'H'].

Zoning

The proposed rezoning would facilitate a subdivision of the subject lands into two lots conforming to the requirements of the RS-1 zone with the remainder lot retaining the RD-3 zoning designation.

Official Community Plan

This proposal is consistent with the current Land Use Designation applied to the subject Property, "Single and Two Unit Residential".

ISSUES:**1. Rationale for Selected Option**

This application is consistent with the OCP Land Use Designation for this area. The current RD-3 zoning would permit the owners of each of the existing large RD-3 zoned parcels to construct a duplex. Based on the parcel sizes of the existing lots these buildings would likely be significantly larger than existing homes in the area. This proposal to retain the existing home at 612 Bryden Court and construct a new single family home on a new RS-1 zoned parcel would facilitate construction of a building that would complement the existing streetscape rather than dominating it. Additionally, the reduction in size of the RD-3 zoned lot containing 610 Bryden Court [Proposed Lot C] would mean any future duplex on this parcel would be smaller in size. The proposed new home would be required to satisfy all RS-1 [Single Family Residential] zoning criteria for F.A.R., Lot Coverage and Height and setbacks.

2. Organizational Implications

This Request for Decision has no organizational implications.

3. Financial Implications

This Request for Decision has no financial implications.

4. Sustainability/Environmental Implications

This Request for Decision has minimal sustainability/environmental implications. By virtue of being new, the proposed single family home promises enhanced building performance for long term resilience particularly when compared to existing housing stock in this area.

5. Communication and Engagement

As this is a rezoning application, notices were mailed to tenants and owners of properties located within 100 metres (328 ft) of the subject property on June 27, 2014 advising them that Council will be considering the requested rezoning on Monday, July 14, 2014 [Schedule "B"]. Notice of the Public Hearing was printed in the July 4th and July 9th editions of the Victoria News and signs indicating that the properties are under consideration for a change in zoning, that have been in place on the Bryden Court frontage since May 2014, have been updated to show the date, time and location of the Public Hearing.

To date, no correspondence has been received by staff relating to this application.

ALTERNATIVES:

1. Council consider **reading the bylaw a third time and adopting Amendment Bylaw No. 2840.**
2. Council directs staff to amend Amendment Bylaw No. 2840 to accommodate issues raised at the public hearing and return it to Council for further consideration including scheduling a new public hearing if required by the *Local Government Act*.
3. Council **defeats** Amendment Bylaw No. 2840.

CORPORATION OF THE TOWNSHIP OF ESQUIMALT

BYLAW NO. 2840

A Bylaw to amend Bylaw No. 2050, cited as the
"Zoning Bylaw, 1992, No. 2050"

Staff Report DEV-14-051
Schedule 'A' – Zoning Bylaw, 1992,
No. 2050, Amendment Bylaw No. 2840

THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF
ESQUIMALT, in open meeting assembled, enacts as follows:

1. This bylaw may be cited as the *"ZONING BYLAW, 1992, NO. 2050, AMENDMENT BYLAW NO. 2840"*.
2. That Bylaw No. 2050, cited as the "Zoning Bylaw, 1992, No. 2050" be amended as follows:
 - (1) changing the zoning designation of PID 005-987-008, Lot 25, Section 11, Esquimalt District, Plan 5646 [612 Bryden Court] and the westernmost 194 square metres of PID 000-042-277, Lot 26, Section 11, Esquimalt District, Plan 5646 [610 Bryden Court] shown outlined on the B.C. Land Surveyor's Sketch Plan prepared by Brad Cunnin Land Surveying attached hereto as Schedule 'A', from RD-3 [Two Family/ Single Family Residential] to RS-1 [Single Family Residential];
 - (2) by changing Schedule 'A' Zoning Map, attached to and forming part of "Zoning Bylaw, 1992, No. 2050" to show the changes in zoning classification effected by this bylaw.

READ a first time by the Municipal Council on the 9th day of June, 2014.

READ a second time by the Municipal Council on the 9th day of June, 2014.

A Public Hearing was held pursuant to Sections 890 and 892 of the *Local Government Act* on the ---- day of ----, 2014.

READ a third time by the Municipal Council on the ---- day of September, 2014.

ADOPTED by the Municipal Council on the ---- day of ----, 2014.

BARBARA DESJARDINS
MAYOR

ANJA NURVO
CORPORATE OFFICER

**B. C. LAND SURVEYOR'S SKETCH PLAN:
TO ACCOMPANY RE-ZONING APPLICATION:**

LOT 25 AND PART OF 26, SECTION 11,
ESQUIMALT DISTRICT, PLAN 5646

SCALE = 1 : 400



All distances are in metres AND decimals thereof.



SITE AREA

Lot 25 904 m²

Lot 26 910 m²

FILE: 7647-19

DWG/DATE: 7647-zoned 2014-05-01

Brad Cunin Land Surveying

†100 - 407 Swift Street
Victoria, BC V8W 1S2

ph. 381-BCLS (2257) fx. 381-2289
brad@bcsurveyor.ca

**SCHEDULE 'A'
BYLAW NO. 2840**



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

Municipal Hall, 1229 Esquimalt Road, Esquimalt, B.C. V9A 3P1
Website: www.esquimalt.ca Email: info@esquimalt.ca

Voice: (250) 414-7100
Fax: (250) 414-7111

June 27, 2014

NOTICE OF PUBLIC HEARING

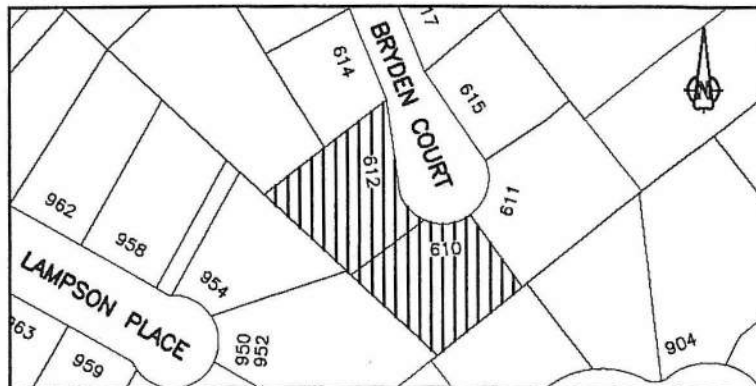
An application for a change in zoning has been received from Brad Cunnin, representing Brad Cunnin Land Surveying Inc., on behalf of Brock Davies and Glenn Davies, the registered owners of 610 Bryden Court and Kenneth Davies and Doris Davies, the registered owners of 612 Bryden Court.

Purpose of the Application:

Zoning Bylaw, 1992, No. 2050, Amendment Bylaw No. 2840 provides for a change in the zoning designation of 612 Bryden Court and the western 194m² of 610 Bryden Court [legal descriptions below] shown hatched on the map below [Figure 1] from RD-3 [Two Family/Single Family Residential] to RS-1 [Single Family Residential].

The general purpose of this bylaw is to facilitate subdivision of the two subject properties into three lots. Approval of the requested change in zoning would enable the creation of two RS-1 zoned lots while leaving the remainder of 610 Bryden Court zoned RD-3. The existing home at 612 Bryden Court is proposed to be retained and a new home would be constructed on the proposed new lot [Figure 2].

Site Location: Figure 1:



Legal Description: PID 000-042-277, Lot 26, Section 11, Esquimalt District, Plan 5646
[610 Bryden Court]
PID 005-987-008, Lot 25, Section 11, Esquimalt District, Plan 5646
[612 Bryden Court]

The Municipal Council will consider this application at the **Regular Meeting of Council commencing at 7:00 p.m., Monday, July 14, 2014, in the Council Chambers, Esquimalt Municipal Hall, 1229 Esquimalt Road, Esquimalt, B.C.** Affected persons may make representations to Council at that time or submit a written submission prior to that date.

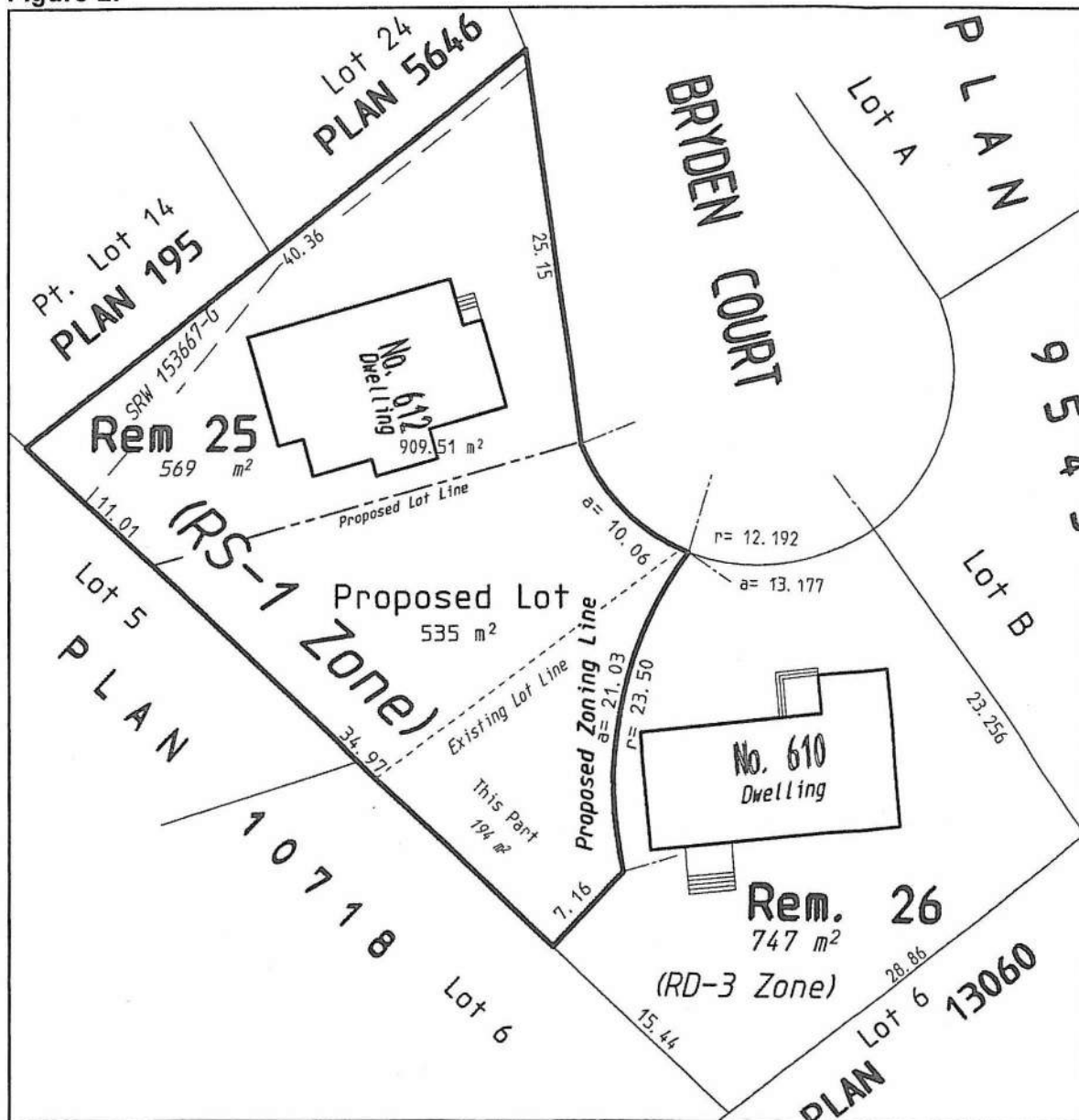
"Please turn over"

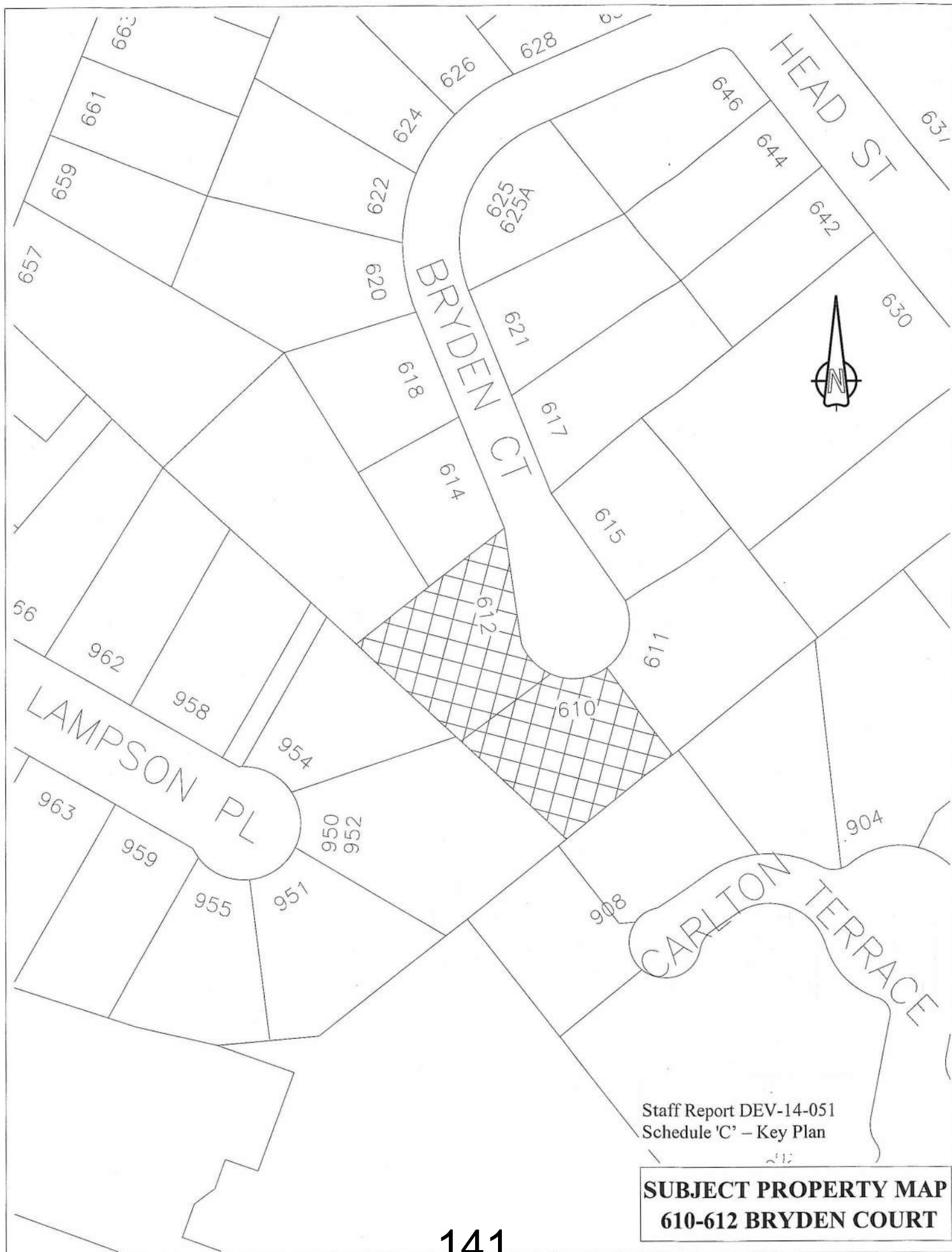
Information related to this application may be reviewed at the Development Services counter, Municipal Hall, 1229 Esquimalt Road, from 8:30 a.m. until 4:30 p.m., Monday to Friday (excluding Saturdays, Sundays, Statutory Holidays) until July 14, 2014.

ANJA NURVO
DIRECTOR OF CORPORATE SERVICES

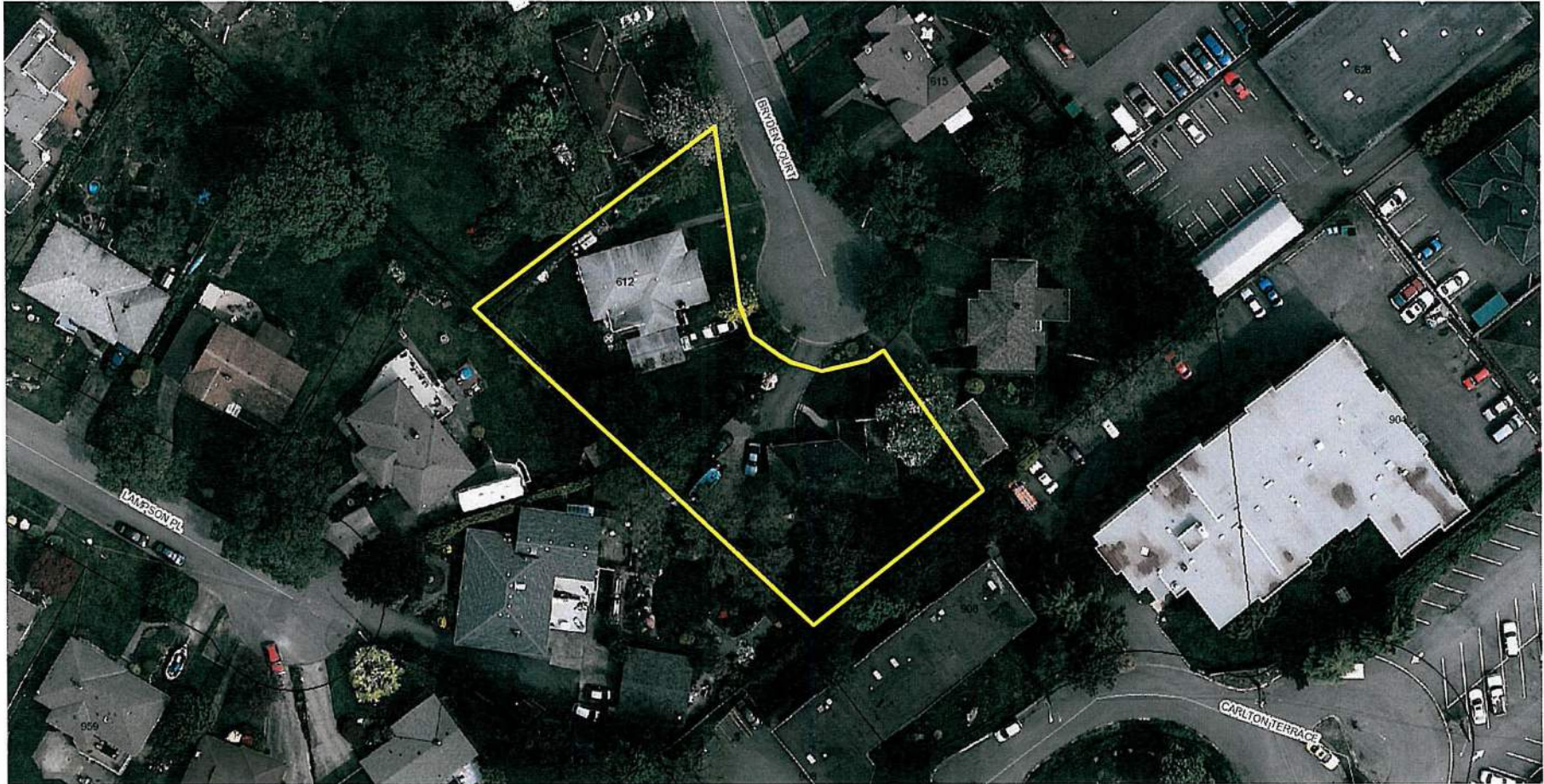
Personal information contained in communications to Council and its Committees is collected under the authority of the Community Charter and Local Government Act and will be used to assist Council members in decision making. Please note that your comments relating to this matter will form part of the Township's public record and may be included in a public agenda and posted on our website.


Figure 2:





610 Bryden Court & 612 Bryden Court



Subject Property Boundary: 

Staff Report DEV-14-051
Schedule 'D' – 2011 Air Photo



40. TWO FAMILY/SINGLE FAMILY RESIDENTIAL [RD-3]

The intent of this Zone is to accommodate Single Family or Two Family Dwelling Units on individual Parcels of land.

(1) Permitted Uses

The following Uses and no others are permitted: Staff Report DEV-14-051
Schedule 'E' – RD-3 [Two Family/
Single Family Residential] Zone

- (a) Single Family Residential
- (b) Two Family Residential
- (c) Home Occupation
- (d) Secondary Suite within a Single Family Residence, subject to the requirements of Section 30.6

(2) Parcel Size

The minimum Parcel Size for Parcels created by subdivision shall be 668 square metres.

(3) Minimum Lot Width

The minimum width of Parcels created by subdivision shall be 18.3 metres, measured at the Front Building Line.

(4) Floor Area Ratio

- (a) For parcels 800 square metres in area and larger, the Floor Area Ratio for Two Family Dwellings shall not exceed 0.35.
- (b) For parcels under 800 square metres in area the Floor Area Ratio for Two Family Dwellings shall not exceed 0.4.

(5) Floor Area

The minimum Floor Area for the First Storey of a Principal Building shall be 88 square metres.

(6) Building Height

- (a) No Principal Building shall exceed a Height of 7.3 metres.
- (b) No Accessory Building shall exceed a Height of 3.6 metres.
- (c) When developing a front to back Two Family Dwelling, the back Dwelling Unit shall be no higher than the highest point of the existing Dwelling Unit. A Two Family Dwelling is considered back to front if more than 75% of the floor area of the back Dwelling Unit is behind the rear wall of the front Dwelling Unit.

(7) Building Width

The minimum width of any Single Family or Two Family Dwelling shall be 7 metres.

(8) **Lot Coverage**

- (a) All Principal Buildings, Accessory Buildings and Structures combined shall not cover more than 30% of the Area of a Parcel.
- (b) All Accessory Buildings and Structures combined shall not exceed 10% of the Area of a Parcel.

(8.1) **Building Massing**

The second storey of any Two Family Dwelling shall be a maximum of 75% of the total floor area of the ground floor, including an attached garage.

(9) **Siting Requirements**

(a) **Principal Building**

- (i) Front Setback: No Principal Building shall be located within 7.5 metres of the Front Lot Line.
- (ii) Side Setback: No Principal Building shall be located within 1.5 metres of an Interior Side Lot Line, with the total Setback of all Side Yards not to be less than 4.5 metres. In the case where a Parcel is not served by a rear lane, one (1) Side Yard shall not be less than 3 metres. In the case of a Corner Lot, no Principal Building shall be located within 3.6 metres of an Exterior Side Lot Line.
- (iii) Rear Setback: No Principal Building shall be located within 7.5 metres of a Rear Lot Line.

(b) **Accessory Building**

- (i) Front Setback: No Accessory Building shall be located in front of the front face of the Principal Building.
- (ii) Side Setback: No Accessory Building shall be located within 1.5 metres of an Interior Side Lot Line nor 3.6 metres of an Exterior Side Lot line.
- (iii) Rear Setback: No Accessory Building shall be located within 1.5 metres of a Rear Lot line.
- (iv) Building Separation: No Accessory Building shall be located within 2.5 metres of a Principal Building.

(c) **Garage Setback**

Detached and attached garages shall be set back a minimum of 1.5 metres from the front face of the Dwelling Unit.

(10) **Common Wall Requirements**

In Two Family Dwellings the common wall overlap between the habitable areas of the two Dwelling Units shall be not less than 50%.

(11) **Fencing**

Subject to Section 22, no fence shall exceed a Height of 1.2 metres in front of the front face of the Principal Building and 2 metres behind the front face of the Principal Building.

(12) **Off Street Parking**

Off street parking shall be provided in accordance with the requirements of Parking Bylaw, 1992, No. 2011 (as amended).

(13) **Driveway Width**

The maximum width of a driveway surface on a Two Family Residential lot shall be a total of 5.5 metres. This applies to a double-wide driveway, or the combined width of two (2) single lane driveways serving a Two Family Dwelling.

DIVISION 1 - RESIDENTIAL ZONES

34. SINGLE FAMILY RESIDENTIAL [RS-1]

The intent of this Zone is to accommodate Single Family Dwellings on individual Parcels of land.

(1) Permitted Uses

The following Uses and no others are permitted:

Staff Report DEV-14-051
Schedule 'F' – RS-1 [Single Family
Residential] Zone

- (a) Single Family Residential
- (b) Home Occupation
- (c) The keeping of no more than two (2) Roomers or Boarders
- (d) Secondary Suite: subject to the requirements of Section 30.6

(2) Parcel Size

The minimum Parcel Size for Parcels created by subdivision shall be 530.0 square metres.

(3) Minimum Lot Width

The minimum width of Parcels created by subdivision shall be 16 metres measured at the Front Building Line.

(4) Floor Area Ratio

The Floor Area Ratio shall not exceed 0.35.

(5) Floor Area

The minimum Floor Area for the First Storey of a Principal Building shall be 88 square metres.

(6) Building Height

- (a) No Principal Building shall exceed a Height of 7.3 metres.
- (b) No Accessory Building shall exceed a Height of 3.6 metres.

(7) Building Width

The minimum width for any Single Family Dwelling shall be 7 metres.

(8) Lot Coverage

- (a) All Principal Buildings, Accessory Buildings and Structures combined, shall not cover more than 30% of the Area of a Parcel.
- (b) All Accessory Buildings and Structures combined shall not exceed 10% of the Area of Parcel.

(9) **Siting Requirements**

(a) **Principal Building**

- (i) Front Setback: No Principal Building shall be located within 7.5 metres of the Front Lot Line.
- (ii) Side Setback: No Principal Building shall be located within 1.5 metres of an Interior Side Lot Line, with the total Setback of all Side Yards not to be less than 4.5 metres. In the case where a Parcel is not served by a rear lane, one (1) Side Yard shall not be less than 3 metres. In the case of a Corner Lot, no Principal Building shall be located within 3.6 metres of an Exterior Side Lot Line
- (iii) Rear Setback: No Principal Building shall be located within 7.5 metres of a Rear Lot Line.

(b) **Accessory Building**

- (i) Front Setback: No Accessory Building shall be located in front of the front face of the Principal Building.
- (ii) Side Setback: No Accessory Building shall be located within 1.5 metres of an Interior Side Lot Line nor 3.6 metres of an Exterior Side Lot Line.
- (iii) Rear Setback: No Accessory Building shall be located within 1.5 metres of a Rear Lot Line.
- (iv) Building Separation: No Accessory Building shall be located within 2.5 metres of a Principal Building.

(10) **Fencing**

Subject to Section 22, no fence shall exceed a Height of 1.2 metres in front of the front face of the Principal Building and 2 metres behind the front face of the Principal Building.

(11) **Off Street Parking**

Off street parking shall be provided in accordance with the requirements of Parking Bylaw, 1992, No. 2011 (as amended).

Brock & Sharon Davies
612 Bryden Court
Victoria, BC. V9A 4Y5



April 29, 2014

Dear Esquimalt Council,

I am writing to describe our application to create one additional building lot between adjacent family properties located at 610 and 612 Bryden Court. Both properties are zoned RD3.

These properties are located at the end of Bryden Court cul-de-sac, with a large radius turning circle. As you look at it from the road, the right hand property 612 Bryden Court has been owned by my parents since 1951. The left property 610 Bryden Court has been owned by my family for approximately 12 years.

Both properties under zoning of RD-3 have land in excess of the minimum lot size of 668 square meters; it is our desire to create a new lot between these two parcels for my personal residence and to allow us to be close to and assist my parents as they age.

This is a simple transaction between my family members.

What is required of council is to rezone (downzone) the northern 2/3 of the combined parcels from RD3 to RS1 to accommodate the new lot size.


The left hand property at 610 Bryden will retain the existing RD3 designation with sufficient area to meet that zoning requirement after providing additional lands to 612 Bryden by way of a lot line adjustment.

We are submitting an application to subdivide the right hand property 612 Bryden into two RS1 lots, all the lots will meet all requirements, i.e. lot size, setbacks etc., and no siting or lot variances should be required. No modification to the existing building foot print at 612 Bryden is required.

An application for consideration was submitted in late January, unfortunately my agent and I did not articulate the plan properly and Esquimalt staff were preoccupied with the sewage treatment facilities; therefore, I missed the opportunity to commence anticipated construction by summer 2014.

I ask you for an expeditious process, my folks are quite elderly and it is our family's desire provide in-home care for these long term Esquimalt residents.

Sincerely,



Brock Davies

Staff Report DEV-14-051
Schedule 'G' – Property Owner
Narrative

Brock & Sharon Davies
612 Bryden Court
Victoria, BC. V9A 4Y5
Ph. 250-589-6754



612 Bryden Court R/H



Brock & Sharon Davies
612 Bryden Court
Victoria, BC. V9A 4Y5
Ph. 250-589-6754

612 Bryden mid



612 Bryden L/H (new lot)



Brock & Sharon Davies
612 Bryden Court
Victoria, BC. V9A 4Y5
Ph. 250-589-6754

610 Bryden R/H (new lot)



610 Bryden L/H

B. C. LAND SURVEYOR'S SITE PLAN : SHOWING PROPOSED SUBDIVISION OF :

LOTS 25 AND 26, SECTION 11,
ESQUIMALT DISTRICT, PLAN 5646

SCALE = 1 : 250



All distances are in metres.

SITE AREA

1814 m²
19527 s. f.

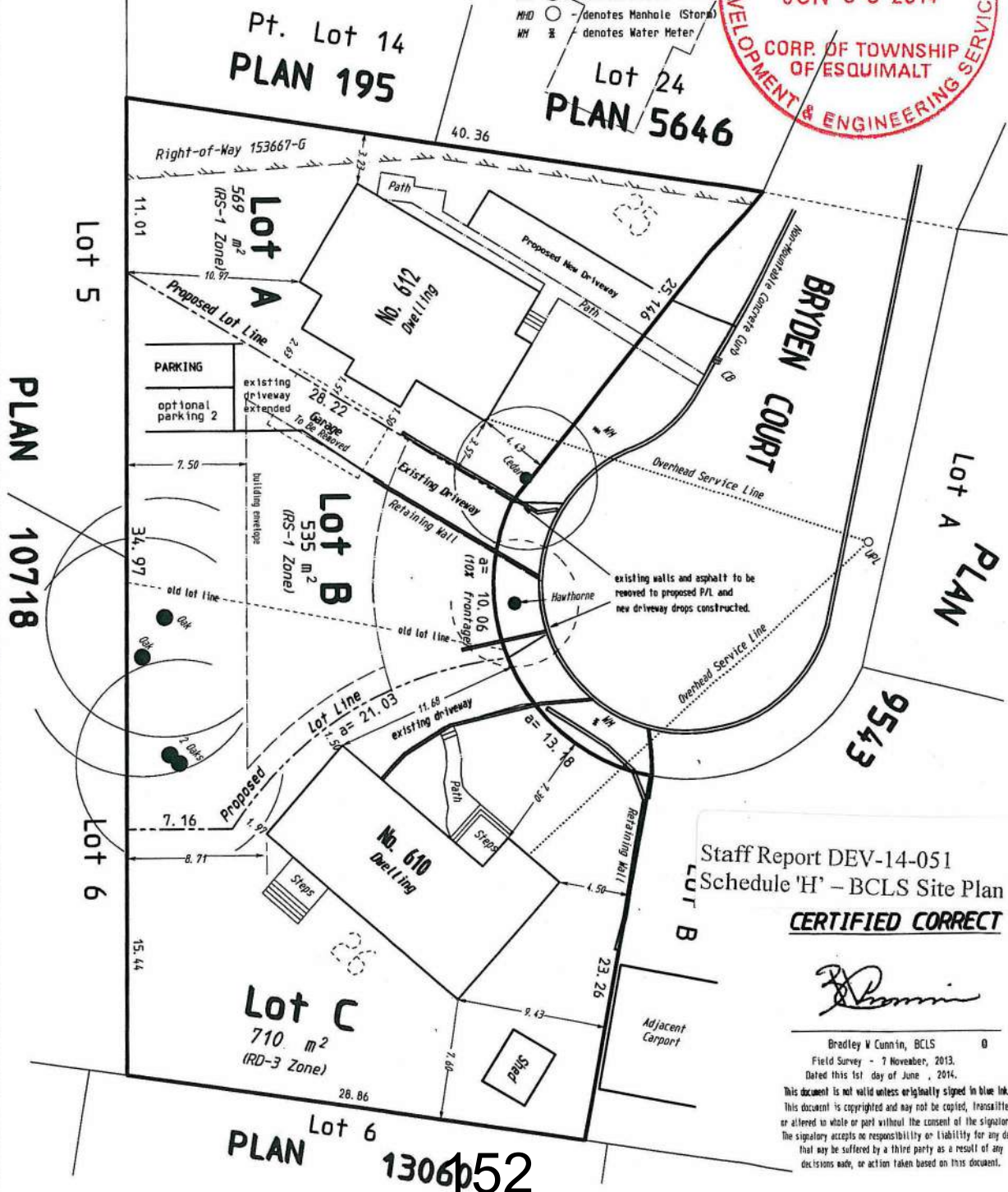
LEGEND

Elevations are geodetic based on The District of Esquimalt Integrated Survey Monument 87H3783 (Elev. = 25.495m)

Tree bases and canopies approximately to scale.

Where tree location is critical, tree species and canopy should be confirmed by qualified arborist.

- UPL ○ - denotes Utility Pole with Light
- CB ■ - denotes Catch Basin
- MHS ○ - denotes Manhole (Sanitary)
- MHD ○ - denotes Manhole (Storm)
- WM ⌘ - denotes Water Meter



FILE: 7647 - 19

DWG/DATE: 7647 - SITE / 2014-06-02

Brad Cunin Land Surveying
#100 - 407 Swift Street
Victoria, BC V8W 1S2
ph. 381-BCLS(2257) fx. 381-2289
brad@bcsurveyor.ca

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Staff Report DEV-14-051
Schedule 'H' - BCLS Site Plan
CERTIFIED CORRECT

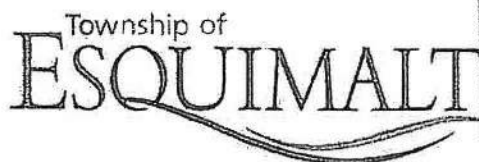
Bradley W. Cunin

Bradley W. Cunin, BCLS

Field Survey - 7 November, 2013.

Dated this 1st day of June, 2014.

This document is not valid unless originally signed in blue ink. This document is copyrighted and may not be copied, transcribed or altered in whole or part without the consent of the signatory. The signatory accepts no responsibility or liability for any damages that may be suffered by a third party as a result of any decisions made, or action taken based on this document.



CORPORATION OF THE TOWNSHIP OF ESQUIMALT
For Information:
☐ CAO ☐ Mayor/Council
☐ _____
RECEIVED: MAY 26 2014
Referred: Arija
☐ For Action ☐ For Response ☐ COTW
☐ For Report ☒ Council Agenda ☐ IC

1229 Esquimalt Road
Esquimalt BC V9A 3P1
PHONE: 250-414-7100
FAX: 250-414-7111
www.esquimalt.ca

PRESENTATION FORM

APPLICATION TO MAKE A PRESENTATION TO COUNCIL

Pursuant to *Council Procedure Bylaw, 2009, No. 2715, Section 19 – Presentations*, Council may allow up to two (2) Presentations (from outside organizations) at any Council meeting.

Each presentation (by representative(s) of an organization) will be **limited to a time period of ten (10) minutes**, after which will be followed by questions period, at the discretion of Council.

Name of Organization: BC Transit

Name(s) and Title(s) of Presenter(s): James Wadsworth Senior Planner
BC Transit

Daytime Phone No. 250-385-2551 Email: james.wadsworth@bctransit.com

Preferred Date of Presentation to Council: June 23rd
(An email will be sent to confirm the scheduled meeting date of your Presentation to Council)

Nature/Subject of Presentation: _____

BC Transit - Fall 2014 Service Plan for Transit. The presentation will provide information on the proposed service changes in Esquimalt which include the 6 Esquimalt & 14 Vic General and 15 Uvic.

Making a PowerPoint presentation? ☒ YES ☐ NO

If YES, please email your PowerPoint presentation to louise.payne@esquimalt.ca by Noon of the Thursday prior to the Monday (Council) meeting where you will be presenting.

Do you have handouts for Council? If so, please bring at least ten (10) copies to the Council meeting, and give to the Recording Secretary, Louise Payne, prior to the start of the meeting at 7:00 p.m.

May 26th 2014
Date of Application

[Signature]
Signature of Applicant

Anja



1229 Esquimalt Road
Esquimalt BC V9A 3P1
PHONE: 250-414-7100
FAX: 250-414-7111
www.esquimalt.ca

DELEGATION

APPLICATION TO APPEAR AS A DELEGATION BEFORE COUNCIL

An individual or a delegation may address Council on the subject of an Agenda item, each limited to **5 minutes**.
(See back for excerpt of the Council Procedure Bylaw)

Please submit the completed application **by Noon on Wednesday prior to the preferred Council meeting**, by: (1) email to admin@esquimalt.ca, (2), mail or hand deliver to Municipal Hall, address above, or (3) fax to 250-414-7111. For further information, contact the Corporate Officer at 250-414-7135 or admin@esquimalt.ca.

Name(s): Tom Woods

Organization (if applicable): ESQUIMALT RIBFEST

Daytime Phone No: 250 857 1062 Email: tom.woods@telus.net

Preferred Date of Council meeting: **Monday July 14, 2014**
(Staff will telephone or email to confirm the meeting date once it is scheduled.)

Reasons for Wishing to Appear as a Delegation (Please Specify):

We are proud to present the 2nd annual Esquimalt Ribfest, in full support of the Township's Tourism objective to "Make Esquimalt a 'must-see' for visitors to the region."
Ribfest was extremely well received last year, welcoming approx. 15,000 people to the pleasures of a family focused, music filled food celebration. We are also excited to welcome guests from our festival 'twin', Port Angeles, and see this community partnership as the start of a great and lasting connection between our towns. We want to be the flagship charitable event for Esquimalt, and to achieve this, we are asking for the support of the Township of Esquimalt in the form of In-kind contributions. We are requesting permission to access Bullen Park, infrastructure such as tables, chairs and additional garbage containers, and manpower to help us set up and take down. Our success is the Township's success, and we hope you will be able to fully support this great event.

Will you be presenting a Petition to Council? **No**

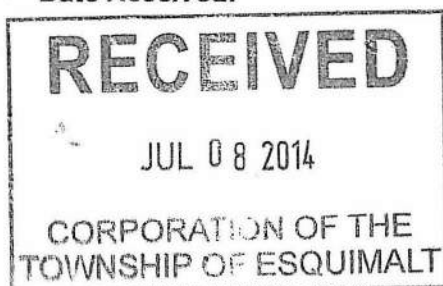
July 7, 2014
Date of Application

[Signature]
Signature

Date Received:

FOR OFFICE USE ONLY

Date Presented to Council:



APPLICANT
CONTACTED ☐

DATE: _____

INITIALS: _____



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

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

Council Meeting: July 14, 2014
Staff Report No. ADM-14-031

REQUEST FOR DECISION

SUBJECT: 2014 Local Government Election

RECOMMENDATION:

That Council:

- (1) appoints Anja Nurvo, Director of Corporate Services, as Chief Election Officer and Deborah Liske, Corporate Services Office Administrator, as Deputy Chief Election Officer for the 2014 Local Government Election;
- (2) approves Council Policy No. ADMIN-69 Election Signs on Municipal Property, and rescinds Council Policy No. PLAN-30; and
- (3) directs that no amendments are required to the *Election Procedures and Automated Voting Machines Authorization Bylaw, 2005, No. 2617*.

RELEVANT POLICY:

Local Government Act, Part 3 – Electors and Elections, and Part 3 – Other Voting
Election Procedures and Automated Voting Machines Authorization Bylaw, 2005, No. 2617, as amended
Elector Registration Bylaw, 2005, No. 2618
Council Policy No. PLAN-30 “Placing of Election Signs on Public Property”

STRATEGIC RELEVANCE:

This Request for Decision does not directly relate to any of Council’s Strategic Priorities.

Submitted by: Writer

Anja Nurvo

Reviewed by: CAO

R. Rust

Date:

July 7/14

STAFF REPORT

DATE: July 7, 2014 **Report No.** ADM-14-031
TO: Laurie Hurst, Chief Administrative Officer
FROM: Anja Nurvo, Director of Corporate Services
SUBJECT: 2014 Local Government Election

RECOMMENDATION:

That Council:

- (1) appoints Anja Nurvo, Director of Corporate Services, as Chief Election Officer and Deborah Liske, Corporate Services Office Administrator, as Deputy Chief Election Officer for the 2014 Local Government Election;
- (2) approves Council Policy No. ADMIN-69 Election Signs on Municipal Property, and rescinds Council Policy No. PLAN-30; and
- (3) directs that no amendments are required to the *Election Procedures and Automated Voting Machines Authorization Bylaw, 2005, No. 2617*.

BACKGROUND:

At the Committee of the Whole (COTW) meeting on April 14, 2014, Council reviewed Staff Report No. ADM-14-018 which summarized various issues and options for conducting the 2014 local government election and provided recommendations relating to: voter registration, voting opportunities, bylaw amendments, sharing of costs with the School District, and election staffing.

The COTW passed the following Resolution:

"That the Committee of the Whole receives Staff Report No. ADM-14-018 for information and directs staff that no amendments are required to the *Elector Registration Bylaw, 2005, No. 2618* or the *Election Procedures and Automated Voting Machines Authorization Bylaw, 2005, No. 2617*, as amended."

The COTW subsequently amended the Resolution to add:

"That staff be directed to include options for mobile polling opportunities in seniors' residences as special advance voting opportunities."

Section 39(1) of the *Local Government Act* (LGA) states that in order for a bylaw to apply to a general local election, the bylaw must be adopted at least 8 weeks before the first day of the nomination period (ie by August 5th).

Seniors' Facilities in Esquimalt

Staff researched seniors' facilities located within the Township of Esquimalt. Attached is a list and brief description of the five existing facilities in the Township. Four are classified as "independent living," where residents do not receive "nursing care" but receive either no assistance or limited assistance with a few services. The residents in these facilities are mobile and able to attend advance or general voting opportunities held at the Municipal facilities.

The one remaining facility, Sunset Lodge at 925 Arm Street, is classified as "long term care" and contains 108 residential units. The Administrator of the facility stated that it was common for voting opportunities to be held within their facility for Provincial and Federal elections. The Administrator stated that they can accommodate the local government election this fall. Those wishing to vote would be assisted to attend by staff, if required. She recommended the election be held in one of the rooms on the main floor, during the week, between 10:00 a.m. and 12:00 noon when most of the residents would be available, and that no bedside voting be conducted.

In the opinion of the Administrator of the facility, approximately 25 of the 108 residents may still be capable of and wishing to participate in the voting. Assuming a turnout of 30% of the potential 25 voters (the average for municipal elections), there could be as few as 8 residents who would vote.

Presiding staff for the special voting opportunity would have the additional responsibility of ensuring that the vote is conducted appropriately, and that potential voters are eligible to vote, are capable of voting, and that anyone assisting them does so appropriately and completes the required declaration.

In staff's opinion, the additional staff time involved in making all of the required arrangements, advertising, and attending for the special vote at this one facility for a small potential voter turnout would not be warranted. Staff therefore recommends that no revisions be made to the Election Procedures Bylaw to hold a special voting opportunity for the 2014 local government election.

However, in the event Council directs staff to proceed with the special voting opportunity for Sunset Lodge, the Election Procedures Bylaw will have to be amended. Since the revisions to the Bylaw would have to be adopted by August 5th in accordance with the LGA, Special Council meetings would have to be called specifically for this purpose.

Council Policy re Placing of Election Signs on Public Property

Council Policy No. PLAN-30 entitled "Placing of Election Signs on Public Property" states in the last paragraph that:

"Any Election Sign may be removed forthwith at the direction of the Chief Constable or the Director of Development Services, if in their opinion, the location of the sign poses a safety hazard."

Staff recommends that this clause be revised to read as follows:

"Any Election Sign may be removed by the Township:

- (1) forthwith at the direction of the Director of Community Safety Services or Bylaw Management Officer if in their opinion the location of the sign poses a safety hazard; or

- (2) if the Election Sign does not comply with the regulations set out above and the candidate or candidate's representative has failed to remove the Election Sign following 24 hours' notice from the Township to do so."

Staff also recommends that the Policy be removed from the Planning & Development category, and be added to the Administration category. The Policy should be monitored as part of the regulation of the elections process, which is the responsibility of the Administration department. The proposed revised Policy renumbered as Council Policy No. ADMIN-69 is attached.

Appointment of Election Officials

The LGA requires that Council must appoint a Chief Election Officer and a Deputy Chief Election Officer for the purposes of conducting an election. The Chief Election Officer must appoint other election officials as required for the administration and conduct of the election.

Due to staff vacancies, the Corporate Services Department does not currently have sufficient staff to cover the additional responsibilities of the local government election, in particular when reviewing the various other major initiatives currently underway, including records management implementation, webcasting, paperless agendas, agenda management software implementation, bylaw review and updating, and initiation of the LGA process for service review of the CRD Arts and Culture Support Service.

Staff recommends that the Corporate Officer be appointed as Chief Election Officer for the 2014 local government election. In addition, in the interim in order to meet the legislated requirements, staff recommends that the Corporate Services Office Administrator be appointed as Deputy Chief Election Officer, until such time as a permanent appointment can be made.

ISSUES:

1. Rationale for Selected Option

Staff recommends that the Election Procedures Bylaw not be revised for the 2014 local government election to provide for special voting opportunities for any seniors' facilities in Esquimalt, due to the additional staff time involved in making the necessary arrangements, the low potential voter participation, and the additional challenges posed by a current staff vacancy in the Corporate Services Department.

2. Organizational Implications

If Council wished to implement any changes to the election procedures to provide for any special voting opportunities for seniors, the Bylaw revisions must be adopted by August 5th, 2014. This would require two Special Council meetings to be held.

3. Financial Implications

Depending upon when the current staff vacancy can be filled, additional staff resources may be required in order to meet the staff responsibilities and legislated timelines for the election. The options are to retain external election staff or incur overtime for existing unionized staff. Both will have an impact on the approved election budget.

4. Sustainability & Environmental Implications

There are no sustainability or environmental implications.

5. Communication & Engagement

Staff has updated the Township's website for the 2014 local government election, and as updated information from the Province becomes available, that will be added as links to the website. Staff is also updating the Candidates Packages and information for prospective candidates, which will be available August 22nd. Staff will ensure that all of the mandatory advertising is completed and posted on the website.

ALTERNATIVES:

1. That Council:

- (1) appoints Anja Nurvo, Director of Corporate Services as Chief Election Officer and Deborah Liske, Corporate Services Office Administrator, as Deputy Chief Election Officer for the 2014 Local Government Election;
- (2) approves Council Policy No. ADMIN-69 Election Signs on Municipal Property, and rescinds Council Policy No. PLAN-30; and
- (3) directs that no amendments are required to the *Election Procedures and Automated Voting Machines Authorization Bylaw, 2005, No. 2617*.

2. That Council:

- (1) appoints Anja Nurvo, Director of Corporate Services as Chief Election Officer and Deborah Liske, Corporate Services Office Administrator, as Deputy Chief Election Officer for the 2014 Local Government Election;
- (2) approves Council Policy No. ADMIN-69 Election Signs on Municipal Property, and rescinds Council Policy No. PLAN-30;
- (3) directs the Chief Election Officer to hold a Special Voting Opportunity at the Sunset Lodge located at 925 Arm Street; and
- (4) directs staff to prepare an amendment to the *Election Procedures and Automated Voting Machines Authorization Bylaw, 2005, No. 2617*, to provide for such Special Voting Opportunity and to schedule the Special Council meetings required in order to adopt the Bylaw Amendment by August 5th, 2014.

SENIORS' FACILITIES IN ESQUIMALT

1. Sunset Lodge, 925 Arm Street

- Long term residential care
- Ministry of Health criteria: can no longer be cared for in own home or in assisted living residence; experience severe behavioural problems, cognitive impairment, physically dependent, require professional nursing care, or multiple disabilities or complex medical conditions requiring 24 hour professional care
- Owned and operated by Salvation Army
- 108 fully equipped private rooms
- All residents provided with all meals, laundry, housekeeping
- Nurses on staff to provide care as required; categorized as "complex care"

2. Grafton Lodge, 506 Grafton Street

- Developed by Esquimalt Lions Senior Housing Society
- 39 units : 12 assisted living apartments and 27 independent living apartments
- Independent living – Seniors 55+ (or younger on disability); live in their own in separate units with some assistance (dining room for meals, laundry services)
- Operated by Greater Victoria Housing Society who advised: no nursing staff provided, some "assistance" (not "care") provided to a few residents at their own apartment, residents function at "highly independent level"
- Some subsidized and some non-subsidized units

3. Constance Court, 1325 Esquimalt Road

- 52 seniors apartments, subsidized, rent geared to income
- Independent living, no care or support provided
- Operated by Greater Victoria Housing Society

4. Esquimalt Lions Lodge, 847 Fleming Street

- 77 seniors' apartments, low income senior's apartment building
- Independent living, no care or support provided
- Operated by Greater Victoria Housing Society

5. The Renaissance Retirement Residence, 1188 Esquimalt Road

- Independent living for "active independent seniors" - live in their own separate units with some supportive services provided
- 59 self-contained privately owned units with full kitchens
- Common dining room for all dinners; can choose to have breakfasts and lunches in own premises or pay for them in dining room
- Provide "supportive" services - housekeeping, laundry services, 24-hour personal response system, games, activities and entertainment



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

COUNCIL POLICY

TITLE: Election Signs on Municipal Property	NO. ADMIN - 69
PURPOSE This policy regulates the erection of Election Signs on Municipal properties, including road allowances.	
BACKGROUND The Federal and Provincial Election Acts prevent the Municipality from prohibiting the placement of election signs on municipal properties. However, such signage can be regulated in size and placement location by policy or bylaw. Election Sign means "a temporary sign erected to advertise a political party, or a registered candidate, in a Federal, Provincial or Municipal election". Election signs shall not: <ul style="list-style-type: none">a) Be placed upon municipally-owned parcels of land such as the Municipal Hall, Recreation Center or Public Parks;b) Be placed upon municipal road allowances immediately abutting municipally-owned parcels of land or a public school;c) Be placed within landscaped medians or traffic islands located within municipal road allowances;d) Exceed 0.37 square metres (4 square feet) in size when placed on a municipal road allowance. Any Election Sign may be removed by the Township: <ul style="list-style-type: none">a) forthwith at the direction of the Director of Community Safety Services or Bylaw Management Officer if in their opinion the location of the sign poses a safety hazard; orb) if the Election Sign does not comply with the regulations set out above and the candidate or candidate's representative has failed to remove the Election Sign following 24 hours' notice from the Township to do so.	

EFFECTIVE DATE:	APPROVED BY: Council	REFERENCE Staff Report ADM-14-031	REPLACES NO. PLAN - 30	PAGE 1 OF 1
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CORPORATION OF THE TOWNSHIP OF ESQUIMALT

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

Council Meeting: July 14th, 2014
Staff Report No. CSS-14-006

REQUEST FOR DECISION

SUBJECT: Animal Control Bylaw update

RECOMMENDATION:

That Council gives first, second and third readings to the Animal Control Bylaw, 2014, No. 2841, as attached to Staff Report No. CSS-14-006.

RELEVANT POLICY:

Animal Bylaw, 2002, No. 2495
Bylaw Notice Enforcement Bylaw, 2014, No. 2839

STRATEGIC RELEVANCE:

This Request for Decision relates to staff's operational strategy of Bylaw Review and updating.

Submitted by: Writer

Reviewed by: CAO

Date:

July 8/14

STAFF REPORT

DATE: July 8, 2014 **Report No.** CSS-14-006
TO: Laurie Hurst, Chief Administrative Officer
FROM: Blair McDonald, Director, Community Safety Services
SUBJECT: Animal Control Bylaw update.

RECOMMENDATION:

That Council gives first, second and third readings to the Animal Control Bylaw, 2014, No. 2841 as attached to Staff Report No. CSS-14-006.

BACKGROUND:

The Animal Bylaw, 2002, No. 2495 was identified in 2013 as in need of revision. It was deferred until 2014 due to staff operational demands. There were numerous identified weaknesses in the bylaw including the need to clarify the maximum number of dogs per household. A review of the fine structure, fees and charges was required. Additionally, the status of parks, in particular off leash and no dogs allowed areas needed to be revisited and clarified. The sections relating to urban hens also required clarification. Authorities of Investigators also needed to be strengthened to allow effective enforcement.

ISSUES:

1. Rationale for Selected Option

The revised bylaw has been prepared by considering input from the British Columbia Society for the Prevention of Cruelty to Animals (BCSPCA) as well as Victoria Animal Control (the Township's current contracted Animal Control agency). Research was conducted with other neighbouring jurisdictions, and the revised fine amounts are in line with fine amounts of other jurisdictions in the Capital Regional District. Fine amounts have also been revised to fit with the Bylaw Notice fine structure. The fee amounts have been revised and in each case strike a balance between recovering costs and yet not making it prohibitive for people to claim their animals from the pound.

New provisions have been added to compel someone in possession of a dog to identify themselves, the dog and its owner, to bylaw enforcement officials. Previously, if a bylaw enforcement officer noted a person with a dog contravening the provisions of the bylaw, the person with the dog could just walk away and the bylaw enforcement officer had no recourse. The new provision should allow for greater efficiency in enforcing the bylaw.

An additional Schedule (Schedule "N") will have to be added to the Bylaw Notice Bylaw to allow for enforcement of the new Animal Control Bylaw through Bylaw Notice. (Should Council so choose, this schedule can be adopted after adoption of the Bylaw Notice Bylaw which is before Council on this date).

2. Organizational Implications

There are no organizational implications.

3. Financial Implications

The fine amounts have been adjusted to mirror those amounts for similar offences in surrounding municipalities. Fees have been adjusted to recover costs associated with administering the bylaw.

4. Sustainability/Environmental Implications

There are no sustainability or environmental implications.

5. Communication & Engagement

The new bylaw will be posted to the website and park signage will be adjusted as necessary to reflect "no dogs allowed", "leash only" and "off leash" areas. Maps of the Township with these areas marked will also be added to the website.

ALTERNATIVES:

1. That Council gives first, second and third readings to the Animal Control Bylaw, 2014, No. 2841 as attached to Staff Report No. CSS-14-006.
2. That Council directs any amendments it considers appropriate to Bylaw No. 2841 prior to giving it first, second and third readings as amended.
3. That Council refers draft Bylaw No. 2841 back to staff to further revision.

CORPORATION OF THE TOWNSHIP OF ESQUIMALT

BYLAW NO. 2841

A Bylaw to regulate the keeping of animals and animal nuisances, and to provide for dog licensing and animal pounds within the Township of Esquimalt

The Municipal Council of the Corporation of the Township of Esquimalt, in open meeting assembled, enacts as follows:

PART 1 – INTRODUCTION

Title

1. This Bylaw may be cited as the "*Animal Control Bylaw, 2014, No. 2841*".

Definitions

2. In this Bylaw, unless the context otherwise requires,

"animal" means any member of the animal kingdom;

"animal control officer" means a person designated as an animal control officer for the Township, including for the purposes of Section 49 of the *Community Charter [dangerous dogs]*, and includes all bylaw enforcement officers and police officers of the Township;

"at large" means in a public place unless the animal is under the effective control of the owner, or on private property without the consent and knowledge of the owner or occupier of the private property.

"bird" includes ornamental bird, pigeon and poultry.

"dangerous dog", means a dog that has been designated as a dangerous dog under section 41;

"dog-prohibited area" means all lands described in Schedule "B" attached to and forming part of this Bylaw.

"effective control" means that the person can see the animal and when the person calls, the animal returns to the person within three calls.

"farm animal" means any domesticated animal normally raised for food, milk or as a beast of burden and includes cattle, horses, swine, sheep, goats, mules, donkeys, asses and oxen, but does not include poultry or bees;

"guide dog" means a dog used by a blind or otherwise disabled person to assist them to avoid hazards and for which a certificate has been issued under the *Guide Animal Act*.

"impound" means to seize, deliver, receive or take into the Pound or into the custody of the Poundkeeper; and "impounded" means seized, delivered, received or taken into the Pound or into the custody of the Poundkeeper.

"kennel" means any property in which five or more dogs over the age of four months are kept or harboured, not including the Pound, veterinary medical clinics, pet care establishments and pet stores.

"leash" means a chain, harness, line or rope that is of sufficient strength to restrain the animal without breaking.

"licence" means a licence that has been paid for by the owner of a dog and issued by the Township for the dog for the current licensing year.

"licensing year" means from January 1 to December 31 in any year.

"off-leash area" means all lands described in Schedule "C" attached to and forming part of this Bylaw.

"ornamental bird" means any bird which is normally kept in a cage or aviary, primarily as a show or decorative bird, and without limiting the generality of the foregoing includes budgerigar, canary, cockatoo, myna bird, ornamental pheasant, parakeet, parrot and pigeon.

"other animal" means any animal, including any mammal, bird, reptile or amphibian, except a dog or domestic cat;

"owner" means any person who is in possession of or who has the care, custody or control of an animal, or any person who possesses, harbours or allows an animal to remain about his or her residence, land or premises, and, in the case of a dog, any person whose name appears on the dog licence.

"police dog" means any dog owned by a municipal police force or the Royal Canadian Mounted Police and which is trained to assist police on investigations.

"pound" means the Pound established pursuant to this Bylaw.

"poundkeeper" means the person appointed by Council as poundkeeper for the Township, or the person under contract with the Township to act as a poundkeeper, and includes persons acting under the direction of the poundkeeper.

"public place" includes all highways, boulevards, municipal parks or other real property owned, held, operated or administered by the Township or by a school district within the Municipality.

"rodent" means any animal of the order *Rodentia* or any other small mammal kept as a pet and without limiting the generality of the foregoing includes ferret, gerbil, guinea pig, hamster, rat and mouse.

"Township" means the Corporation of the Township of Esquimalt.

"Urban Hen" means a domesticated female chicken or duck that is at least 4 months old.

"Zoning Bylaw" means the *Zoning Bylaw, 1992, No. 2050* and amendments thereto, or in the case that it is repealed, its successor bylaw.

Application

3. With the exception of Part 3 hereof, this Bylaw does not apply to:
 - (1) a person with a disability with respect to a guide animal certified under the *Guide Animal Act*;
 - (2) a police officer with respect to a police dog;
 - (3) a person with respect to animals participating in a show, exhibition, performance, circus or other commercial event at a municipal park or municipal facility provided the event is being conducted in accordance with a permit issued by the Director of Parks, Recreation and Culture; or
 - (4) the exhibition or use of animals at a community event, parade or pet show.

PART 2 – POUND AND POUNDKEEPER

Establishment of a Pound

4. Council hereby authorizes the establishment, maintenance and operation of or contracting for facilities for the impounding of animals at such place or places and upon such premises as the Council may, from time to time, determine, and designates the person in charge of the Pound as the Poundkeeper.

Duties of the Poundkeeper

5. The Poundkeeper must impound and detain all animals delivered to him or her pursuant to the provisions of this Bylaw and must furnish them with sufficient food, water, shelter and attendance.
6. The Poundkeeper must, upon receipt of an animal delivered to the Pound by an animal control officer, bylaw enforcement officer, police officer or a member of the public other than the owner of the animal, deal with that animal in the same manner as other animals seized and impounded pursuant to this Bylaw.

Keeping of Records

7. The Poundkeeper must maintain the following records for each impounded animal:
 - (1) the date, time and location where the animal was impounded;
 - (2) description of the animal;
 - (3) name and address of the person who brought the animal to the Pound;

- (4) name and address of the person who redeems the animal, and, if the person who redeems the animal is not the owner, the name and address of the owner of the animal;
- (5) the date when the animal was redeemed or otherwise disposed of;
- (6) a description of the method of and reason for the disposition; and
- (7) the amount of money, if any, recovered in respect of the animal.

PART 3 – ANIMAL WELFARE

Animal abandonment

8. No owner of an animal shall abandon the animal.

Basic animal care requirements

9. The owner of an animal must ensure that the animal is provided with:
- (1) clean, potable drinking water at all times and suitable food of sufficient quantity and quality to allow for normal growth and the maintenance of normal body weight;
 - (2) clean and disinfected food and water receptacles that are located so as to avoid contamination by excrement;
 - (3) the opportunity for regular exercise sufficient to maintain good health; and
 - (4) necessary veterinary care when the animal exhibits signs of pain, injury, illness or suffering.

Outdoor shelter requirements

10. No person may keep an animal outside, unless the animal is provided with a shelter that provides:
- (1) protection from heat, cold and wet that is appropriate to the animal's weight and type of coat;
 - (2) sufficient space to allow the animal the ability to turn about freely and to easily stand, sit and lie in a normal position; and
 - (3) sufficient shade to protect the animal from the direct rays of the sun at all times.

Sanitation requirements

11. No person shall keep an animal in a shelter, pen, cage or run area unless the shelter, pen, cage or run area is clean, sanitary and free from wild vermin.
12. No person shall allow animal excrement to accumulate on or about the land or premises where an animal is kept.

Tying animals

13. No person shall cause an animal to be hitched, tied or fastened to a fixed object by a rope, chain or cord that is directly tied around the animal's neck or to a choke collar, for an extended period of time, and in any event for not more than 30 minutes.

Animals in an enclosed space

14. No person shall confine an animal in an enclosed space, vehicle or vessel without providing adequate ventilation and water so as to prevent the animal from suffering distress and without providing sufficient shade to protect the enclosed space, vehicle, vessel and animal from the direct rays of the sun at all times.

Transport of animals in motor vehicles

15. No person shall transport an animal in a motor vehicle outside the passenger compartment or in an uncovered passenger compartment unless the animal is adequately confined or secured in a body harness or other manner of fastening that is adequate to prevent the animal from jumping or falling off the vehicle or otherwise injuring itself.

Exercising Dogs from a Motor Vehicle or Bicycle

16. (1) No person shall exercise a dog by allowing it to run next to a moving motor vehicle.
- (2) No person shall exercise a dog by allowing it to run next to a bicycle unless the dog is attached to the bicycle by an apparatus that allows the person to retain two-handed control of the bicycle at all times.
- (3) Subsection (2) does not apply to a person exercising a dog in an off-leash area if:
- a) the dog is not being held; and
 - b) bicycle riding is permitted in the area.

Traps

17. (1) Subject to subsection (2), no person shall use, set or maintain a leg-hold or killing trap, snare or device that is designed to capture an animal within the Township.
- (2) Subsection (1) shall not apply to a licenced pest control company, conservation officer acting within his or her duties, or other person acting within the authority of a valid Provincial permit.

Infectious or Contagious Disease

18. No person shall own, possess or harbour any animal suffering from any infectious or contagious disease unless such animal is in isolation and under veterinary care and treatment for such disease.

PART 4 – ANIMAL CONTROL

Animals on private property

19. The owner of an animal must not allow the animal to be on any private lands or premises without the consent of the owner or occupier of the lands or premises.

Dogs in public places

20. (1) The owner of a dog must not allow the dog to be in a public place unless the dog is firmly held on:
- a) a leash not exceeding 2.4 m in length; or
 - b) a retractable lead not exceeding 8 m in length when fully extended; by a person competent to restrain and keep the dog under his or her physical control.
- (2) Despite subsection (1), the owner of a dog may allow the dog to be in an off-leash area without being firmly held if:
- a) the dog is under the effective control of a competent person;
 - b) the off-leash area is not being used under a permit issued by the Director of Parks & Recreation Services; and
 - c) the off-leash area has not been closed by the Director of Parks & Recreation Services.
- (3) Despite subsection (1), the owner of a dog must not allow the dog to be in a dog-prohibited area at any time.

Other animals in public places

21. (1) The owner of a snake or other reptile must not allow it to be in a public place unless it is securely confined in a cage or other container.
- (2) The owner of an animal other than a dog, snake or other reptile must not allow the animal to be in any public place unless the animal is under the effective control of a competent person.
- (3) An owner of a cat or rabbit must not allow the animal to be in an off-leash area at any time.

Control of Cats

22. No person shall own, possess or harbour more than 5 cats over the age of 4 months on any property within the Township.
23. The owner of a cat must not allow their cat to be at large.

Animals damaging public property

24. The owner of an animal must not allow the animal to damage or destroy any public or private property including any building, structure, tree, shrub, plant, turf, equipment or apparatus.

Animals chasing or harassing

25. The owner of an animal must not allow the animal to chase, harass, molest or attack a person or animal.

Limit on the number of dogs

26. (1) No person shall keep more than 4 dogs on one property, unless the dogs are kept only during business hours on premises where a registered veterinarian practices veterinary medicine.
- (2) Notwithstanding subsection (1) the occupier of each apartment in an apartment building under whatever form of land title, may keep 1 dog.
- (3) No person being the owner or occupier of any property within the Township shall permit such property to be used as or for a kennel.

Dogs in heat

27. Except as permitted by section 28, the owner of a female dog in heat must confine the dog within a building or kennel until the dog is no longer in heat.
28. The owner of a female dog in heat may allow the dog to leave the building or kennel in order to urinate or defecate on the person's private lands if the person:
- (1) firmly holds the dog on a leash, and
- (2) immediately returns the dog to the building or kennel upon completion of the urination or defecation.

Farm animals

29. (1) No person shall keep a farm animal, rooster, or peafowl.
- (2) Subsection (1) does not apply to a person who brings a farm animal into the Township for an event conducted in accordance with a permit issued by the Director of Parks & Recreation Services.

Poultry

30. Subject to section 31, no person shall keep any poultry on any parcel of land in the Municipality.
31. Despite section 30, no more than 4 Urban Hens may be kept on any parcel zoned for Single Family Residential Use (in this section referred to as "the property"), provided that:
- (1) no roosters, cocks, or cockerels are kept on the property;
- (2) a minimum enclosed area of 0.4 sq m is provided per Urban Hen;
- (3) any structure containing Urban Hens, whether portable or stationary, shall be located at least 1.5 m from any property line;

- (4) only one structure containing Urban Hens is permitted on any property;
- (5) the ground underneath any structure housing Urban Hens shall be kept clean and dry and the structure shall be placed on a solid surface during prolonged periods of wet weather;
- (6) Urban Hens are not permitted to run at large;
- (7) every structure housing Urban Hens and the grounds surrounding it shall be kept clean and free of odours and wild vermin;
- (8) any diseased Urban Hen shall be humanely killed and the carcass destroyed in a lawful manner;
- (9) no slaughtering of Urban Hens shall be permitted on any property;
- (10) poultry manure and waste products shall be composted or disposed of regularly so as to prevent odours; and
- (11) any structure containing hens or chickens, whether that structure is portable or stationary, shall not be located within the front yard setback unless such structure is screened by vegetation of a sufficient height and width to prevent the structure from being visible from the street or from any adjacent residence.

Birds

- 32. No person shall keep more than 10 ornamental birds on any parcel of land in the Township provided that they are housed and enclosed at all times on the parcel on which they are kept.
- 33. Where any bird is housed in any building or enclosure, the building or enclosure must meet the minimum clearances from any property lines as required by the Zoning Bylaw.

Rabbits and Rodents

- 34. No person shall own, possess or harbour more than 10 rabbits or rodents over the age of 12 weeks on any parcel of land.
- 35. No owner of any rabbit or rodent shall allow their rabbit or rodent to be at large.
- 36. Where any rabbit or rodent is housed in any building or enclosure, the building or enclosure must meet the minimum clearances from any property lines as required by the Zoning Bylaw.
- 37.
 - (1) No person shall keep rabbits in an outdoor pen, cage or run, unless the pen, cage or run is securely enclosed to prevent escape.
 - (2) Every owner of a rabbit or rodent shall keep the rabbit or rodent at all times when it is away from the parcel of land on which it is normally kept or harboured secured on a leash or confined in a suitable cage or pet carrier so as to prevent its escape.

Bees

38. Bees may be kept on any parcel of land in any residential zone as established by the Zoning Bylaw, subject to the consent of the owner of the land.
39. A maximum of 3 beehives may be kept on any parcel of land.
40. Beehives must:
- (1) be set back a minimum of 1.5 m from any property line,
 - (2) have a vertical screen in front of the entrance to the hive measuring at least six 1.8 m high within 0.6 m of the entrance to the hive,
 - (3) be placed so that flight paths do not cross publicly frequented areas; and
 - (4) be maintained in accordance with good beekeeping practices including providing an adequate source of fresh clean water.

PART 5 – DANGEROUS DOGS**Designating dangerous dogs**

41. (1) An animal control officer may designate a dog as a dangerous dog if the dog:
- a) has injured, bitten or killed a person or animal or has aggressively pursued, threatened or harassed a person or animal without provocation,
 - b) has a known propensity, tendency or disposition to attack a person or animal without provocation, or
 - c) has previously been designated as a dangerous dog and endangers the safety of a person or animal.
- (2) A designation under subsection (1) may be for any time period that an animal control officer considers appropriate, considering the circumstances of the incident, the severity of the incident, and any previous incidents.
- (3) After designating a dog as a dangerous dog, an animal control officer must inform the owner of the dog in writing of:
- a) the designation and its length, and
 - b) the responsibilities of the owner of a dangerous dog.

Control of dangerous dogs

42. (1) Except as allowed under subsection (2) and subject to subsection (3), the owner of a dangerous dog must not allow the dangerous dog to be in a public place or on any private lands and premises unless the dog is
- a) firmly held by a person competent to restrain the dog on a leash not exceeding 2.4 m in length, and
 - b) muzzled by a properly fitted humane basket muzzle.

- (2) A person may allow a dangerous dog to be in areas of private lands or premises that are exclusively owned or occupied by that person without a muzzle or leash so long as the dog is securely confined:
- a) indoors,
 - b) on a deck that is no less than 3 m above ground level; or
 - c) in a rear yard and inside a pen, enclosure or fenced area that:
 - (i) is adequately constructed to prevent the dog from escaping,
 - (ii) is locked to prevent casual entry by another person, and
 - (iii) has been inspected and approved by an animal control officer.

Signage

43. (1) The owner of a dangerous dog must:
- a) pay the fee prescribed in Schedule "A" and obtain from the Township a sign in the form prescribed in Schedule "D"; and
 - b) display the sign at each entrance to:
 - (i) the property and building in or upon which the dog is kept, and
 - (ii) any deck, pen, enclosure or fenced area used to securely confine the dog.
- (2) A sign displayed in accordance with subsection (1) must be:
- a) attached so that it cannot be removed easily by passersby, and
 - b) visible and capable of being read from any adjacent sidewalk, street or lane.
- (3) No person shall deface or remove a sign that is required to be displayed under subsection (1).

Duties of a dangerous dog owner

44. The owner of a dangerous dog must:
- (1) immediately advise an animal control officer if the dog is at large or if it has bitten or attacked any person or animal,
 - (2) allow an animal control officer to photograph the dog, on demand,
 - (3) within two working days of moving to a new residence, provide an animal control officer with the owner's new address,
 - (4) within two working days of selling or giving away the dog, provide an animal control officer with the name, address and telephone number of the new owner, and
 - (5) within two working days of the death of the dog, provide an animal control officer with a veterinarian's certificate of the death.

PART 6 – LICENSING OF DOGS

Obtaining licences

45. (1) No person shall keep a dog over the age of 4 months unless a licence has been obtained from the Township for the dog.
- (2) Every licence expires on December 31 of the calendar year for which the licence is issued.
- (3) A person may obtain a licence for a dog by:
- a) applying to the Township for a licence, and
 - b) paying the fee prescribed in Schedule "A".
- (4) Despite subsection (3)(b), a person may obtain a licence for a dog without paying the prescribed fee if:
- a) the dog has been sterilized within the 12 months prior to the application for a licence, the person provides proof of sterilization, and a free licence has not previously been issued for that dog under this subsection, or
 - b) the person holds a valid licence for the dog issued in another jurisdiction and surrenders the licence tag from the other jurisdiction.
- (5) A person who obtains a licence on or after February 1st must pay the late purchase fee prescribed in Schedule "A" in addition to the licence fee.
- (6) The late purchase fee provided for in subsection (5) does not apply to a person who obtains a licence for a dog that was purchased or acquired in the calendar year for which the licence is issued.
- (7) An owner may obtain a replacement licence tag if a valid licence tag is lost or destroyed by paying the fee prescribed in Schedule "A".

Collars and licence tags

46. (1) A licence consists of a written receipt and a licence tag designed to be attached to a dog collar.
- (2) The owner of a dog over the age of 4 months must not allow the dog to be anywhere except on premises normally occupied by the owner unless the dog wears a collar with a valid licence tag attached to the collar.
- (3) If a dog does not wear a collar to which the licence tag is attached in a conspicuous place, it shall be presumed that the dog is not licensed.
- (4) No person shall remove a collar or licence tag from a dog, unless that person is:
- a) the owner,
 - b) a person authorized by the owner,
 - c) the poundkeeper, or
 - d) an animal control officer.

Exemption for Visiting Dogs

47. No licence is required for a dog owned by a non-resident of the Township who is temporarily residing in or visiting the Township, for a period not exceeding 30 consecutive days, provided that the dog is licensed for the current year in the jurisdiction in which the owner of the dog ordinarily resides.

Exemption for Police and Guide Dogs

48. No dog licence fee, late licensing penalty or replacement dog licence tag fee shall be charged for guide dogs and police dogs.

PART 7 – ANIMAL NUISANCES**Noisy dogs**

49. In addition to the requirements of the Maintenance of Property and Nuisance Regulation Bylaw, the owner of a dog must not allow the dog to bark, howl or cry continuously for ten minutes or more without significant periods of rest, sporadically for a cumulative total of 15 or more minutes within one hour, or otherwise in such a manner as to cause a nuisance.

Animal waste

50. (1) The owner of a dog must not allow the dog to defecate:
- a) in a public place, or
 - b) on any private property other than the property of the owner unless the owner immediately removes the excrement and lawfully disposes of it.
- (2) A person who grooms an animal in a public place must remove and lawfully dispose of any hair or other debris that result from the grooming process.

Feeding wildlife

51. (1) No person shall intentionally feed or leave food out for the purpose of feeding wildlife in particular deer, raccoons, eastern grey squirrels or Canada geese.
- (2) Subsection (1) does not apply to a person who is engaging in hunting or trapping wildlife in accordance with the *Wildlife Act* and its regulations.

PART 8 – PET STORES**Sale of rabbits**

52. A pet store operator must not sell or give away a rabbit unless the rabbit has been spayed or neutered.

Pet store register

53. A pet store operator must:

- (1) keep and maintain a pet store register in the pet store containing a record of each transaction in which the operator acquires or disposes of a rabbit, cat or dog, including the following information:
 - a) the name and address of the person from whom the operator acquired the animal;
 - b) the date of the acquisition;
 - c) the animal's date of birth;
 - d) a description of the sex and colouring of the animal, and of any tattoo, microchip number, or other identifying marking;
 - e) the date the operator disposed of the animal;
 - f) if the disposition is other than by sale, the method of and reason for the disposition;
- (2) produce the pet store register for inspection by an animal control officer or bylaw officer,
- (3) provide copies of any entries required by an animal control officer or bylaw officer, and
- (4) retain each transaction recorded in the pet store register for at least 12 months from the date of the transaction.

Record of sale

54. At the time of the sale of an animal, a pet store operator must:

- (1) provide the purchaser with a written record of sale including the following information:
 - a) the date of sale;
 - b) the name and address of the pet store;
 - c) a description of the animal;
 - d) a description of any tattoo, microchip number, or other identifying marking;
 - e) the breed or cross breed, if applicable; and
- (2) if the animal is a dog or cat, provide the purchaser with:
 - a) a health certificate from a registered veterinarian, and
 - b) a record of medical treatment, vaccinations and de-worming.

PART 9 – SEIZING AND IMPOUNDING ANIMALS**Authority to seize and impound**

- 55.** (1) An animal control officer may seize:
- a) a dog if the owner does not hold a valid licence for the dog as required by section 45(1),
 - b) an animal that is at large in a public place in contravention of sections 19, 20, 21, 23, 35 or 42,

- c) an animal that is on any private lands or premises without the consent of the occupier or owner of the lands or premises,
 - d) an animal that is on unfenced land and not securely tethered or contained,
 - e) a dangerous dog that is found to be in a place under circumstances prohibited by this Bylaw, or.
 - f) any animal where in the opinion of the animal control officer any of the provisions of Part 3 hereof have been contravened.
- (2) The poundkeeper shall impound any animal seized under subsection (1) and delivered to the pound by an animal control officer and may impound any animal brought to the pound by any other person.

Releasing an animal before its arrival at the pound

56. (1) If the owner or the agent of the owner appears and claims an animal that has been seized at any time before the animal has been taken to the pound, an animal control officer must release the animal to the owner or agent if the person:
- a) proves ownership of the animal to the satisfaction of the animal control officer or, in the case of an agent, satisfies the animal control officer of the agent's authority to redeem the animal,
 - b) pays any applicable licence fees, and
 - c) pays to the animal control officer half of the applicable impoundment fee set out in Schedule "A".
- (2) Subsection (1) does not apply if the animal that has been seized is a dangerous dog.

Informing the owner of impoundment

57. (1) If the poundkeeper knows the name and address of the owner of an animal which has been impounded, the poundkeeper will provide notice to the owner verbally or by mail within 24 hours of the impoundment.
- (2) The notice to the owner must inform the owner of the impoundment costs, boarding fees and other costs and fees payable, that all such applicable fees and costs must be paid in full prior to release of the animal to the owner, and that the animal will be disposed of if not claimed by the owner by a specified date.

Redeeming an animal from the pound

58. (1) The owner of an impounded animal or the owner's agent may redeem the animal from the pound by:
- a) proving ownership of the animal to the satisfaction of the poundkeeper or, in the case of an agent, satisfying the poundkeeper of the agent's authority to redeem the animal, and
 - b) paying to the poundkeeper
 - (i) any applicable licence fees,
 - (ii) the applicable impoundment fees prescribed in Schedule "A",
 - (iii) the applicable maintenance fees prescribed in Schedule "A" for each day or part of a day that the animal was impounded,

- (iv) the costs of any special equipment, resources or boarding facilities required to seize, impound or maintain the animal,
 - (v) any veterinary costs incurred in respect of the animal during the impoundment period; and
 - (vi) any outstanding undisputed municipal tickets or bylaw notices owing to the Township relating to the animal.
- (2) Despite subsection (1), the poundkeeper may detain a dangerous dog for a period of up to 14 days before allowing the owner or the owner's agent to redeem the animal.

No liability for injury to animal or damage to property

59. No provision of this Bylaw shall be construed as making the poundkeeper, an animal control officer or the Township liable to the owner of any animal:
- (1) for injury to, sickness or death of the animal while such animal is in the custody of the poundkeeper or at any time thereafter, or
 - (2) for any damage to property that may occur as a result of the animal control officer seizing the animal pursuant to section 55.

Disposition of unredeemed animals

60. (1) An animal becomes the property of the Township if it is not redeemed within 96 hours after:
- a) its impoundment, or
 - b) the expiration of an impoundment period set under section 58(2).
- (2) If an animal becomes the property of the Township under subsection (1), the poundkeeper may:
- a) sell it on behalf of the Township,
 - b) give it away, or
 - c) destroy it in a humane manner.

Euthanization of impounded animals

61. The poundkeeper may have an impounded animal humanely euthanized at any time if:
- (1) a registered veterinarian certifies that the animal is suffering from an infectious or contagious disease, or
 - (2) the poundkeeper is satisfied that the animal has been so seriously injured that its death is imminent;

where in the case of subsection (1) or (2) it would be impractical to provide the necessary veterinary care to return the animal to health.

Prohibition against breaking into pound

62. No person shall:
- (1) break open or in any manner directly or indirectly aid or assist in breaking open the pound,

- (2) enter the pound without the permission of the poundkeeper, or
- (3) take or release any animal from the pound without the consent of the poundkeeper.

PART 10 – ENFORCEMENT AND PENALTIES

Right of Entry

- 63.** An animal control officer may enter, at all reasonable times, upon any property in order to ascertain whether the provisions, regulations or directions contained in this Bylaw are being contravened.

Prohibition against hindering the Animal Control Officer

- 64.** (1) No person shall prevent, hinder, delay or obstruct an animal control officer in the performance of his or her duties under this Bylaw.
- (2) Without limiting the generality of subsection (1), no person shall:
- a) release an animal from a trap set by an animal control officer, or
 - b) tamper with, damage, move or remove a trap set by an animal control officer.

Provision of information

- 65.** (1) If a person occupies premises where an animal is kept or found, the person must provide the following information when requested by an animal control officer, bylaw officer or police officer:
- a) the person's name, address and telephone number;
 - b) if the person is not the animal's owner, the owner's name, address and telephone number;
 - c) the number of animals kept on the property,
 - d) the breed, sex, age, name and general description of each animal kept on the property; and
 - e) whether each dog kept on the property is licensed.
- (2) If a person has apparent custody of an animal, the person must provide the following information when requested by an animal control officer, bylaw officer or police officer:
- a) the person's name, address and telephone number;
 - b) if the person is not the animal's owner, the owner's name, address and telephone number;
 - c) the place where the animal is kept;
 - d) the breed, sex, age, name and general description of each animal owned or in the custody of the person;
 - e) whether each dog owned or in the custody of the person is licensed.

Offences

66. (1) A person commits an offence and is subject to the penalties imposed by this Bylaw and the *Offence Act* if that person:
- a) contravenes a provision of this Bylaw,
 - b) consents to, allows, or permits an act or thing to be done contrary to this Bylaw, or
 - c) neglects or refrains from doing anything required by a provision of this Bylaw.
- (2) Each day that a contravention of a provision of this Bylaw continues is a separate offence.

PART 11 – GENERAL PROVISIONS

Severability

67. Each section of this Bylaw shall be severable, and if any provision of this Bylaw is held to be illegal or invalid by a Court of competent jurisdiction, the provision may be severed and the illegality or invalidity shall not affect the validity of the remainder of this Bylaw.

Schedules

68. The following Schedules attached hereto form part of this Bylaw:

Schedule "A" – Fees
 Schedule "B" – Dog-Prohibited Areas
 Schedule "C" – Off-Leash Areas
 Schedule "D" – Dangerous Dog Sign

Repeal

69. The Animal Bylaw, 2002, No. 2495, together with all amendments thereto, being Bylaw Nos. 2577, 2605, 2692 and 2788 are hereby repealed.

READ A FIRST TIME the	day of	2014.
READ A SECOND TIME the	day of	2014.
READ A THIRD TIME the	day of	2014.
ADOPTED on the	day of	2014.

BARBARA DESJARDINS
MAYOR

ANJA NURVO
CORPORATE OFFICER

Schedule "A"**FEES****Dog Licence Fees (Section 45)**

Description	Fee
1. Sterilized Dog licence	\$30.00
2. Unsterilized Dog licence	\$40.00
3. Late purchase	\$20.00
4. Replacement licence tag	\$5.00

Dangerous Dog Sign (Section 43)

Description	Fee
1. Dangerous Dog Sign (including GST and PST)	\$25.00

Impoundment Fees (Part 9)

Description	Fee
1. Call out fee for all impounds conducted between 5:00 p.m. and 9:00 a.m.	\$50.00
2. Licensed dog	
(i) First impound	\$50.00
(ii) Second impound	\$100.00
(iii) Third and subsequent impound	\$150.00
3. Unlicensed dog	
(i) First impound	\$100.00
(ii) Second impound	\$200.00

Description	Fee
(iii) Third and subsequent impound	\$300.00
4. Cat	\$25.00
5. Bird, rabbit, rodent or other animal	\$10.00

Maintenance fees (Section 58)

Description	Fee
1. Dog	\$15.00
2. Cat	\$10.00
3. Bird, rabbit, rodent or other animal	\$5.00

SCHEDULE "B"**DOG-PROHIBITED AREAS**

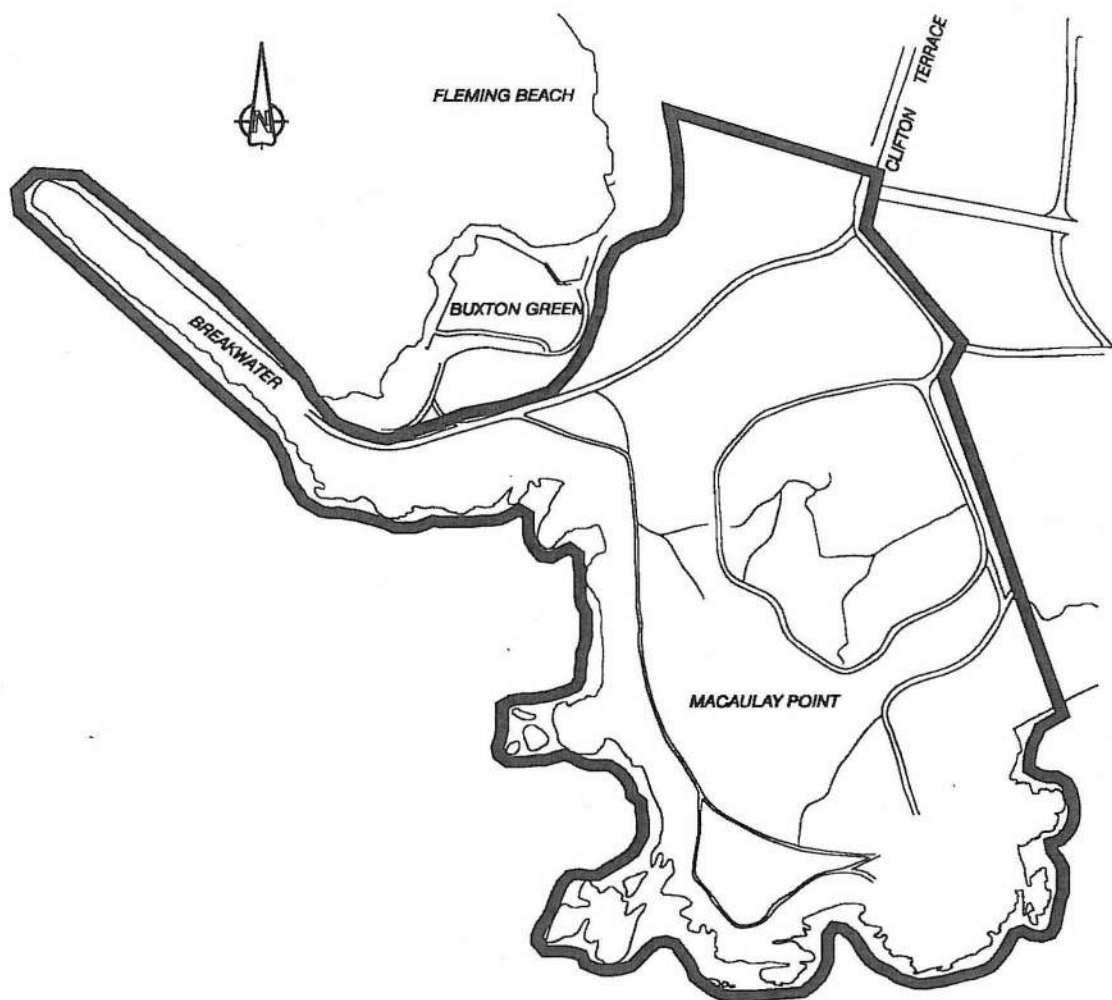
Pursuant to Section 20(3)

1. **Anderson Park**, as reserved by Bylaw No. 1652, *Anderson Park Reservation Bylaw, 1980*.
2. **Bullen Park**, as reserved by Bylaw No. 1653, *Bullen Park Reservation Bylaw, 1980*.
3. **Esquimalt Lions Park**, as reserved by Bylaw No. 1715, *Esquimalt Lions Park Reservation Bylaw, 1982*.
4. **Lugrin Tot Lot**, as reserved by Bylaw No. 1920, *Park Reservation (Lugrin Tot Lot) Bylaw, 1989, No. 1920*.
5. **Saxe Point Park**, as reserved by Bylaw No. 1659, *Saxe Point Park Reservation Bylaw, 1980*, **EXCEPT that portion of Saxe Point Park on the westerly side of Fraser Street from the park entrance to the maintenance building** and more particularly described as Lots 2 to 10, both inclusive, Block 13, Section 11, Esquimalt District, Plan 195A.
6. **Wurtele Place Park**, as reserved by Bylaw No. 1651, *Wurtele Place Park Reservation Bylaw, 1980*.
7. **Playground at 1030 Bewdley Avenue**, more particularly described as Remainder of Hithergreen Place, Section 11, Esquimalt District, Plan 37596.
8. **Playground at 540 Paradise Street**, more particularly described as Lot 46, Block F, Section 11, Esquimalt District, Plan 292.

SCHEDULE "C"**OFF-LEASH AREAS**

Pursuant to Section 20(2)

1. **Highrock Park**, also known as **Cairn Park**, as reserved by Bylaw No. 1921, *Park Reservation (Highrock Park) Bylaw, 1989, No. 1921*.
2. **That portion of Saxe Point Park**, as reserved by Bylaw No. 1659, *Saxe Point Park Reservation Bylaw, 1980*, **on the westerly side of Fraser Street from the park entrance to the maintenance building** and more particularly described as Lots 2 to 10, both inclusive, Block 13, Section 11, Esquimalt District, Plan 195A.
3. **Captain Jacobson Park** (formerly known as **West Bay Park**), as reserved by Bylaw No. 1650, *West Bay Park Reservation Bylaw, 1980*.
4. **That portion of the lands known as Macaulay Point Park outlined by a heavy black line on the following plan:**



SCHEDULE "D"

DANGEROUS DOG SIGN (SECTION 43(1))

Actual Size of Sign: 30.5 cm x 23.5 cm [12 inches x 9.25 inches]

Red lettering. Black graphic of dog's head

WARNING
DANGEROUS DOG ON PREMISES





CORPORATION OF THE TOWNSHIP OF ESQUIMALT

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

Council Meeting: July 14, 2014
Staff Report No. FIN-14-014

REQUEST FOR DECISION

SUBJECT:

Council Policy Review – Financial Services

RECOMMENDATION:

That Council:

1. approve the revised Council Policy No. FIN-04 Investment of All Surplus Funds, and
2. approve the revised Council Policy No. FIN-06 Tax Exemption Church Halls and Church Lands,

as attached to Staff Report No. FIN-14-014.

RELEVANT POLICY:

Council Policy FIN-04 Investment of All Surplus Funds
Council Policy FIN-06 Tax Exemption – Church Halls and Church Lands

STRATEGIC RELEVANCE:

This Request for Decision is related to the Operational Strategy of a Policy Review Program within Council's 2013 Strategic Priorities.

Submitted by: Director of Financial Services

Reviewed by: CAO

Date:

July 9/14

STAFF REPORT

DATE: July 8, 2014 **Report No.** FIN-14-014
TO: Laurie Hurst, Chief Administrative Officer
FROM: Ian Irvine, Director of Financial Services
SUBJECT: Council Policy Review – Financial Services

RECOMMENDATION:

That Council:

1. approve the revised Council Policy No. FIN-04 Investment of All Surplus Funds, and
2. approve the revised Council Policy No. FIN-06 Tax Exemption Church Halls and Church Lands,

as attached to Staff Report No. FIN-14-014.

BACKGROUND:

Within the 2013 Strategic Priorities document, one of the stated objectives was the review of existing Council Policies. The Financial Services Department is responsible for the oversight of five current policies. These policies have been in place for a number of years and, in some instances, have been recently reviewed and/or revised.

This review was performed to confirm that the policy is accurate and is not duplicated in another existing policy. Of the five Council Policies reviewed, three do not require any revisions. There are two Policies which need to be addressed.

Council Policy FIN-04 Investment of All Surplus Funds was originally drafted in September 1988 and has not been amended since that time. During review, it was identified that, as a result of some recent mergers, acquisitions and consolidations the financial institutions listed in the document are either inaccurate or are no longer in existence. The revised Policy includes an updated list of financial institutions where surplus funds can be invested.

Council Policy FIN-06 Tax Exemption – Church Halls and Church Lands was adopted in June 1989 and to date has not been amended. This Policy outlines the ability to approve tax exemptions for places of worship as they pertain to the land and surrounding areas. The granting of permissive tax exemptions for places of worship is provided for under the Community Charter however, the existing Policy instead makes specific reference to the Municipal Act.

ISSUES:

1. Rationale for Selected Option

The regular review and revision of policies serves to ensure these documents are accurate, complete and provide clear guidance. As well, it is important to identify and remove those policies or references that are considered obsolete or redundant.

2. Organizational Implications

These recommended changes to the Council Policies will not have any organizational implications.

3. Financial Implications

There are no financial implications of this decision.

4. Sustainability & Environmental Implications

There are no sustainability or environmental implications of this decision.

5. Communication & Engagement

Upon approval by Council, all policies under the responsibility of the Financial Services Department will be updated and reflect the date they were reviewed and/or amended.

ALTERNATIVES:

1. That Council:

- approve the revised Council Policy No. FIN-04 Investment of All Surplus Funds, and
- approve the revised Council Policy No. FIN-06 Tax Exemption Church Halls and Church Lands,

as attached to Staff Report No. FIN-14-014.

2. That Council revise the Policies, as attached to Staff Report No. FIN-14-014, and approve the revised Council Policies as amended.

3. That Council provide direction to staff to prepare alternative revised Policies for Council's consideration.



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

COUNCIL POLICY

TITLE: Investment of All Surplus Funds

NO. FIN - 04

POLICY:

1. That an Investment Policy for all surplus funds of the Municipality be established as follows:
 - (a) No dollar limits:
 - (i) securities of Canada or of a province
 - (ii) securities guaranteed for principal and interest by Canada or by a province
 - (iii) securities of the Municipal Finance Authority
 - (iv) pooled investment funds under Section 16 of the Municipal Finance Authority Act
2. Maximum of \$2,000,000 principal (excluding current accounts):
 - (a) Investments guaranteed by the following chartered banks:
 - (i) BMO Financial Group
 - (ii) Scotiabank
 - (iii) Canadian Imperial Bank of Commerce
 - (iv) RBC Royal Bank
 - (v) Toronto Dominion Bank
 - (vi) National Bank of Canada
 - (b) Deposits in the following credit unions:
 - (i) Vancity
 - (ii) Island Savings Credit Union
 - (iii) Coast Capital Savings Credit Union

EFFECTIVE DATE:
September 12, 1988

APPROVED BY:
Council

REFERENCE
88-106

AMENDS NO.
Original

PAGE 1 OF 1



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

COUNCIL POLICY

TITLE: Tax Exemption – Church Halls and Church Lands	NO. FIN - 06
<p><u>POLICY:</u></p> <p>All church halls, and the land on which they stand, and all land surrounding churches and church halls, except land that is rented for commercial purposes when not being used for church purposes, will be exempted from taxation in accordance with the provisions of the Community Charter.</p> <p>DRAFT</p>	

EFFECTIVE DATE: June 3, 1989	APPROVED BY: Council	REFERENCE	AMENDS NO. Original	PAGE 1 OF 1
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CORPORATION OF THE TOWNSHIP OF ESQUIMALT

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

Council Meeting: July 14, 2014
Staff Report No. FIN-14-015

REQUEST FOR DECISION

SUBJECT:

Municipal Security Issuing Resolution – Loan Authorization Bylaw, 2014, No. 2834

RECOMMENDATION:

That Council approve borrowing from the Municipal Finance Authority of British Columbia, as part of the 2014 Fall Borrowing Session, \$1,200,000 as authorized through the Admirals Road Corridor Improvement Project Loan Authorization Bylaw, 2014, No. 2834 and that the Capital Regional District be requested to consent to our borrowing over a 10 year term and include the borrowing in their Security Issuing Bylaw.

RELEVANT POLICY:

Community Charter S.122, S.179, and S.182

STRATEGIC RELEVANCE:

Multi-Modal Transportation

Submitted by: Director of Financial Services

Reviewed by: CAO

Date:

July 9/14

STAFF REPORT

DATE: July 9, 2014 **Report No.** FIN-14-015
TO: Laurie Hurst, Chief Administrative Officer
FROM: Ian Irvine, Director of Financial Services
SUBJECT: Municipal Security Issuing Resolution – Loan Authorization Bylaw, 2014, No. 2834

RECOMMENDATION:

That Council approve borrowing from the Municipal Finance Authority of British Columbia, as part of the 2014 Fall Borrowing Session, \$1,200,000 as authorized through the Admirals Road Corridor Improvement Project Loan Authorization Bylaw, 2014, No. 2834 and that the Capital Regional District be requested to consent to our borrowing over a 10 year term and include the borrowing in their Security Issuing Bylaw.

BACKGROUND:

During its meeting on June 9, 2014, Council adopted Loan Authorization Bylaw, 2014, No. 2834 which was then subject to a 30 day quashing period. As this period has now elapsed, a certified copy of the Bylaw and the approved Municipal Security Issuing Resolution (MSIR) are required by the Municipal Finance Authority and the Capital Regional District. This is due to the requirement, under the Community Charter, that all long term financing must be arranged by the municipality's regional district through the MFA.

This resolution will satisfy the Township's last requirement in the process of securing the long term borrowing for the Admirals Road Corridor Improvement Project. It will also form part of the legal documentation required for the financing and is used to prepare the agreements and demand notes between the Capital Regional District and the Township.

ISSUES:

1. Rationale for Selected Option

In order to satisfy the requirements to secure the necessary funding, the approved Municipal Security Issuing Resolution is required

2. Organizational Implications

There are no organizational implications of this decision.

3. Financial Implications

Without approval of the resolution, the Township will be unable to secure the additional funds necessary to complete the Admirals Road Corridor Improvement Project.

4. Sustainability & Environmental Implications

There are no sustainability or environmental implications of this decision.

5. Communication & Engagement

Once approved, a certified copy of the resolution will be forwarded to both the Capital Regional District and the Municipal Finance Authority.

ALTERNATIVES:

1. That Council approve borrowing from the Municipal Finance Authority of British Columbia, as part of the 2014 Fall Borrowing Session, \$1,200,000 as authorized through the Admirals Road Corridor Improvement Project Loan Authorization Bylaw, 2014, No. 2834 and that the Capital Regional District be requested to consent to our borrowing over a 10 year term and include the borrowing in their Security Issuing Bylaw.
2. That Council not pass the Municipal Security Issuing Resolution.



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

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

Council Meeting: July 14, 2014
Staff Report No. EPW-14-026

REQUEST FOR DECISION

SUBJECT:

Traffic Order for Sea Terrace, Parking Restriction

RECOMMENDATION:

That Council approve Traffic Order No. 1209 – that “No Parking” road markings be installed on both sides of Sea Terrace from its intersection with Dunsmuir Road to the easterly limits of the Municipality and rescind Traffic Order 1136.

RELEVANT POLICY:

Streets and Traffic Regulation Bylaw, 2005, No. 2607

STRATEGIC RELEVANCE:

Traffic Management Strategies

Submitted by: Director, Engineering and Public Works

Reviewed by: CAO

Date:

STAFF REPORT

DATE: July 14, 2014 **Report No.** EPW-14-026
TO: Laurie Hurst, Chief Administrative Officer
FROM: Jeff Miller, Director, Engineering and Public Works
SUBJECT: Traffic Order No. 1209 for Sea Terrace, Parking Restriction

RECOMMENDATION:

That Council approve Traffic Order No. 1209 – that “No Parking” road markings be installed on both sides of Sea Terrace from its intersection with Dunsmuir Road to the easterly limits of the Municipality and rescind Traffic Order 1136.

BACKGROUND:

Esquimalt Engineering department has recently received residential feedback from residents along Sea Terrace that the private refuse company that services a townhouse complex has difficulty entering and exiting the property when vehicles are parked across the street from the entrance. The townhouse complex has recently completed some on-site upgrades including the installation of new curbs. When vehicles are parked across the street from the townhouse entrance, the refuse vehicles are forced to maneuver over the new curb and garden bed, which has been causing damage.

The road right of way along Sea Terrace is 12.0m, with a paved width of +/- 5.5m. Existing Traffic Order 1136 established a No Parking area on both sides of Sea Terrace from its intersection with Dunsmuir Road for a distance of 15m. Proposed Traffic Order 1209 will extend the existing No Parking zone by approximately 11m and will eliminate two on street parking spots.

ISSUES:

1. Rationale for Selected Option

The recommended option is to implement a parking restriction on Sea Terrace. This restriction would provide sufficient access so large vehicles (i.e. garbage trucks, fire engines, etc.) can freely maneuver the corridor without coming into conflict with parked vehicles. The loss of two on street parking spots should not adversely affect residential parking. The two parking spots are located in front of one property that has sufficient on lot parking. Additional parking locations are available at the end of Sea Terrace adjacent to the park.

2. Organizational Implications

The impact of this Traffic Order will focus mainly on Bylaw Enforcement. Bylaw staff resources will be involved in monitoring and enforcement of the parking restrictions.

3. Financial Implications

The implementation of the parking restriction does not pose any significant financial implications. The posting of the no parking road markings and enforcement can be accommodated into the 2014 operational budget.

4. Sustainability/Environmental Implications

There are no sustainability/environmental implications.

5. Communication and Engagement

Residents will be informed by hand delivered notice when the TO will come into effect. This information will also be posted on the Township's website and social media channels.

ALTERNATIVES:

That Council:

1. Approve Traffic Order No. 1209 – that “No Parking” road markings be installed on both sides of Sea Terrace from its intersection with Dunsmuir Road to the easterly limits of the Municipality and rescind Traffic Order 1136.
2. Does not approve Traffic Order No. 1209 – that “No Parking” road markings be installed on both sides of Sea Terrace from its intersection with Dunsmuir Road to the easterly limits of the Municipality and does not rescind Traffic Order 1136.

APPENDIX A
TRAFFIC ORDER

CORPORATION OF THE TOWNSHIP OF ESQUIMALT
STREETS AND TRAFFIC REGULATION BY-LAW, 2005, No. 2607

ORDER NO. 1209

WHEREAS I, JEFFREY W. MILLER, Director of Engineering and Public Works of the Corporation of the Township of Esquimalt, am empowered under the terms and provisions of the *Streets and Traffic Regulation By-law, 2005*, No. 2607 to make orders in respect of certain matters and things therein mentioned.

NOW THEREFORE in the exercise of the powers given in the said By-law, **I DO HEREBY ORDER THAT:**

"No Parking" road markings be installed on both sides of Sea Terrace from its intersection with Dunsmuir Road to the easterly limits of the Municipality.

That the following Traffic Order be repealed:

- Traffic Order 1136

This Order to be effective and to come into full force and effect from midnight upon the 14th day of July A.D. 2014.

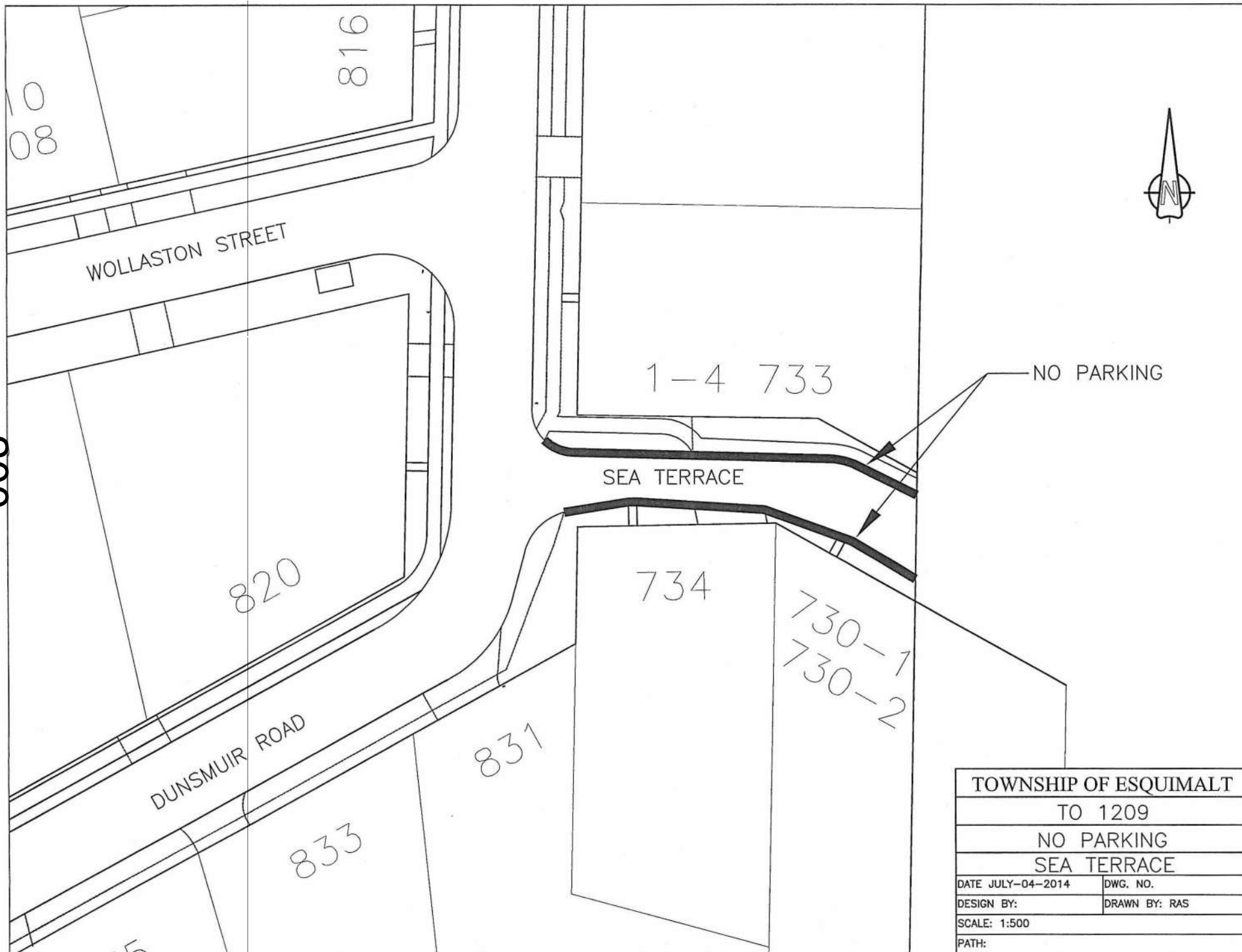
Director of Engineering and Public Works

I, Anja Nurvo, Corporate Officer of the Corporation of the Township of Esquimalt, **DO HEREBY CERTIFY:**

1. That the foregoing is a true copy of an Order made by Jeffrey W. Miller, Director of Engineering and Public Works of the Corporation of the Township of Esquimalt, pursuant to the terms and provisions of the *Streets and Traffic Regulation By-law, 2005*, No. 2607 of the said Corporation and submitted to the Municipal Council of the Corporation of the Township of Esquimalt on the 14th day of July A.D. 2014.
2. That on the 14th day of July A.D. 2014, the said Municipal Council did, by resolution, approve the said Order, the original of which is on file in my custody in the Municipal Hall of the Corporation of the Township of Esquimalt, pursuant to the terms of the *Streets and Traffic Regulation By-law, 2005*, No. 2607.

Corporate Officer

200





CORPORATION OF THE TOWNSHIP OF ESQUIMALT

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

Council Meeting: July 14, 2014
Staff Report No. EPW-14-027

REQUEST FOR DECISION

SUBJECT:

Fairview Road Reconstruction Tender Award

RECOMMENDATION:

That Council award the contract for the Fairview Road Reconstruction to Brunnell Construction Ltd. for a total contract price of \$506,492.10 (not including tax) and that the required additional funding in the amount of \$130,000 for this project be approved.

RELEVANT POLICY:

N/A

STRATEGIC RELEVANCE:

Multi-Modal Transportation
Infrastructure Priorities

Submitted by: Director, Engineering and Public Works

Reviewed by: CAO

Date:

July 9/14

STAFF REPORT

DATE: July 9, 2014 **Report No.** EPW-14-027
TO: Laurie Hurst, Chief Administrative Officer
FROM: Jeff Miller, Director, Engineering and Public Works
SUBJECT: Fairview Road Reconstruction Tender Award

RECOMMENDATION:

That Council award the contract for the Fairview Road Reconstruction to Brunnell Construction Ltd. for a total contract price of \$506,492.10 (not including tax) and that the required additional funding in the amount of \$130,000 for this project be approved.

BACKGROUND:

In 2013 a condition assessment was undertaken on Fairview Road from Devonshire Road to the intersection of Viewfield Road/Aldebury Road. It was determined that the road structure had failed and reconstruction of the road structure was necessary. Funding was applied for the reconstruction in the 2013 budget and was approved. As preliminary design progressed it was also identified that the storm collection system was in poor condition and upgrading was necessary in order to avoid digging up the newly constructed road in the near future. A capital funding request was made for this work in 2014. The total funding for the project was approved at \$450,000 between the two requests.

At the same time as the preliminary engineering was being undertaken, the construction of the E & N Rail Trail crossing at Devonshire Road and Fairview Road was underway. Portions of this work were incorporated into this project in order to avoid removal and reconstruction of new infrastructure.

The project also involved the acquisition of right of way and statutory right of way in order to allow the construction of the sidewalk along the east side of the Fairview Road. This will increase the sidewalk network and accessibility/mobility of pedestrians in the area. Property was also acquired to improve the road geometrics as well.

The project was released for bidding on June 17, 2014 and closed on July 4, 2014. A total of four bids were received. The selection criterion for the tender was on cost.

Based on the evaluation, the following results were confirmed:

Bidder	Ranking	Bid Cost (no tax)
Brunnell Construction Ltd.	1	\$506,492.10
G & E Contracting L. P.	2	\$579,720.30
Saanichton Development Ltd.	3	\$581,199.55
Northridge Excavating Ltd.	4	\$705,390.00

ISSUES:

1. Rationale for Selected Option

All four tender packages were thoroughly reviewed and deemed to be in compliance with the tender requirements. Since all tenders were in compliance, the low bid is selected to be awarded the contract for the work.

Engineering also reviewed if the project could be delayed an additional year. Based on the review it was determined that the reconstruction should occur sooner rather than later in order to preserve the integrity of the lower portion of the road base. Deterioration of this material would result in additional base removals and increased reconstruction costs.

2. Organizational Implications

There are no significant organizational implications for this work. Engineering has scheduled this project into their work plan and have allotted adequate resources to manage the project.

3. Financial Implications

The budget for this project was set at \$450,000 (2013 – \$230,000, 2014 - \$220,000). Approximately \$20,000 was expended in 2013 and 2014 in the acquisition of right of way for the new sidewalk and road realignment. At the time of the bid, the project had approximately \$430,000 of funding available. The lowest bid was \$76,492.10 higher than the approved budget. An additional \$130,000 will have to be allocated to this project. This allocation includes the budget shortfall and a contingency amount for the project.

Discussions were held with Finance to determine if the required funding would be available in 2014 so that the work could be carried out. Based on these discussions, funding is available but may mean that previously approved projects may be delayed until 2015. A review of the various projects confirmed that a delay in their completion would not be problematic and that the Fairview Road Reconstruction should take priority.

4. Sustainability/Environmental Implications

Modifications to storm collection will ensure that storm water is collected in an effective manner and lessen the possibility of failure. This reduced possibility of failure allows the new road structure to remain intact without the necessity of emergency repairs which reduce the life of the road structure.

If the road structure is not replaced, the road structure will continue to fail. As portions fail, the corrective action will be to carry out location specific repairs or an overlay. Both of these options will provide a short term relief to the failure. However since the failure is occurring in the road structure, each of the options will not meet their expected life span and the Township will have to carry out these options numerous times in the near future. The reconstruction of the road structure will leave the road with a solid foundation that should see no significant work for 10 to 15 years. Annual maintenance activities will be required but will assist in ensuring that the road meets its operational lifespan.

5. Communication and Engagement

The initial communication will start with notification of award of the work to the bidders. This will take place via mail and voice communication. A notification of the award will also be posted on the Township's website.

As the project moves into construction, construction signage will be erected on the site with contact numbers for both the General Contractor and Engineering for public inquiries or concerns. This information will also be on the Township's website.

Engineering will coordinate with the General Contractor to provide notification to the various property owners of the construction schedule and road closures. This information will also contain contact information so that the impact of this project is minimized on businesses in the area.

Periodic progress updates will also be issued via the Township's website and other forms of social media.

ALTERNATIVES:

That Council:

1. Award the contract for the Fairview Road Reconstruction to Brunnell Construction Ltd. for a total contract price of \$506,492.10 (not including tax) and that the required additional funding in the amount of \$130,000 for this project be approved.
2. Direct that the tender for the Fairview Road Reconstruction project be cancelled and the project budget be increased via a 2015 budget request with construction occurring in mid-2015.



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

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

Council Meeting: July 14, 2014
Staff Report No. P&R-14-006

REQUEST FOR DECISION

SUBJECT: Highrock Park Telecommunication Tower

RECOMMENDATION:

That Council approve the installation of telecommunication equipment including a monopole tower, microwave dish, antennae, and an equipment room by Capital Region Emergency Services Telecommunications Inc. (CREST) within Highrock Park to improve emergency communications; and

That staff be authorized to enter into an agreement with CREST for the installation and ongoing use of the telecommunication equipment.

RELEVANT POLICY:

None.

STRATEGIC RELEVANCE:

This Request for Decision does not directly relate to a specific strategic objective.

Submitted by: _____

Reviewed by: CAO R. H. [Signature] Date: July 10/14

STAFF REPORT

DATE: July 8, 2014 **Report No.** P&R-14-006
TO: Laurie Hurst, Chief Administrative Officer
FROM: Scott Hartman, Director Parks and Recreation
Rick Daykin, Manager Parks and Facilities
SUBJECT: Highrock Park Telecommunication Tower

RECOMMENDATION:

That Council approve the installation of telecommunication equipment including a monopole tower, microwave dish, antennae, and an equipment room by Capital Region Emergency Services Telecommunications Inc. (CREST) within Highrock Park to improve seamless emergency communications; and

That staff be authorized to enter into an agreement with CREST for the installation and ongoing use of the telecommunication equipment.

BACKGROUND:

CREST provides common, effective emergency communications for police, fire, ambulance and the military base for the safety of our communities. There have been a number of complaints with regards to poor communication for these services especially in the Esquimalt area due to dropped calls. In order to improve communication in Esquimalt, telecommunication equipment including a monopole tower, microwave dish, and antennas are required at a high elevation.

ISSUES:

1. Rationale for Selected Option

Highrock Park has been selected as the best location by CREST to provide better communication for the community due to its elevation. The attached plan shows the approximate location of the proposed telecommunication equipment within Highrock Park.

Work would involve installing an underground electrical cable from Highrock Avenue to the location denoted with the red star on the plan. Staff will work closely with the proponent to ensure that the construction results in minimal impact on the environment and surrounding neighborhood. It is suggested that compensation for this telecommunication tower installation and land use be in the form of a \$15,000 cash contribution for trail and wayfinding improvements as well as the planting of coniferous trees within Highrock Park.

2. Organizational Implications

There are no organizational implications with this telecommunication agreement.

3. Financial Implications

There are no financial implications to the Township of Esquimalt with this telecommunication agreement. All installation, restoration of the site, and maintenance will be the responsibility of CREST and will be at their cost. CREST has agreed to contribute \$15,000 towards trail and wayfinding improvements as well as the planting of coniferous trees within Highrock Park.

4. Sustainability & Environmental Implications

Staff will work closely with CREST to ensure that construction plans and staging are developed to minimize the impact on the environment and surrounding neighborhood.

5. Communication & Engagement

It is proposed that CREST and the Township jointly prepare a communication plan that involves informing the surrounding neighborhood of the project.

ALTERNATIVES:

1. That Council approve the installation of telecommunication equipment including a monopole tower, microwave dish, antennae, and an equipment room by Capital Region Emergency Services Telecommunications Inc. (CREST) within Highrock Park to improve seamless emergency communications; and

That staff be authorized to enter into an agreement with CREST for the installation and ongoing use of the telecommunication equipment.

2. That staff be directed to not proceed with this project.





CORPORATION OF THE TOWNSHIP OF ESQUIMALT

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

Council Meeting: July 14, 2014
Staff Report No. P&R-14-007

REQUEST FOR DECISION

SUBJECT: Joint Use Partnership Agreement for Esquimalt Secondary School Sport Court

RECOMMENDATION:

That Council direct staff to negotiate and execute a long-term partnership agreement with School District 61 for the renovation, ongoing maintenance, life cycle upgrades and shared use of the Esquimalt Secondary School sport court for the school and community.

RELEVANT POLICY:

None

STRATEGIC RELEVANCE:

Infrastructure renewal is an identified strategic priority for the Township of Esquimalt.

Submitted by: 

Reviewed by: CAO  Date: July 10/14

STAFF REPORT

DATE: July 8, 2014 **Report No.** P&R-14-007

TO: Laurie Hurst, Chief Administrative Officer

FROM: Scott Hartman, Director of Parks and Recreation Services
Rick Daykin, Manager of Parks and Facilities

SUBJECT: Joint Use Partnership Agreement for Esquimalt Secondary School Sport Court

RECOMMENDATION:

That Council direct staff to negotiate and execute a long-term partnership agreement with School District 61 for the renovation, ongoing maintenance, life cycle upgrades and shared use of the Esquimalt Secondary School sport court for the school and community.

BACKGROUND:

Council assigned funds in the 2014 Capital Budget for the installation and renovation of sport courts at Esquimalt Secondary School. The current sport court is in disrepair. Township staff has been working with School District 61 staff to explore a cost-effective solution to revitalize the existing infrastructure in order to jointly benefit the school and the community.

ISSUES:

1. Rationale for Selected Option

It is anticipated that the costs to revitalize the existing sport courts at Esquimalt High School will not exceed \$200,000. Funds have been assigned in the 2014 Capital budget to complete this work. Renovation work would include the installation of drainage on the West side of the court, the patching of surface cracks, an asphalt lift for the entire surface, colour coating and line painting for tennis and pickleball, painting of the basketball uprights, installation of new backboards and hoops, installation of new tennis nets, fencing mesh replacement, installation of 2 new pedestrian entry gates, and the installation of new signage and benches. Life cycle work over the course of the next 30 years will include colour coating and line painting.

It is proposed that the School District be responsible for the ongoing operation and day to day maintenance. Work would include litter pickup and garbage removal, minor infrastructure repairs, power washing and cleaning of the court surface, graffiti removal, asphalt crack repair, fencing repair, infrastructure painting, drainage repairs, signage maintenance and replacement, tennis and basketball infrastructure replacement.

The School District will have priority access to the sport court for use by the School during regular school days 8:00 am to 3:30 pm Monday to Friday from September 1 to June 30, except civic holidays. The Township will have priority access to the sport court for use by the community from 3:30 pm to dusk Monday to Friday and from 7 am to dusk on Saturday and Sunday, civic holidays and from July 1 to August 31 and during other non-instructional days.

2. Organizational Implications

This project received 2014 Capital funds and has been included in Department work plans.

3. Financial Implications

Renovation work will not exceed \$200,000. Life cycle work will require \$15,000 to be budgeted for every 8 years for re-colour coating the courts.

4. Sustainability & Environmental Implications

There are no sustainability or environmental implications.

5. Communication & Engagement

Discussion within the community on this particular project has been ongoing for the past several years. Information relating to this project will be made available on the Township's website and social media channels. In addition, project signage will be installed on-site.

ALTERNATIVES:

1. That Council direct staff to negotiate and execute a long-term partnership agreement with School District 61 for the renovation, ongoing maintenance, life cycle upgrades and shared use of the Esquimalt Secondary School sport court for the school and community.
2. That staff be directed to develop plans for a new sport court on Township-owned property.
3. That staff be directed not to pursue further work on this project.



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

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

Council Meeting: July 14, 2014
Staff Report No. DEV-14-046

REQUEST FOR DECISION

SUBJECT: DEVELOPMENT PERMIT

622 Head Street

[PID 015-959-813, Lot 1, Section 11, Esquimalt District, Plan 50285]

RECOMMENDATION:

1. That Council resolves that Development Permit No. 03/2003 be cancelled.
2. That Council resolves that staff be directed to discharge the Notice of Permit on the on the title of PID 015-959-813, Lot 1, Section 11, Esquimalt District, Plan 50285 [622 Head Street] relating to Development Permit No. 03/2003.
3. That Council resolves that Development Permit No. DP000028, attached to Staff Report DEV-14-046 as Schedule "E", which would limit the form and character of development to that shown in photos of the existing heritage designated building, stamped "Received June 12, 2014", and shown on the landscape plan and in landscaping photos stamped "Received March 19, 2014", and including parking and garbage areas as detailed on the site plan prepared by Richard J. Wey and Associates Land Surveying Inc., stamped "Received May 2, 2014", **be approved, and staff be directed to issue the permit and register the notice on the title of** PID 015-959-813, Lot 1, Section 11, Esquimalt District, Plan 50285 [622 Head Street].

RELEVANT POLICY:

Official Community Plan Bylaw, 2006, No. 2646

Zoning Bylaw, 1992, No. 2050

Development Application Procedures and Fees Bylaw No. 2791, 2012

STRATEGIC RELEVANCE:

This Request For Decision does not directly relate to a specific strategic objective.

Submitted by: Writer Tina Parker

Reviewed by: CAO R. Hurst

Date: July 9/14

STAFF REPORT

DATE: July 9, 2014 **Report No.** DEV-14-046
TO: Laurie Hurst, Chief Administrative Officer
FROM: Trevor Parkes, Senior Planner
SUBJECT: DEVELOPMENT PERMIT
622 Head Street
[PID 015-959-813, Lot 1, Section 11, Esquimalt District, Plan 50285]

RECOMMENDATION:

1. That Council resolves that Development Permit No. 03/2003 be cancelled.
2. That Council resolves that staff be directed to discharge the Notice of Permit on the on the title of PID 015-959-813, Lot 1, Section 11, Esquimalt District, Plan 50285 [622 Head Street] relating to Development Permit No. 03/2003.
3. That Council resolves that Development Permit No. DP000028, attached to Staff Report DEV-14-046 as Schedule "E", which would limit the form and character of development to that shown in photos of the existing heritage designated building, stamped "Received June 12, 2014", and shown on the landscape plan and in landscaping photos stamped "Received March 19, 2014", and including parking and garbage areas as detailed on the site plan prepared by Richard J. Wey and Associates Land Surveying Inc., stamped "Received May 2, 2014", **be approved, and staff be directed to issue the permit and register the notice on the title of PID 015-959-813, Lot 1, Section 11, Esquimalt District, Plan 50285 [622 Head Street].**

BACKGROUND:

Context

Applicant: Gary Brennan

Owner: Cooper Carpet and Flooring Ltd., Inc. No.640451 [Gary Brennan]

Property Size: Metric: 964 m² Imperial: 10,378 ft²

Existing Land Use: Commercial Mixed-Use [1 Commercial space and 11 Rental Apartments]

Surrounding Land Uses: North: Multiple Family Residential
South: Neighbourhood Commercial
West: Multiple Family Residential
East: Institutional [Ecole Victor-Brodeur]

Existing Zoning: CD-91 [Comprehensive Development District No. 91]

Existing OCP Designation: Commercial Mixed-Use [No change required]

Schedules:

- "A" Key plan showing location of the subject site;
- "B" 2011 air photo of subject property;
- "C" OCP Design Guidelines for Commercial Mixed-Use;
- "D" Amendment Bylaw No. 2833 [CD-91 Zone]; and
- "E" Development Permit No. DP000028

Purpose of the Application:

The subject property was rezoned to Comprehensive Development District No. 91 on June 23, 2014 to accommodate changes to the uses permitted on the property as well as refine parking requirements to accommodate the proposed uses. The applicant assured Council that changes would be made to the site consistent with those proposed in Development Permit No. DP000028 should the rezoning be approved and made application for Development Permit and provided landscaping security in advance of the Public Hearing to assure Council of his intent. To sanction work on the subject property Council must now consider approval of a Development Permit.

Comments From Other Departments

The plans for this proposal were circulated to other departments and the following comments were received by the staff report submission deadline:

Building Inspection: There are no changes to building therefore staff have no objections to this proposal.

Engineering Services: Engineering staff have completed a preliminary evaluation of Works and Services that would be required for the proposed work at 622 Head Street and have no concerns regarding site servicing.

Parks Services: As no substantial changes are proposed to existing landscaping, staff have no objections.

Comments from the Advisory Planning Commission [APC]

The rezoning application was considered at the regular meeting of the APC held on April 15, 2014. Members complimented the property owner for providing affordable rental housing in Esquimalt. It was made clear at this meeting that there were no changes proposed to the existing building and proposed changes to landscaping, parking and garbage service areas would be made consistent with plans contained in Development Permit No. DP000028 [Schedule "E"] should the application be approved by Council. The APC resolved that the application be forwarded to Council with a **recommendation of approval**. Given no changes are proposed to the plans recommended for approval by APC in April 2014, staff are presenting Development Permit No. DP000028 directly to Council.

Zoning

CD-91 zoning was specifically tailored to accommodate the existing building and site changes proposed in Development Permit No. DP000028 when the rezoning application was approved on June 23, 2014. This Development Permit is consistent with all of the CD-91 zone regulations [Schedule "D"].

Official Community Plan Design Guidelines

Section 9.4.5 of the Official Community Plan contains Design Guidelines for Commercial Mixed-Use [Schedule "C"]. The proposed adaptive reuse of the existing building and the associated changes to landscaping and parking is consistent with the applicable guidelines.

Building Design: 'Trafalgar House' is one of very few Heritage Designated buildings within Esquimalt. The applicant proposes no changes to the building as part of Development Permit No. DP000028.

Landscaping: The proposed landscape plan is consistent with the design guidelines contained in the OCP. Commercial parking, while located in front of the building, is screened from the street by landscaping [9.4.5(e)]. Fencing with access gates is proposed to surround the dedicated garbage storage area located at the northwest corner at the end of the driveway [9.4.5(h)]. Additional parking and bicycle lockup spaces are being provided, yet virtually all the existing landscaping is being retained on the site [9.4.5(i)].

ISSUES:

1. Rationale for Selected Option

This application for approval of Development Permit No. DP000028 [Schedule "E"] is consistent with the policy direction contained within the OCP for Commercial Mixed –Use development as well as the relevant design guidelines. The APC recommended supporting the application when considering the recent rezoning. The proposed changes to the site would enhance the function of the site and offer needed parking for commercial use while also improving site flow for vehicle and bicycle parking as well as garbage services.

2. Organizational Implications

This Request for Decision has no organizational implications.

3. Financial Implications

This Request for Decision has no financial implications.

4. Sustainability & Environmental Implications

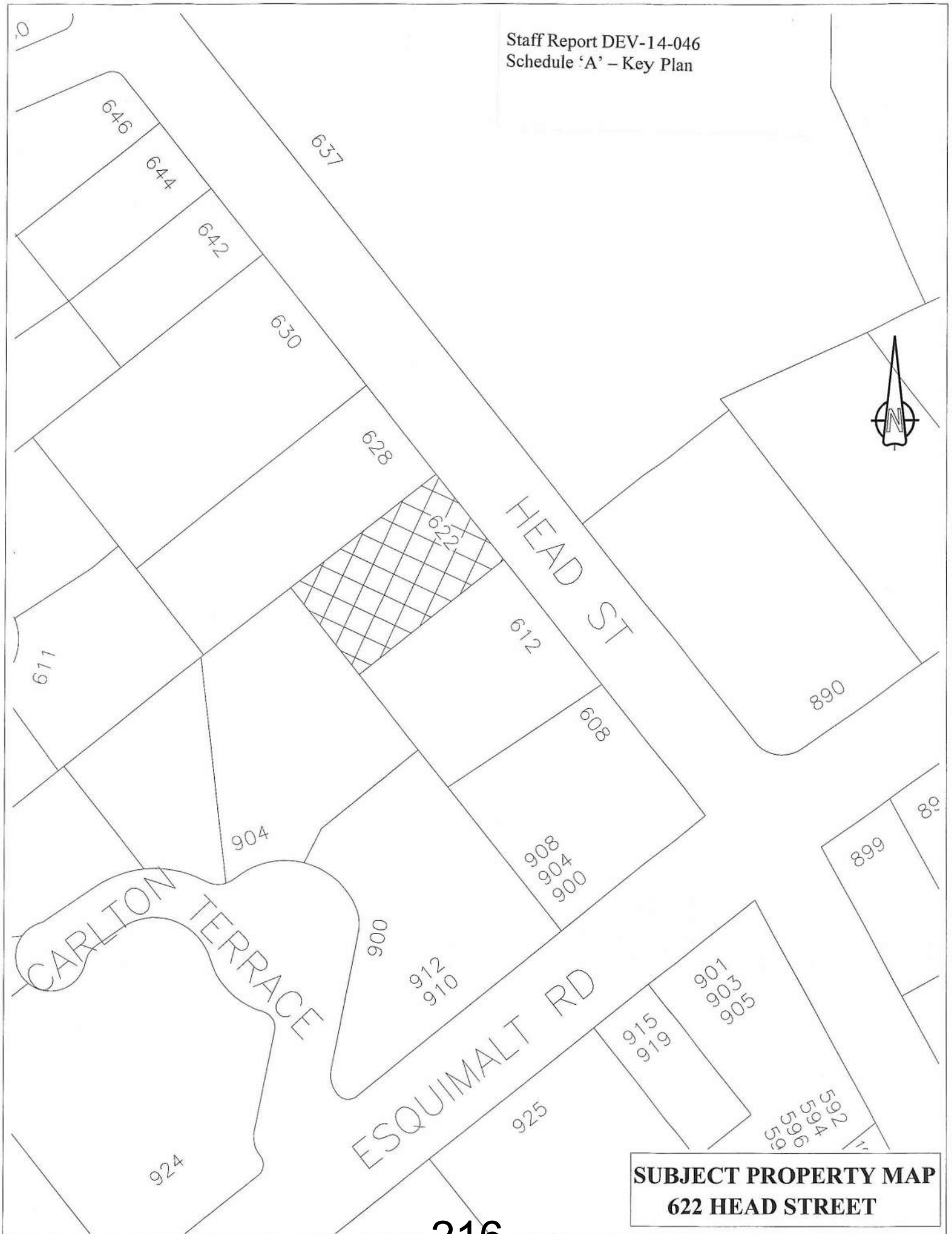
This Request for Decision has no Sustainability & Environmental Implications.

5. Communication & Engagement

As this is a Development Permit application requiring no variances, the *Local Government Act* does not require notification be provided.

ALTERNATIVES:

1. Council **approve** Development Permit No. DP000028 and direct staff to issue the permit and register a notice on the property title.
2. Council **deny** Development Permit No. DP000028.



SUBJECT PROPERTY MAP
622 HEAD STREET

622 Head Street



Subject Property Boundary: —————

Staff Report DEV-14-046
Schedule 'B' – 2011 Air Photo



9.4 Development Permit Area No. 2 – Commercial

9.4.1 Scope

All lands designated Commercial on Schedule "C" are part of DPA No. 2.

9.4.2 Category

Section 919(1)(f) of the *Local Government Act* – form and character, commercial.

9.4.3 Justification

Traditionally, Esquimalt's commercial areas have not been developed on the basis of a particular theme or concept. The design and form of commercial development has been rather haphazard and, as a result, the Esquimalt Village and other local commercial areas do not have the cohesiveness nor the attractiveness they could have.

When asked in a recent questionnaire to identify what they disliked most about Esquimalt, an overwhelming number of respondents identified the lack of a downtown commercial area, with appropriate shops and services, and the appearance of Esquimalt Road in the village core.

Where new development is to occur within Esquimalt's commercial core, that development should add to the pedestrian appeal and overall appearance of the street through features such as easily accessible entrances, street furniture and public art, landscaping and attractive exterior finishing materials, and by their orientation to the street rather than to a parking lot or internal square.

The goals for Development Permit Area No. 2 are:

- a) to enhance the aesthetic image of Esquimalt's commercial district, particularly those areas that are considered community focal points, such as the Village, the Head Street/Esquimalt Road intersection and major entrance points to the municipality;
- b) to revitalize existing commercial areas by encouraging a variety of businesses;
- c) to encourage growth in the tax base through diversified commercial development and redevelopment of existing commercial areas; and
- d) to encourage integrated residential/institutional/commercial uses in commercial areas.

9.4.4 Requirements of Owners of Land within the Development Permit Area

- a) Owners of land within Development Permit Area No. 2 must not do any of the following without first obtaining a development Permit in accordance with the guidelines for this Development Permit Area:
 - i) subdivide lands; or
 - ii) construct or alter a building or structure;without first obtaining a Development Permit in accordance with the guidelines of this Development Permit Area.
- b) Exemptions:

The following do not require a development permit:

 - i) construction of buildings or structures less than 10 square metres in area;

- ii) minor additions to existing structures where the floor area of the addition does not exceed 10 percent of the ground floor area of the structure;
- iii) emergency repairs to existing structures and public walkways where a potential safety hazard exists;
- iv) fences;
- v) the cutting of trees as permitted by the municipal tree protection bylaw; and
- vi) replacement or changing of existing signs, provided the sign area is not to be increased.

9.4.5 Guidelines for Owners of Land within the Development Permit Area

- a) Commercial building facades should be appropriate to a pedestrian shopping area with windows facing the street and doors opening onto the street rather than onto a courtyard or laneway. (See image)
- b) Ornamental lighting that not only highlights the building but also increases the amount of light falling onto pedestrian areas should be used wherever possible. However, commercial lighting should not create unnecessary glare or shine directly into neighbouring residential properties.
- c) Buildings should be designed and sited to minimize the creation of shadows on public spaces.
- d) Where possible, weather protection (i.e. awnings and canopies) should be provided above all pedestrian walkways including walkways to on-site parking areas.
- e) Off-street parking areas should be located either at the rear of commercial buildings or underground. Surface parking should be screened with landscaping. Large parking areas should contain additional islands of landscaping.
- f) The design of new commercial buildings, including areas use for parking, should incorporate Crime Prevention through Environmental Design (CPTED) principles.
- g) Buildings may be located at the front property line in order to create a pedestrian-oriented environment, except where vehicle visibility is affected and on those streets that have been identified as requiring future road widening.
- h) Landscape screening and fencing should be located around outdoor storage areas and garbage and recycling receptacles.
- i) Retention and protection of trees and the natural habitat is encouraged wherever possible.



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

BYLAW NO. 2833

A Bylaw to amend Bylaw No. 2050, cited as the
"Zoning Bylaw, 1992, No. 2050"

THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF
ESQUIMALT, in open meeting assembled, enacts as follows:

1. This bylaw may be cited as the *"ZONING BYLAW, 1992, NO. 2050, AMENDMENT BYLAW NO. 2833"*.
2. That Bylaw No. 2050, cited as the "Zoning Bylaw, 1992, No. 2050" be amended as follows:
 - (1) by deleting Section 51.1 in its entirety; and
 - (2) by removing the following words and figures in Part 31, Zone Designations:
"Tourist Commercial C-5C"
3. That Bylaw No. 2050, cited as the "Zoning Bylaw, 1992, No. 2050" be amended as follows:
 - (1) by adding the following words and figures in Part 31, Zone Designations, in the appropriate alpha-numeric sequence:
"Comprehensive Development No. 91 (622 Head Street) CD No. 91"
 - (2) by adding the following text as Section 67.78 (or as other appropriately numbered subsection within Section 67):

67.78 COMPREHENSIVE DEVELOPMENT DISTRICT NO. 91 [CD NO. 91]

In that Zone designated as CD No. 91 [Comprehensive Development District No. 91] no Building or Structure or part thereof shall be erected, constructed, placed, maintained or used and no land shall be used except in accordance with and subject to the regulations contained in or incorporated by reference into this Part.

(1) **Permitted Uses**

The following Uses and no others shall be permitted:

- a) Apartment Residential
- b) Business and Professional Office
- c) Personal Service Establishment
- d) Restaurant
- e) Retail Store

Staff Report DEV-14-046
Schedule 'D' – Zoning Bylaw, 1992,
No. 2050, Amendment Bylaw No. 2833

- f) Hotel
- g) Home Occupation

(2) **Parcel Size**

The minimum Parcel Size of fee simple Parcels created by subdivision shall be 960 square metres.

(3) **Number of Dwelling Units**

No more than eleven (11) Dwelling Units shall be located within the Principal Building.

(4) **Floor Area Ratio**

The Floor Area Ratio shall not exceed 0.55

(5) **Unit Size**

Dwelling Units shall not be less than 26 square metres.

(6) **Commercial Space**

The minimum Floor Area dedicated to Commercial Uses shall not be less than 26 square metres.

(7) **Building Height**

- (a) No Principal Building shall exceed a Height of 10.0 metres.
- (b) No Accessory Building shall exceed a Height of 3.6 metres.

(8) **Lot Coverage**

Principal Buildings and Structures combined shall not cover more than 35% of the Area of the Parcel.

(9) **Siting Requirements**

(a) **Principal Buildings:**

- (i) Front Setback: No Principal Building shall be located within 9.0 metres of the Front Lot Line.
- (ii) Side Setback: No Principal Building shall be located within 1.6 metres of an Interior Side Lot Line, with the total Setback of all Side Yards not to be less than 6.0 metres.
- (iii) No Principal Building shall be located within 9.0 metres of the Rear Lot Line.

(b) **Accessory Buildings:**

- (i) Front Setback: No Accessory Building shall be located in front of the front face of a Principal Building.
- (ii) Side Setbacks: No Accessory Building shall be located within 1.5 metres of an Interior Side Lot Line.
- (iii) Rear Setback: No Accessory Building shall be located within 1.5 metres of a Rear Lot line.
- (iv) Building Separation: No Accessory Building shall be located within 2.5 metres of any Principal Building.

(10) **Fencing**

Subject to Section 22, no fence shall exceed a Height of 1.5 metres in front of the front face of the Principal Buildings and 2.0 metres behind the front face of the Principal Buildings

(11) **Landscaping and Open Space**

Notwithstanding Section 23, Landscaping and Open Space shall be provided as shown on the landscape plan approved as part of the active Development Permit.

(12) **Off-Street Parking**

- (a) Notwithstanding Section 13 of Parking Bylaw, 1992, No. 2011 (as amended), but provided one (1) unit is provided for Commercial Uses and no more than eleven (11) Dwelling Units for Apartment Residential use, the minimum number of required off-street parking spaces shall be provided as follows:
 - (i) Commercial Uses = 2 parking spaces.
 - (ii) Apartment Residential Use = 8 parking spaces including no visitor parking spaces.
 - (b) Notwithstanding Section 14 of Parking Bylaw, 1992, No. 2011 (as amended), the minimum width of a manoeuvring aisle accessing only one bank of parking shall be 3.8 metres.
- (3) by changing the zoning designation of PID 015-959-813, Lot 1, Section 11, Esquimalt District, Plan 50285 [622 Head Street] shown cross-hatched on Schedule "A" attached hereto from C-5C [Tourist Commercial] to CD No. 91 [Comprehensive Development District No. 91].
- (4) by changing Schedule 'A' Zoning Map, attached to and forming part of "Zoning Bylaw, 1992, No. 2050" to show the changes in zoning classification effected by this bylaw.

READ a first time by the Municipal Council on the 26th day of May, 2014.

READ a second time by the Municipal Council on the 26th day of May, 2014.

A Public Hearing was held pursuant to Sections 890 and 892 of the *Local Government Act* on the 23rd day of June, 2014.

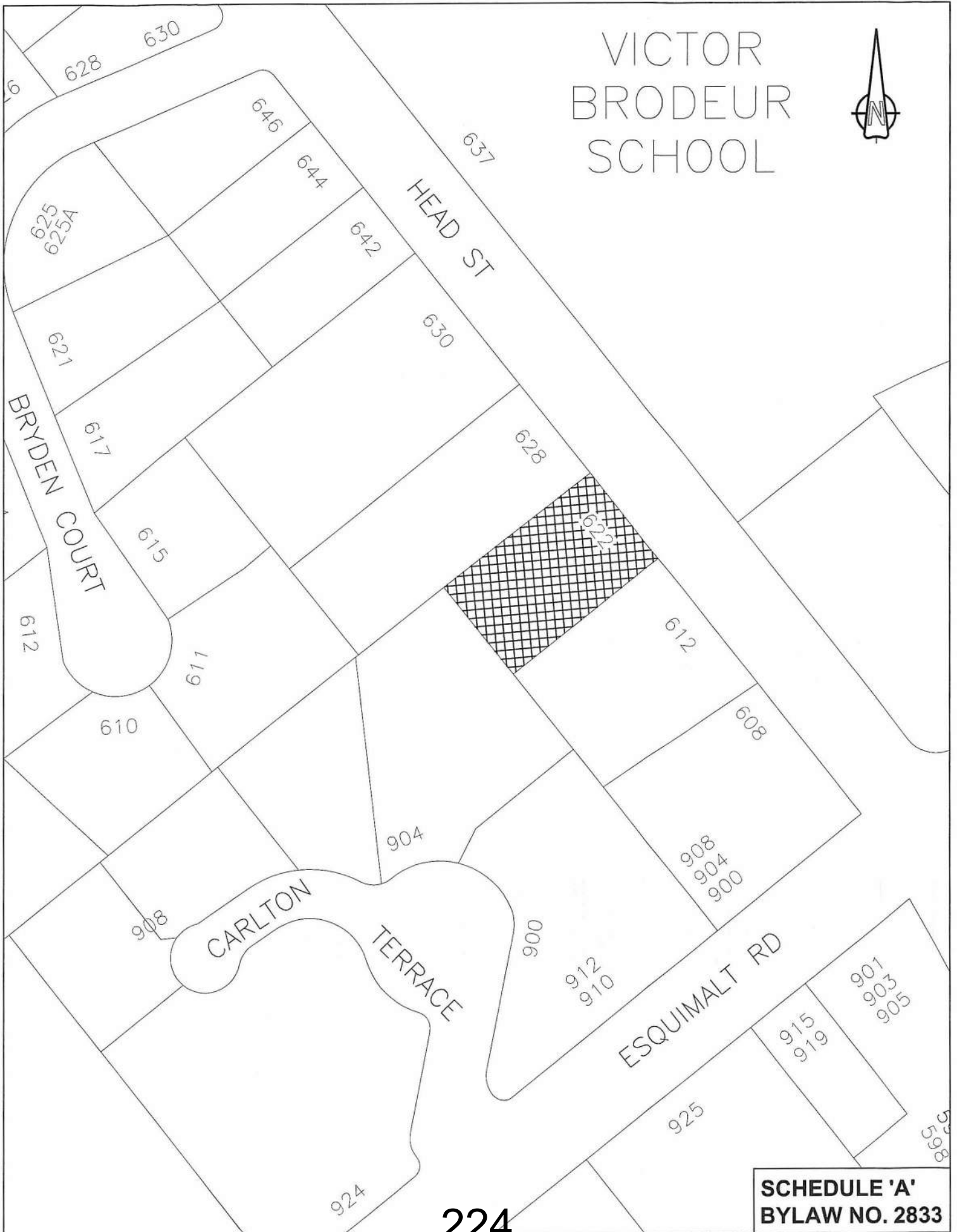
READ a third time by the Municipal Council on the 23rd day of June, 2014.

ADOPTED by the Municipal Council on the 23rd day of June, 2014.

BARBARA DESJARDINS
MAYOR

ANJA NURVO
CORPORATE OFFICER

VICTOR BRODEUR SCHOOL



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

DEVELOPMENT PERMIT

NO. DP000028

Staff Report DEV-14-046
Schedule 'E' – Development Permit
No. DP000028

Owner: Cooper Carpet and Flooring Ltd., Inc. No. 640451
1775 Angola Place
Victoria, BC
V8N 4S5

Lands: Lot 1, Section 11, Esquimalt District, Plan 50285

Address: 622 Head Street, Esquimalt, B.C.

Conditions:

1. This Development Permit is issued subject to compliance with all of the bylaws of the Municipality applicable thereto, except as specifically varied or supplemented by this Permit.
2. Approval of this Development Permit is issued in accordance with the form and character of development to shown in photos of the existing heritage designated building, stamped "Received June 12, 2014", attached hereto as Schedule 'A'.
3. Approval of this Development Permit is issued in accordance with the landscape plan and in landscaping photos stamped "Received March 19, 2014", and including parking and garbage areas as detailed on the site plan prepared by Richard J. Wey and Associates Land Surveying Inc., stamped "Received May 2, 2014", and attached hereto as Schedule 'B'.
4. The lands shall be developed in accordance with the terms and conditions and provisions of this Permit, provided that minor variations which do not affect the overall design may be permitted by the Director of Development Services.
5. The terms, conditions and covenants contained herein shall enure to the benefit of and be binding upon the Owners, their executors, heirs or administrators, successors and assigns as the case may be or their successors to title in the lands.
6. This Development Permit is not a Building Permit.

7. This Permit lapses two (2) years after the date it is issued if the holder of the Permit does not substantially start any construction with respect to which the Permit was issued.
8. For the purposes of this Development Permit, the holder of the Permit shall be the owner(s) of the lands.

ISSUED BY MUNICIPAL COUNCIL RESOLUTION ON THE ---- DAY OF ----,
2014

SIGNED THIS _____ DAY OF _____, 2014

Director of Development Services

Corporate Officer
Corporation of the Township
of Esquimalt



GUEST PARKING ONLY

SCHEDULED
DEVELOPMENT PERMIT
NO. 11 000028
CORPORATE OFFICER

RECEIVED
JUN 12 2014
CORP OF TOWNSHIP
OF ESCUMANTU
DEVELOPMENT & ENGINEERING
SERVICES

REGISTERED
BEST PARKING
ONLY
Here will be ticketed and
away at Owner's expense.

SCHEDULE A OF
DEVELOPMENT PERMIT
NO. DPO00028
CORPORATE OFFICER



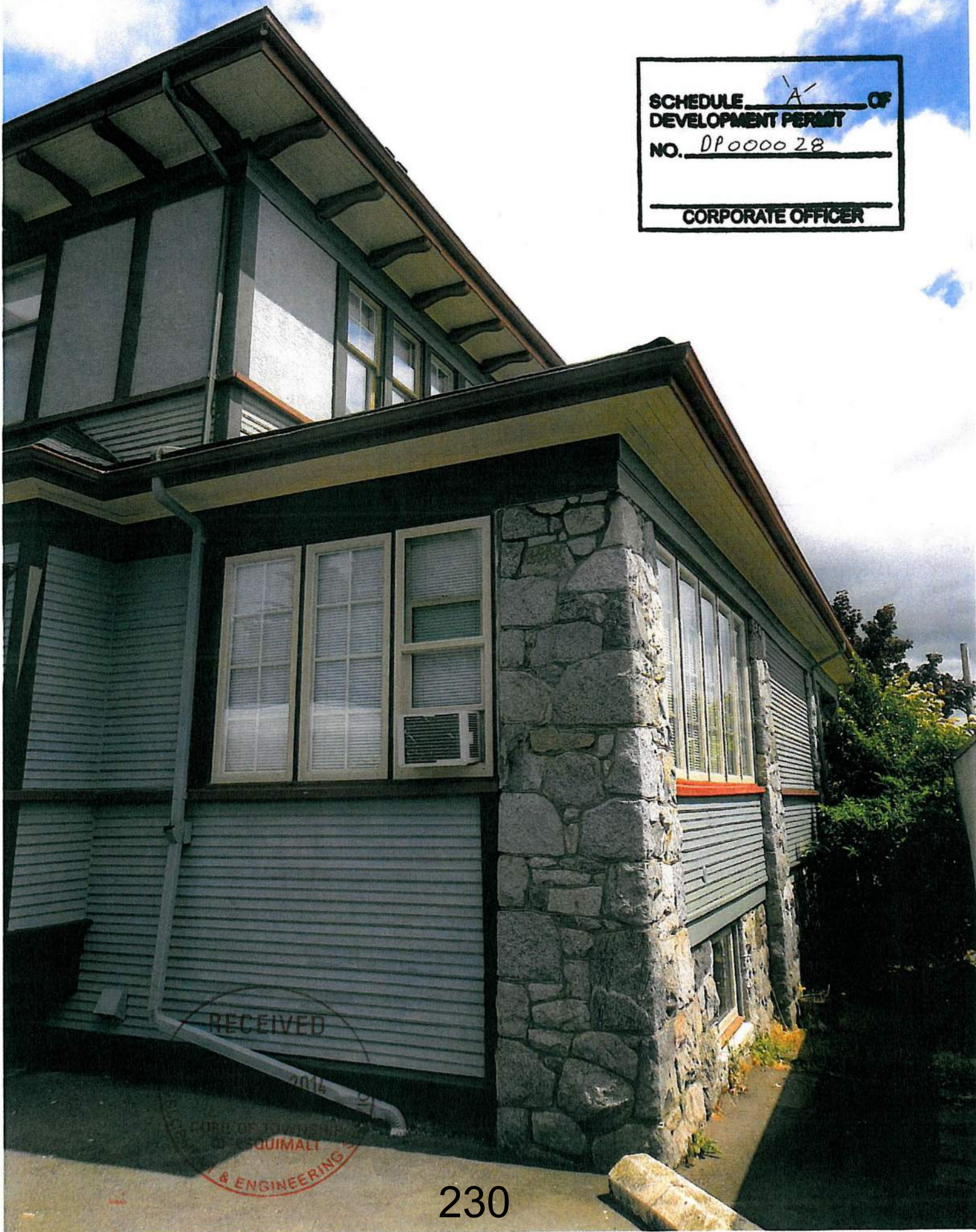
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JUN 12 2014
CORP. OF TOWNSHIP
OF ESQUIMAULT
DEVELOPMENT & ENGINEERING SERVICES

SCHEDULE A
NO. 11-2000-18
CORPORATE OFFICER

SCHEDULE A OF
DEVELOPMENT PERMIT
NO. DP000028
CORPORATE OFFICER



622 Head Street – Landscape Photos



NO. DT 000020

CORPORATE OFFICER



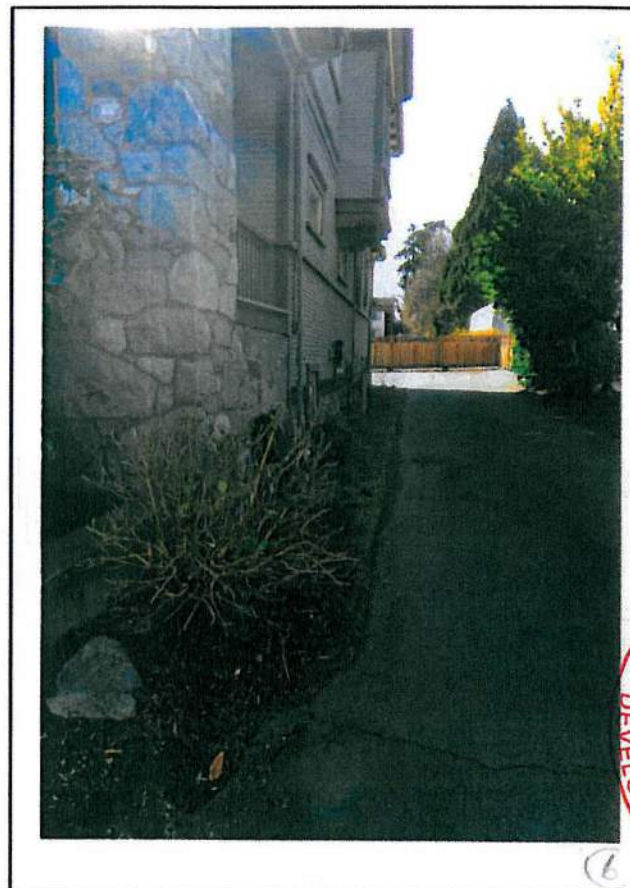


SCHEDULE B OF
 DEVELOPMENT PERMIT
 NO. 01006028

APPROPRIATE OFFICER

3





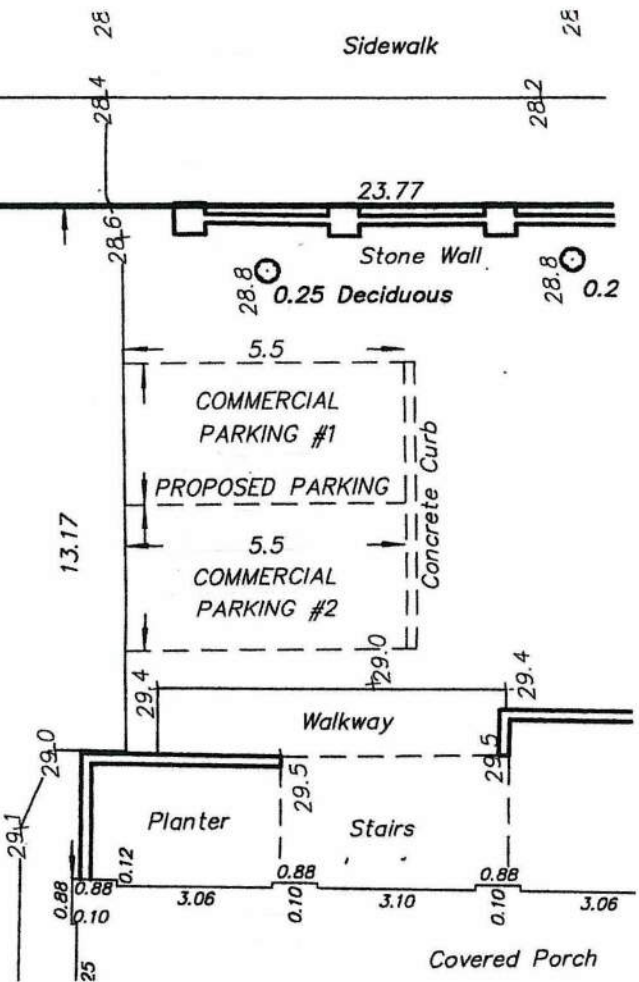
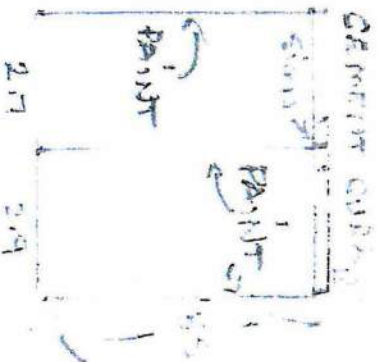


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SCHEDULE B OF
DEVELOPMENT PERMIT
NO. DP000028

CORPORATE OFFICER

Packing Lines And Cords



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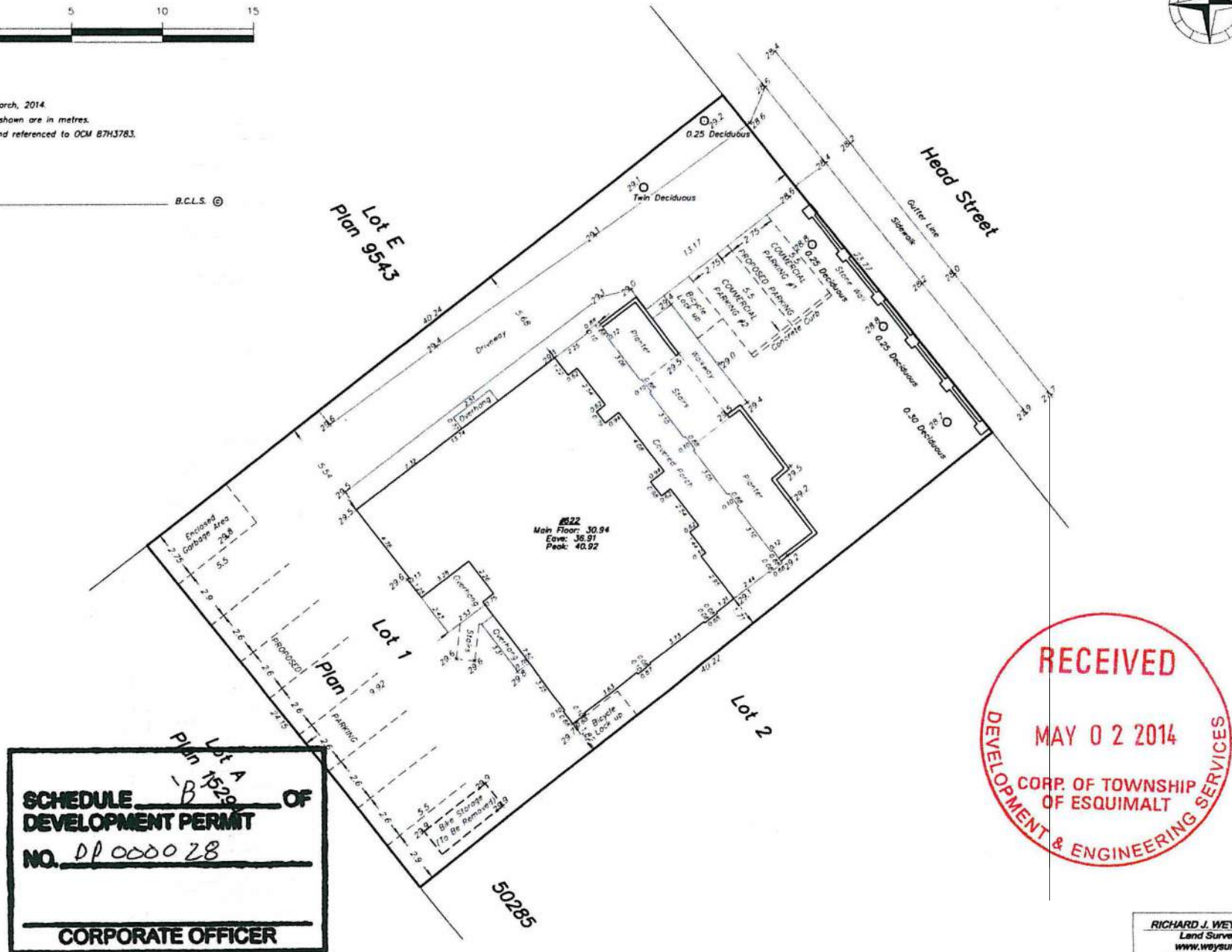
28

Site Plan Of:
Lot 1, Section 11.
Esquimalt District, Plan 50285.



Dated this 10th day of March, 2014.
 Distances and elevations shown are in metres.
 Elevations are geodetic and referenced to OCM 87H3783.

B.C.L.S. ©



SCHEDULE B OF
DEVELOPMENT PERMIT
NO. DP 000028
CORPORATE OFFICER



RICHARD J. WEY & ASSOCIATES
 Land Surveying Inc.
 www.weysurveyors.com
 #4-2227 James White Boulevard
 Sidney, BC V8L 1Z5
 Telephone (250) 656-5155
 Fax 1-800-561-5155

237



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

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

Council Meeting: July 14, 2014
Staff Report No. DEV-14-052

REQUEST FOR DECISION

SUBJECT: DEVELOPMENT PERMIT

1079 Colville Road

PID 005-713-382, Lot 15, Section 10, Esquimalt District, Plan 7328

RECOMMENDATION:

That Council resolves that Development Permit No. DP000022 limiting the form and character of development to that shown on architectural plans by Nicole Parker stamped "Received July 3, 2014", the landscape plan prepared by Diva Landscape Design stamped "Received July 3, 2014", and sited as detailed on the survey plans prepared by Island Land Surveying stamped "Received April 28, 2014", **be approved, and staff be directed to issue the permit and register the notice on the title of** the development located at PID 005-713-382, Lot 15, Section 10, Esquimalt District, Plan 7328 [1079 Colville Road].

RELEVANT POLICY:

Official Community Plan Bylaw, 2006, No. 2646

Zoning Bylaw, 1992, No. 2050

Development Application Procedures and Fees Bylaw No. 2791, 2012

STRATEGIC RELEVANCE:

This Request For Decision does not directly relate to a specific strategic objective.

Submitted by: Writer Karen Hay

Reviewed by: CAO R. Hurst

Date: July 9/14

STAFF REPORT

DATE: July 7, 2014 Report No. DEV-14-052
TO: Laurie Hurst, Chief Administrative Officer
FROM: Karen Hay, Planner
Bill Brown, Director of Development Services
SUBJECT: DEVELOPMENT PERMIT
1079 Colville Road
PID 005-713-382, Lot 15, Section 10, Esquimalt District, Plan 7328

RECOMMENDATION:

That Council resolves that Development Permit No. DP000022 limiting the form and character of development to that shown on architectural plans by Nicole Parker stamped "Received July 3, 2014", the landscape plan prepared by Diva Landscape Design stamped "Received July 3, 2014", and sited as detailed on the survey plans prepared by Island Land Surveying stamped "Received April 28, 2014", **be approved, and staff be directed to issue the permit and register the notice on the title** of the development located at PID 005-713-382, Lot 15, Section 10, Esquimalt District, Plan 7328 [1079 Colville Road].

BACKGROUND:

Appendixes:

- "A" Development Permit No. DP000022;
- "B" Subject Property Map;
- "C" Air photo of subject property;
- "D" Two Family/ Single Family Residential Zone [RD-3] excerpt from the Zoning Bylaw;
- "E" Enhanced Design Control Residential excerpt from Official Community Plan;
- "F" Green Building Checklist;
- "G" Site plan and architectural drawings; and
- "H" Landscape Plan.

Context

Applicant/ Owner: David Basich and John Norris

Property Size: Metric: 849 m² Imperial: 9138.86 ft²

Existing Land Use: Single Family Residence

Surrounding Land Uses:

North: Single Family Residential
South: E & N Rail Trail
West: Two Family Residential
East: Single Family Residential

Existing Zoning: Two Family/Single Family Residential [RD-3]

Proposed Zoning: RD-3 [No change required]

Existing OCP Designation: Single and Two-Unit Residential [no change required]

Purpose of the Application

The applicant is proposing to remove the existing home and construct a side by side strata titled two-unit dwelling on the subject property. The property is currently zoned Two Family/ Single Family Residential [RD-3] [attached] and the proposed design meets the requirements of this zone. This two-unit dwelling is subject to Development Permit Area No. 5 – Enhanced Design Control Residential; therefore a Development Permit is required before a Building Permit can be issued.

Official Community Plan

The Official Community Plan does allow for sensitive infill development in residential zones provided the development is compatible with, and enhances the surrounding neighbourhood.

Section 2.2 of the Official Community Plan recognizes that modest residential growth will occur through the infilling of vacant or under-utilized parcels, and states that this growth should occur in a manner that maintains and enhances individual neighbourhoods and the community as a whole.

Section 2.2.1(a) states the Township should work toward a more complete community by maintaining a healthy mixture of housing types, accommodating people with a wide range of income levels.

Section 2.2.1(b) states the Township should encourage new residential development with high design standards for building and landscaping and which enhance existing and new neighbourhoods.

Building Design: The proposed building is a contemporary two storey side by side duplex, with roof lines that appear flat from the street but have a slight slope. The cladding is a mix of natural cedar and gray Hardie board siding, taupe Hardie panels, with black trim and windows. The two units are slightly staggered; which along with the mix of cladding materials should serve to break up the mass of the building facing the street. Each unit is proposed to have its own below grade garage and basement area that should provide a generous storage/utility space.

Fit with Neighbourhood: The subject property is located in a neighbourhood of mixed architectural styles of small single family homes and newer duplexes. The proposed duplex preserves the proportions and patterns of the neighbourhood by adhering to the zoning requirements.

Green Features: The applicant has completed the Esquimalt Green Building Checklist [attached]. The Advisory Planning Commission requested some clarification to several points so an addendum has been provided; see notes under 'Comments from the Advisory Planning Commission'.

Landscaping: The two entrances to the building are clearly defined by interlocking brick paths oriented toward Colville Road. Each unit is to be provided with an at-grade patio in the backyard, located off the main living area. Cedar fences are proposed to enclose the backyards providing privacy. After considering the comments received at the APC meeting, the applicants have added two parking spaces off the rear lane.

The proposed concrete driveway does represent a considerable expanse of paving in the front yard. This has been somewhat mitigated by the use of the two brick entrance paths, the planting beds located between driveway and path, and the slope down to the below grade garages. The proposed driveway does achieve the minimum requirement of being less than 5.5 metres wide at the property line.

There will be three mature trees removed from the property and the landscape plan proposes to add five new trees. The Esquimalt Parks department reviewed the landscape plan and suggested that the developer consider adding a sixth tree and that this one be of a taller growth habit. The landscape designer has since substituted two acer circinatum (average height = 7 metres) for two acer palmatum (average height = 5 metres).

A landscape bond of 125% of the estimated value of all landscaping will be required if this application is approved.

Design Guidelines:

This proposal is subject to Section 9.7 'Development Permit Area No. 5 – Enhanced Design Control Residential' of the Official Community Plan and the Design Guidelines of Section 9.7.5 (attached) are applicable.

The proposed design is consistent with most of the applicable guidelines with the following exceptions:

- The use of the flat roof is contemporary and is a departure from the pitched roofs in the neighbourhood. The building size, the wall to window ratios and the open space are in keeping with the other new duplexes that have been built on Colville Road.
- The use of Hardie board panels is contemporary, and now frequently replaces stucco in many newer buildings, and represents a departure from the 'wood, brick, stucco, and stone used in older neighbourhoods'.
- Retention and protection of trees and the natural habitat is encouraged where possible. The Esquimalt Parks department has agreed with the removal of the native maples as their health maybe an issue. The applicant had been encouraged to consider adding a sixth taller native tree to the rear yards, and has chosen to stay with five new trees but has chosen a species with a larger mature size for the rear yard.
- The use of permeable and decorative surfacing materials, such as brick, concrete pavers, textured concrete, coloured paving or grasscrete is encouraged in place of solid expanses of asphalt or concrete. The driveway is concrete but the pathways and patios are brick pavers.
- Garages and parking areas are encouraged to access the rear yard. Providing access to a rear garage would diminish the private open space that is located in the rear yard.

The applicant has proposed to provide two parking spaces immediately adjacent to the rear lane.

Comments from the Advisory Planning Commission [APC]

This application was considered at the regular meeting of the APC held on June 17, 2014. The APC supported the application with the condition that the Green Building Checklist be updated and the applicant consider providing access from the rear lane sufficient for vehicle parking.

The applicant has submitted the following as an addendum to the Green Building Checklist:

1. Addendum to Green Building checklist:
 - a. High performance building materials will include extra waterproofing of the foundation should it be required. These would be blueskin for 3 feet then damproofing then Deltadrain material to finish.
 - b. Siding will be mostly Hardiboard/plank for fire resistance and durability.
 - c. Dual flush toilets, low flow faucets in kitchens and bathrooms & low flow showers.
 - d. High efficiency lighting fixtures and motion sensor outdoor lights.
 - e. Windows will be mostly operable for natural ventilation purposes.
 - f. The building will have conduit built in to accommodate solar if homeowner wants to add this feature.
 - g. Question 60 seems aimed at larger developments than this simple duplex but we will provide plug ins for electric vehicles in both garages. The rest of the items listed will not be provided
 - h. We will provide rain barrels and these are indicated on the new site plan.

Comments From Other Departments

The plans for this proposal were circulated to other departments and the following comments were received :

Building Inspection: Construct to BC Building Code 2012 and Municipal Building Code Bylaw, 2002, No. 2538. Applicant must address all issues contained within the Township Development Protocol should the application be approved. Plans will be reviewed for compliance with BC Building Code upon submission of a building permit application.

Engineering Services: Engineering staff have completed a preliminary evaluation of Works and Services that would be required for the two-unit dwelling proposed. Staff confirms that the design appears achievable on the site and that appropriate works and services are available in the immediate area. Should the application be approved, additional comments will be provided when detailed civil engineering drawings are submitted as part of a Building Permit application.

Parks Services: Owners must abide by the regulations as stated in Esquimalt's Tree Protection Bylaw, 2007, No. 2664. A tree cutting permit is required for the removal of the three trees. Protection of trees on adjacent properties is required during the construction and demolition process. Consider adding a sixth tree such as an Acer (maple) with a taller growth habit.

Note: All projects are subject to compliance with the BC Building Code, Esquimalt Subdivision and Servicing Bylaw, Esquimalt Zoning Bylaw and other Regulations and Policies set by Council.

ISSUES:

1. Rationale for Selected Option
The proposal is largely consistent with the guidelines of Development Permit Area No. 5 – Enhanced Design Control Residential. The applicant has considered and generally met the conditions of the Advisory Planning Commission and suggestions from staff.
2. Organizational Implications
This Request for Decision has no organizational implications.
3. Financial Implications
This Request for Decision has no financial implications.
4. Sustainability & Environmental Implications
The applicant has completed the Esquimalt Green Building Checklist. Increasing density in residential neighbourhoods is believed to increase the sustainability of the municipality as a whole.
5. Communication & Engagement
As this is a Development Permit application requiring no variances, the *Local Government Act* does not require notification be provided.

ALTERNATIVES:

1. Council **approve** Development Permit No. DP000022; and direct staff to issue the permit and register a notice on the property title.
2. Council **deny** Development Permit No. DP000022.

CORPORATION OF THE TOWNSHIP OF ESQUIMALT

DEVELOPMENT PERMIT

NO. DP000022

Owner: Tomlin Norris Dev. Co. Ltd., Inc. No. BC0994563
1776 Howroyd Ave.
Victoria BC V8P 3C1

DNL Developments Ltd., Inc. No. BC0736134
3915 Aspen Pl.
Victoria BC V8N 5B5

Lands: PID 005-713-382, Lot 15, Section 10, Esquimalt District, Plan 7328

Address: 1079 Colville Street, Esquimalt, B.C.

Conditions:

1. This Development Permit is issued subject to compliance with all of the bylaws of the Municipality applicable thereto, except as specifically varied or supplemented by this Permit.
2. Approval of this Development Permit is issued in accordance with the architectural plans by Nicole Parker stamped "Received July 3, 2014", the landscape plan prepared by Diva Landscape Design stamped "Received July 3, 2014", and sited as detailed on the survey plans prepared by Island Land Surveying stamped "Received April 28, 2014", for the development located at PID 005-713-382, Lot 15, Section 10, Esquimalt District, Plan 7328 [1079 Colville Road], attached hereto as Schedule 'A'.
3. The lands shall be developed in accordance with the terms, conditions and provisions of this Permit.
4. The terms, conditions and covenants contained herein shall enure to the benefit of and be binding upon the Owners, their executors, heirs or administrators, successors and assigns as the case may be or their successors to title in the lands.
5. This Development Permit is not a Building Permit.

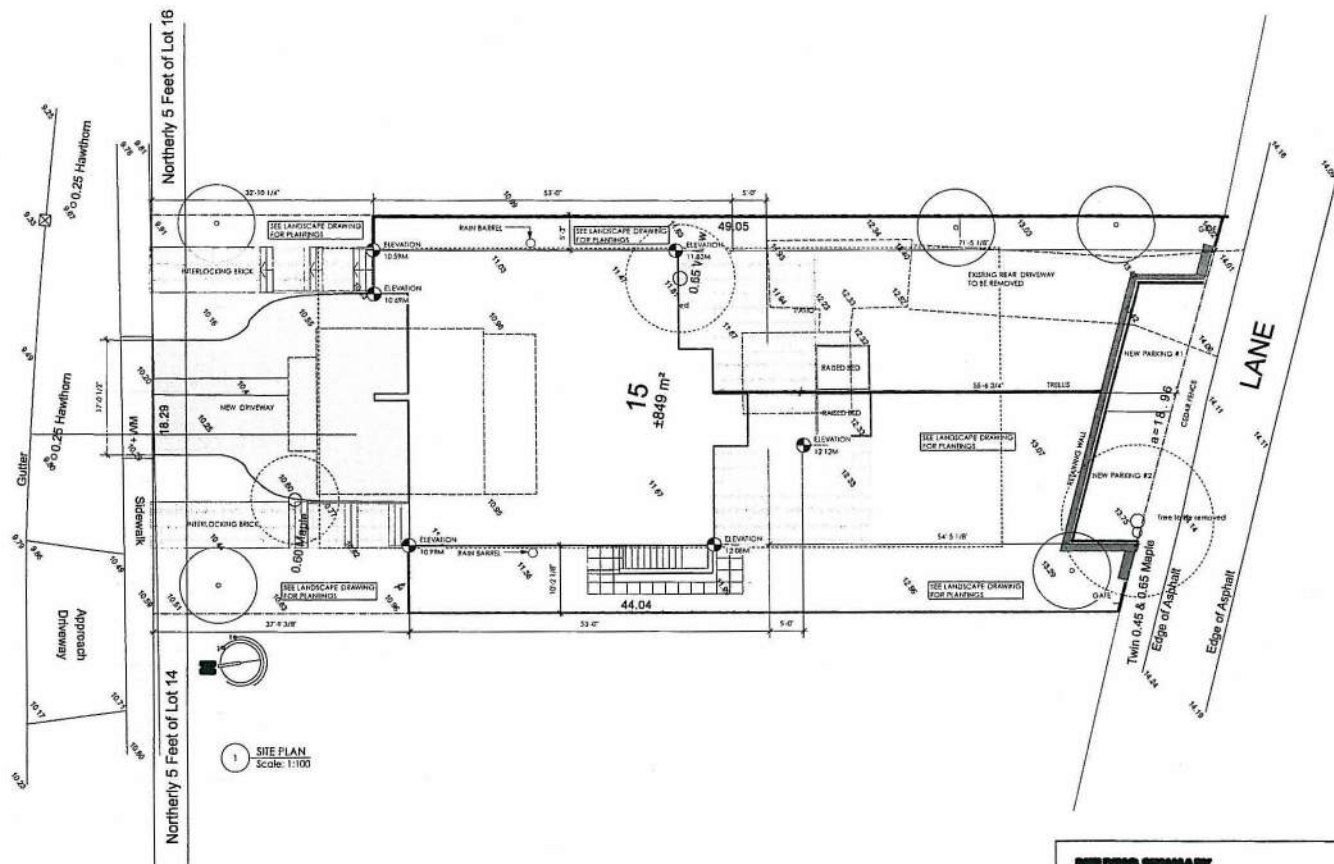
6. This Permit lapses two (2) years after the date it is issued if the holder of the Permit does not substantially start any construction with respect to which the Permit was issued.
7. For the purposes of this Development Permit, the holder of the Permit shall be the owner(s) of the lands.

ISSUED BY MUNICIPAL COUNCIL RESOLUTION ON THE ____ DAY OF _____, 2014

SIGNED THIS _____ DAY OF _____, 2014

Director of Development Services

Corporate Officer
Corporation of the Township
of Esquimalt



UNIT 4
BASEMENT FLOOR (INCLUDING GARAGE): 77M2 (828.8 SQ. FT.)
MAIN FLOOR: 82.1M2 (883.72 SQ. FT.)
UPPER FLOOR: 60.85M2 (655 SQ. FT.)

UNIT 5
BASEMENT FLOOR (INCLUDING GARAGE): 85M2 (914.9 SQ. FT.)
MAIN FLOOR: 82.1M2 (883.72 SQ. FT.)
UPPER FLOOR: 60.85M2 (655 SQ. FT.)

LOT COVERAGE: 21.03%
HEIGHT: 7.15M
NUMBER OF PARKING SPACES: 2 (ONE EACH DWELLING UNIT)

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CORP. OF TOWNSHIP
OF ESQUIMALT
DEVELOPMENT & ENGINEERING SERVICES

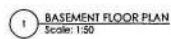
OF - 6

SCHEDULE 1A OF
DEVELOPMENT PERMIT
NO. DP 000022

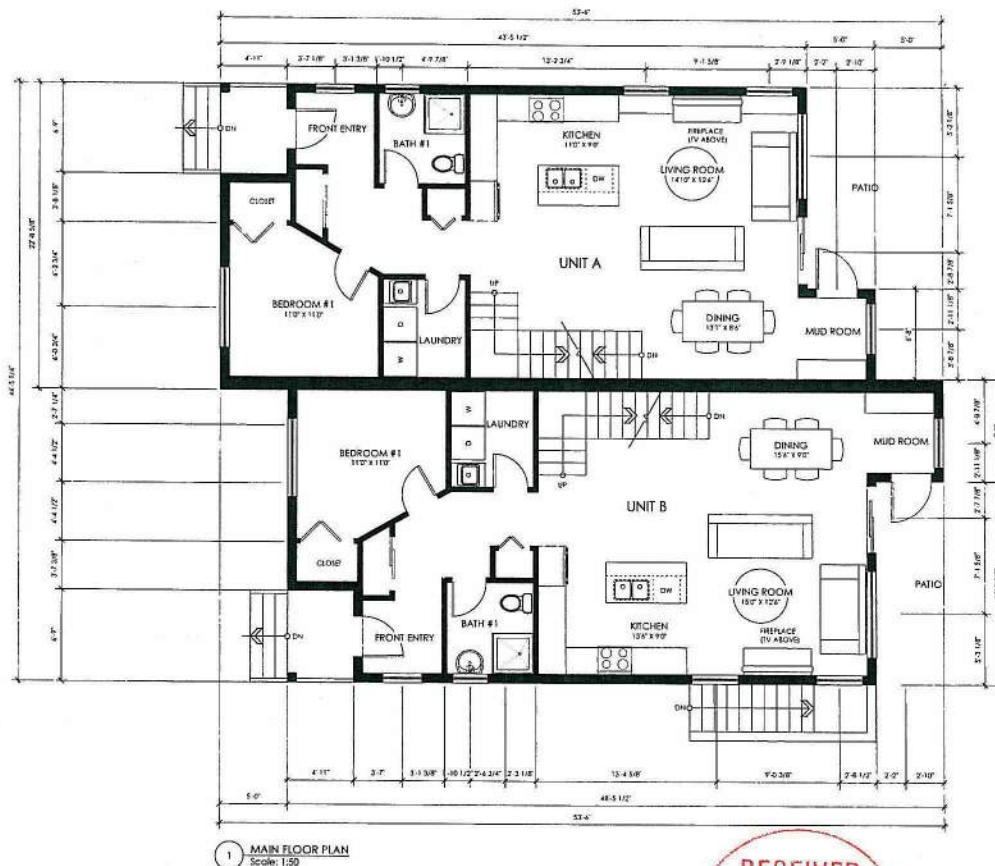
CORPORATE OFFICER

DAVID BASICH & JOHN NORRIS

CF-6



CORPORATE OFFICER



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e-nicole.e.parker@gmail.com
p. 250.689.5970

1079 COVILLE ROAD, VICTORIA, BC
DUPLEX RESIDENCE
DAVID BASICH & JOHN NORRIS

PROJECT NAME:

REVISION	DATE
SUBMIT FOR DP	26.04.14
REV. FOR DP	28.05.14
REV. FOR DP	02.06.14

MAIN
FLOOR
PLAN

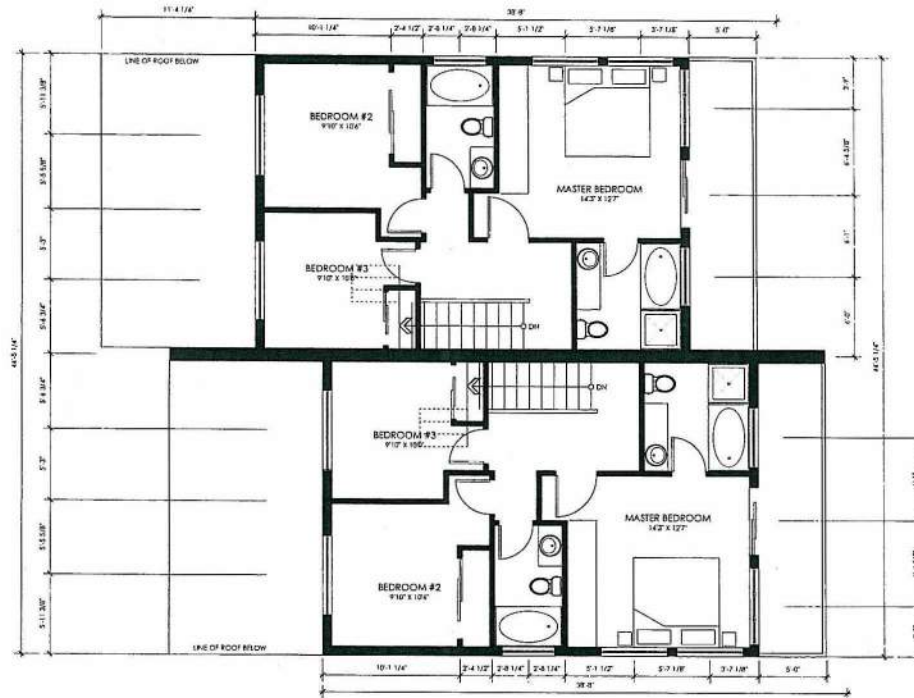
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1401
DATE:
04.02.2014
DRAWN BY:
NP
DRAWING:

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CF - 6

SCHEDULE 'A' OF
DEVELOPMENT PERMIT
NO. DP000022

CORPORATE OFFICER



1 UPPER FLOOR PLAN
Scale: 1/32



N

a. nicola a. parker@gmail.com
p. 250.889.5370

1079 COVILLE ROAD, VICTORIA, BC
DUPLEX RESIDENCE
DAVID BASICH & JOHN NORRIS

PROJECT NAME:

REVISION	DATE
SUBMIT FOR DP	28.04.14
REV. FOR DP	28.05.14
REV. FOR DP	02.06.14

UPPER
FLOOR
PLAN

PROJECT #:
1401
DATE:
06.02.2014
DRAWN BY:
NP
DRAWING:

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OF - 6

SCHEDULE 1A OF
DEVELOPMENT PERMIT
NO. DP 000022

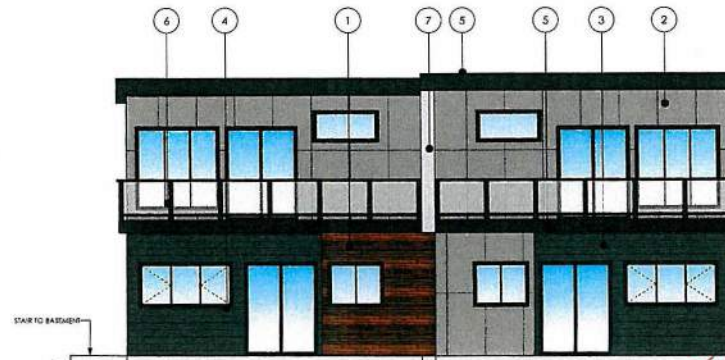
CORPORATE OFFICER

MATERIAL LEGEND

- ① CEDAR SIDING
- ② HARDIE VERTICAL PANELS (MONTEREY TAUPE - JH40-20)
- ③ HARDIE SIDING (IRON GRAY - JH90-30)
- ④ VINYL WINDOWS (BLACK)
- ⑤ FLASHING, SOFFIT, TRIM (BLACK)
- ⑥ ALUMINUM HANDRAILS (BLACK)
- ⑦ CONCRETE PARTITION
- ⑧ DOOR WITH GLASS PANELS



① FRONT ELEVATION
Scale: 1:50



① REAR ELEVATION
Scale: 1:50



N

e. Nicole a. paker@gmail.com
p. 250.989.5970

1079 COLVILLE ROAD, VICTORIA, BC
DUPLEX RESIDENCE
DAVID BASICH & JOHN NORRIS

PROJECT NAME

REVISION	DATE
SUBMIT FOR DP	25.04.14
REV. FOR DP	28.05.14
REV. FOR DP	02.06.14

ELEVATIONS

ELEVATIONS

PROJECT #:

14.01

DATE:

04.02.2014

DRAWN BY:

NP

DRAWING:

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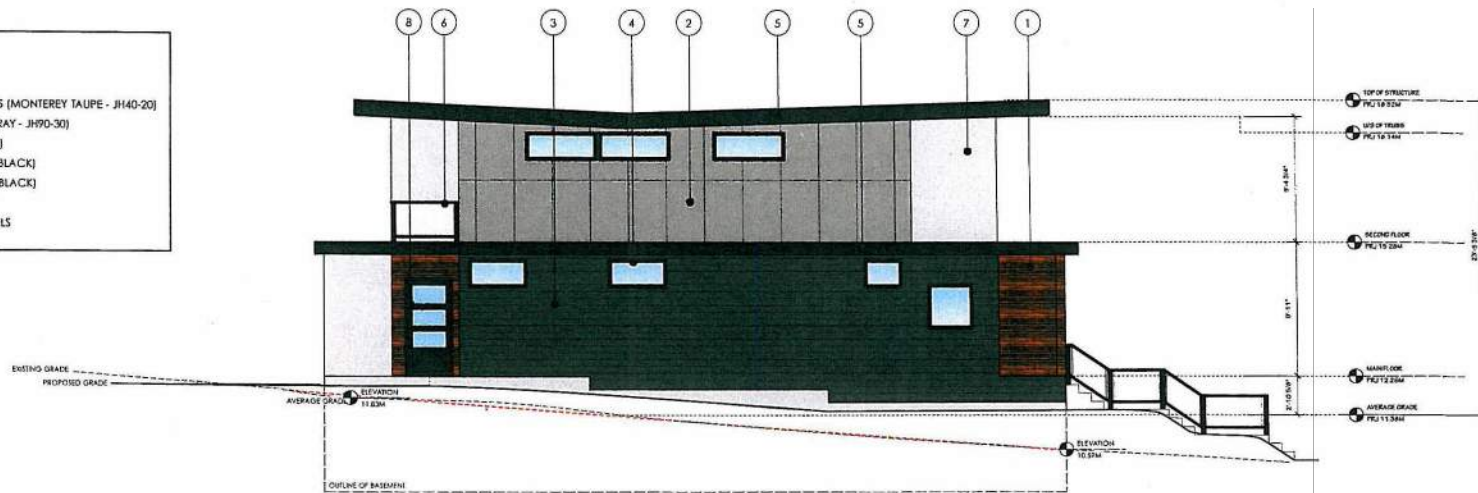
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SCHEDULE 'A' OF
DEVELOPMENT PERMIT
NO. DP000022

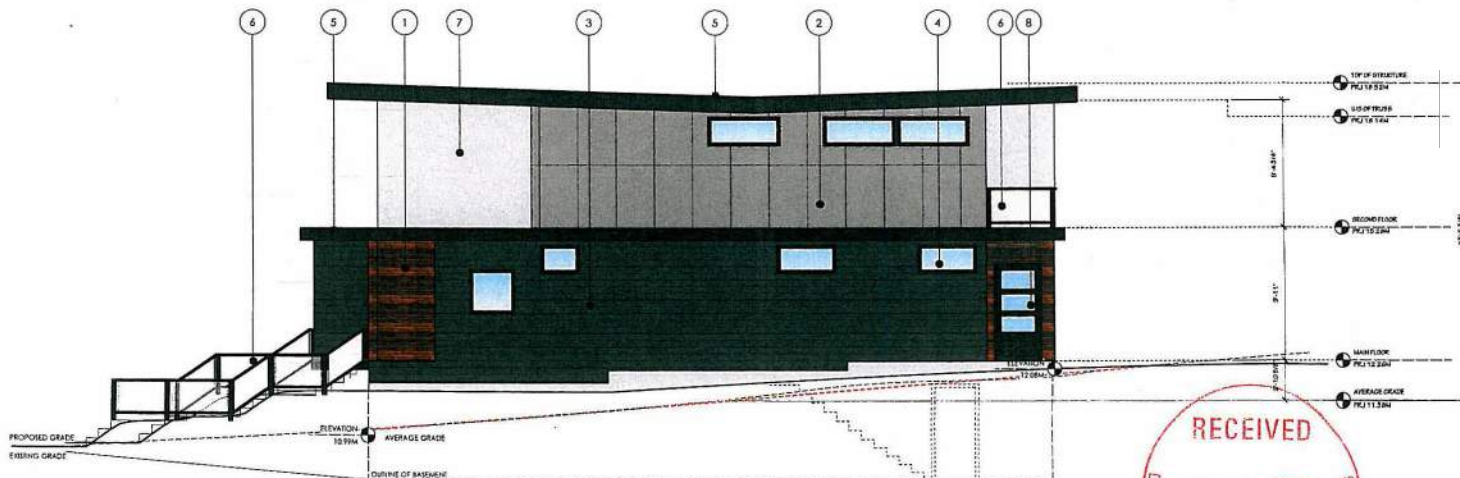
CORPORATE OFFICER

MATERIAL LEGEND

- ① CEDAR SIDING
- ② HARDIE VERTICAL PANELS (MONTEREY TAUPE - JH40-20)
- ③ HARDIE SIDING (IRON GRAY - JH90-30)
- ④ VINYL WINDOWS (BLACK)
- ⑤ FLASHING, SOFFIT, TRIM (BLACK)
- ⑥ ALUMINUM HANDRAILS (BLACK)
- ⑦ CONCRETE PARTITION
- ⑧ DOOR WITH GLASS PANELS



1 EAST ELEVATION
Scale: 1:30



2 WEST ELEVATION
Scale: 1:30



N

e.nicole.potter@gmail.com
p. 250.487.3970

1079 COVILLE ROAD, VICTORIA, BC
DUPLEX RESIDENCE
DAVID BASICH & JOHN NORRIS

PROJECT NAME:

REVISION	DATE
SUBMIT FOR DP	25.04.14
REV. FOR DP	28.05.14
REV. FOR DP	02.06.14

ELEVATIONS

PROJECT #:

14-01

DATE:

06.02.2014

DRAWN BY:

NP

DRAWING:

A6

OF - 6

SCHEDULE 'A' OF
DEVELOPMENT PERMIT
NO. DP000022

CORPORATE OFFICER

252

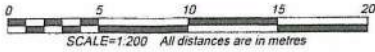


Acer circinatum B4B x 2	Nandina domestica 2gal. x 12
A Azalea Hot Shot 2gal x 3	
A/W Azalea Polar Bear 2gal. x 7	Joseph's Coat 5gal. x 2
AP Azalea Girard's Roberta 2gal. x 5	
Carex morrowii Variegata 1gal. x26	Sarcococca humilis 1gal x 11
Carex Prairie Fire 1gal. x 18	
Fuchsia magellanica 1gal. x 18	Styrax japonicus B4B x 2
	Veronica peduncularis Georgia Blue 4"pot x 8
L Lavender Midcote 1gal. x 19	

SCHEDULE 'A' OF
DEVELOPMENT PERMIT
NO. DP000022

CORPORATE OFFICER

**PROPOSED BUILDING POSITION UPON LOT 15,
SECTION 10, ESQUIMALT DISTRICT, PLAN 7328.**



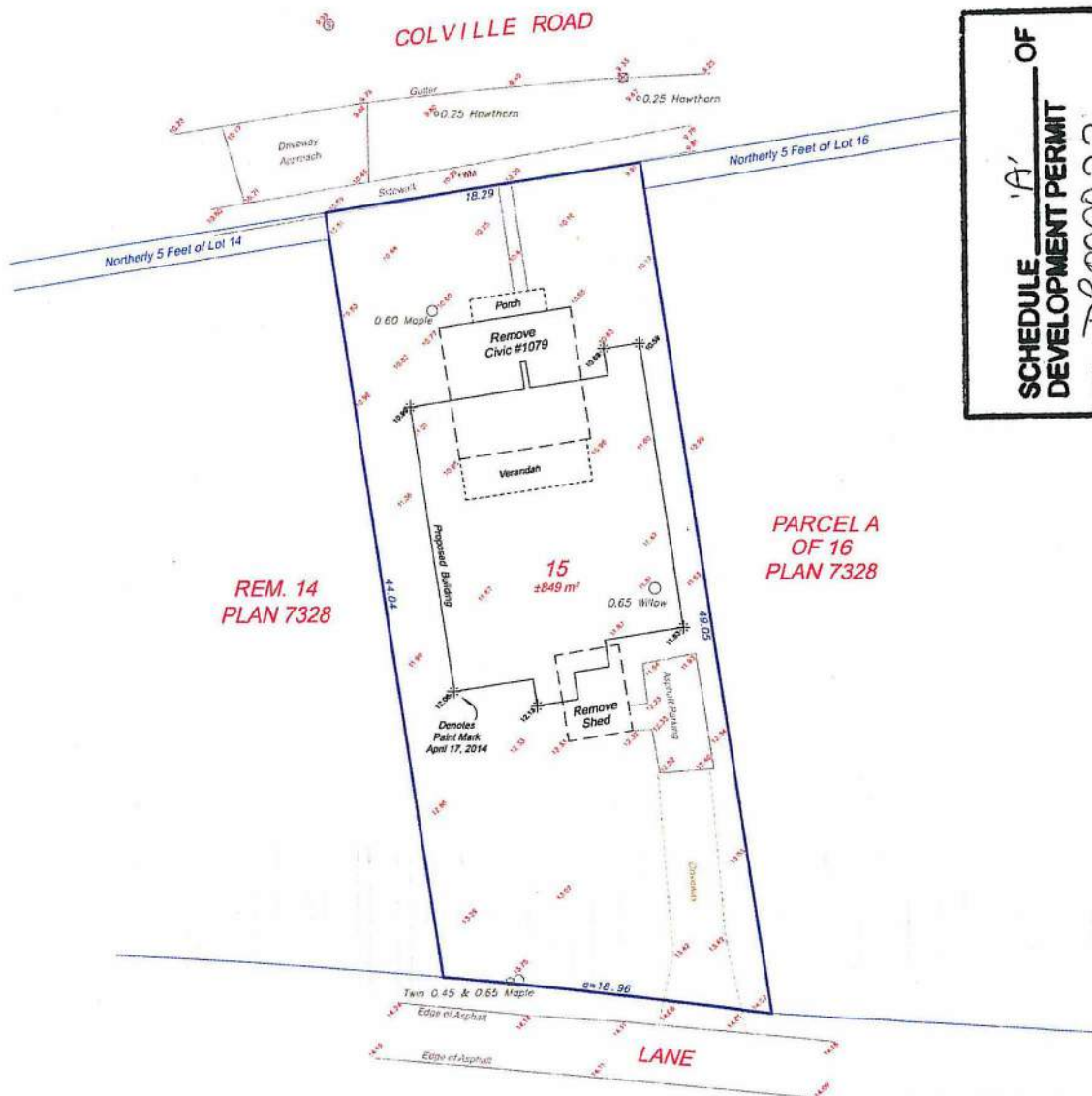
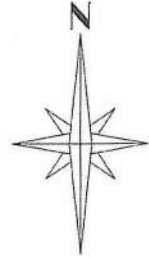
NOTE: Lot dimensions, offsets, and area shown may vary upon completion of a comprehensive legal survey. CGVD28 geodetic elevations shown are based upon observations to geodetic control monuments 84H0222 (Elevation=11 113m) and 84H0226 (Elevation=12.716m).

NOTE: Building positioned as per client instructions.
Building position must be confirmed by approving authorities prior to construction.

LEGEND

- ☒ Denotes catch basin
- +WM Denotes water meter
- ⊗ Denotes sewer manhole
- 0.60 Maple Denotes tree location, diameter and species
- ▲ Denotes ground elevation

Field surveys dated February 17th, & April 17th, 2014.

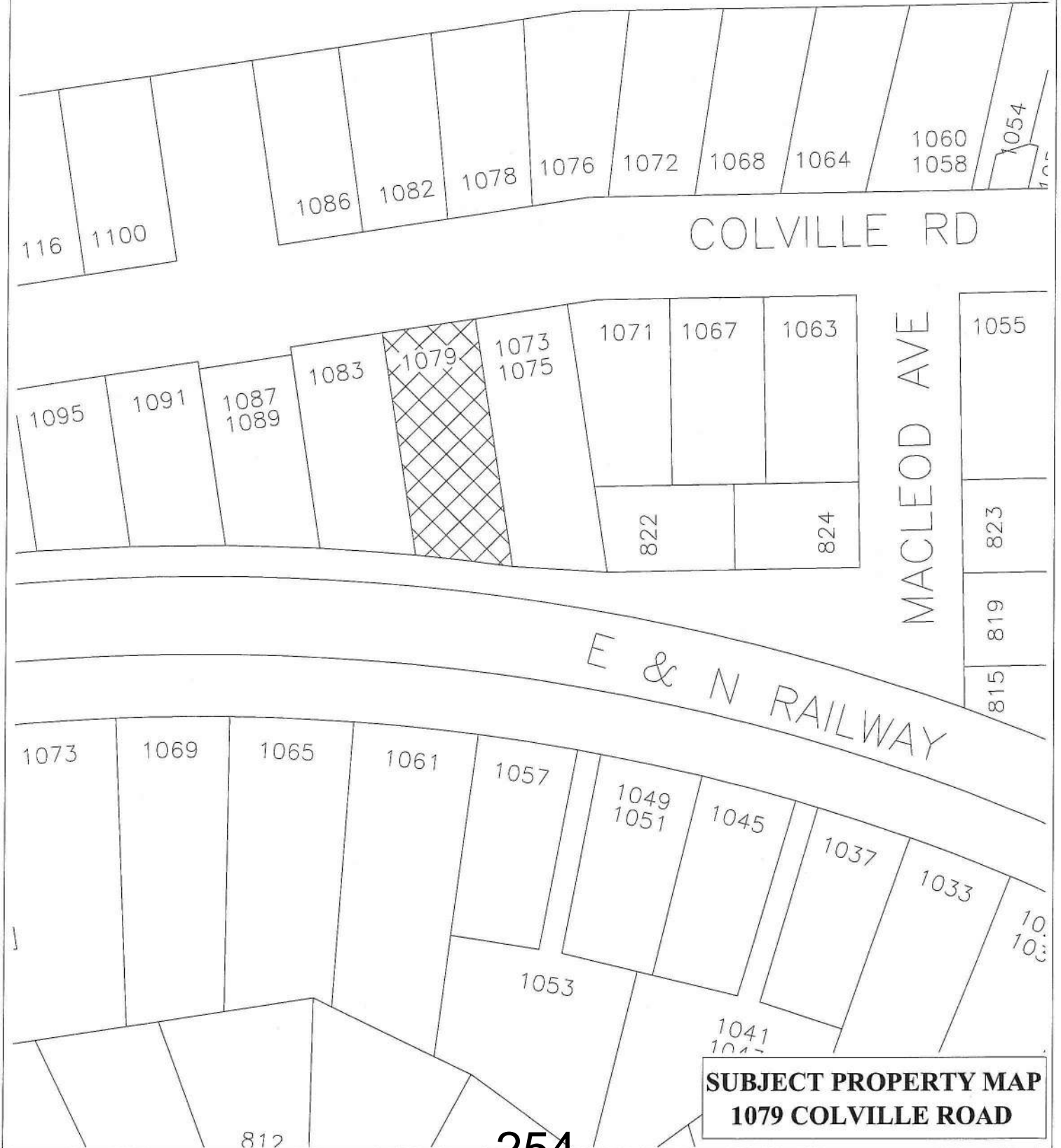


SCHEDULE 'A' OF DEVELOPMENT PERMIT NO. DP00022	_____
	CORPORATE OFFICER

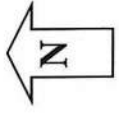
File: 22-DNL-LO	Zoning: RD-3
Date: April 17, 2014	Minimum Set-backs
Island Land Surveying Ltd.	Front: 7.5
1-15 Cadillac Avenue	Rear: 7.5
Victoria B.C. V8Z 1T3	Interior side: 1.5
Tel 250.475.1515 Fax 250.475.1516	Total side: 4.5
www.islandsurveying.ca JWD	



GORGE VALE GOLF COURSE



SUBJECT PROPERTY MAP
1079 COLVILLE ROAD



1079 Colville Road



40. TWO FAMILY/SINGLE FAMILY RESIDENTIAL [RD-3]

The intent of this Zone is to accommodate Single Family or Two Family Dwelling Units on individual Parcels of land.

(1) Permitted Uses

The following Uses and no others are permitted:

- (a) Single Family Residential
- (b) Two Family Residential
- (c) Home Occupation
- (d) Secondary Suite: subject to the requirement of Section 30.6

(2) Parcel Size

The minimum Parcel Size for Parcels created by subdivision shall be 668 square metres

(3) Minimum Lot Width

The minimum width of Parcels created by subdivision shall be 18.3 metres, measured at the Front Building Line.

(4) Building Density [Floor Area Ratio]

- (a) For parcels 800 square metres in area and larger, the Floor Area Ratio for Two Family Dwellings shall not exceed 0.35.
- (b) For parcels under 800 square metres in area the Floor Area Ratio for Two Family Dwellings shall not exceed 0.4."

(5) Floor Area

The minimum Floor Area for the First Storey of a Principal Building shall be 88 square metres

(6) Building Height

- (a) No Principal Building shall exceed a Height of 7.3 metres
- (b) No Accessory Building shall exceed a Height of 3.6 metres
- (c) When developing a front to back Two Family Dwelling, the back Dwelling Unit shall be no higher than the highest point of the existing Dwelling Unit. A Two Family Dwelling is considered back to front if more than 75% of the floor area of the back Dwelling Unit is behind the rear wall of the front Dwelling Unit.

(7) **Building Width**

The minimum width of any Single Family or Two Family Dwelling shall be 7 metres

(8) **Lot Coverage**

(a) All Principal Buildings, Accessory Buildings and Structures combined shall not cover more than 30% of the Area of a Parcel.

(b) All Accessory Buildings and Structures combined shall not exceed 10% of the Area of a Parcel.

(8.1) **Building Massing**

The second storey of any Two Family Dwelling shall be a maximum of 75% of the total floor area of the ground floor, including an attached garage.

(9) **Siting Requirements**

(a) **Principal Building**

(i) Front Setback: No Principal Building shall be located within 7.5 metres of the Front Lot Line.

(ii) Side Setback: No Principal Building shall be located within 1.5 metres of an Interior Side Lot Line, with the total Setback of all Side Yards not to be less than 4.5 metres. In the case where a Parcel is not served by a rear lane, one [1] Side Yard shall not be less than 3 metres. In the case of a Corner Lot, no Principal Building shall be located within 3.6 metres of an Exterior Side Lot Line.

(iii) Rear Setback: No Principal Building shall be located within 7.5 metres of a Rear Lot Line.

(b) **Accessory Building**

(i) Front Setback: No Accessory Building shall be located in front of the front face of the Principal Building.

(ii) Side Setback: No Accessory Building shall be located within 1.5 metres of an Interior Side Lot Line nor 3.6 metres of an Exterior Side Lot line.

(iii) Rear Setback: No Accessory Building shall be located within 1.5 metres of a Rear Lot line.

(iv) Building Separation: No Accessory Building shall be located within 2.5 metres of a Principal Building.

9.7 Development Permit Area No. 5 – Enhanced Design Control Residential

9.7.1 Scope

All lands zoned for two-unit dwellings or zoned as Comprehensive Development Districts for residential developments only are designated as part of Development Permit Area No. 5 – Enhanced Design Control – Intensive Residential as shown on "Schedule C" of this Plan.

9.7.2 Category

Section 919(1)(f) of the *Local Government Act* – form and character of intensive residential development.

9.7.3 Justification

The following policies and guidelines were developed to allow for the better utilization and redevelopment of parcels within residential neighbourhoods and ensure that development occurs in a manner that retains the desirable physical characteristics of a neighbourhood.

9.7.4 Requirements of Owners of Land within the Development Permit Area

- a) Owners of land within Development Permit Area No. 5 must not do any of the following without first obtaining a development Permit in accordance with the guidelines for this Development Permit Area:
- ♦ construct a two-unit dwelling;
 - ♦ subdivide a two-unit dwelling;
 - ♦ convert a single-unit dwelling to a two-unit dwelling;
 - ♦ renovate an existing two-unit dwelling if the value of construction, as specified in the Building Permit, would exceed 50 percent of the assessed value (as listed on the BCAA property roll at the time of construction) of the building being added to or renovated;
 - ♦ construct two or more separate dwelling units on one parcel, without first obtaining a Development Permit in accordance with the guidelines of this Development Permit Area; or
 - ♦ construct a dwelling on a parcel less than 530 m² in area if that parcel was created after May 31st, 2002.

b) Exemptions:

The following do not require a development permit:

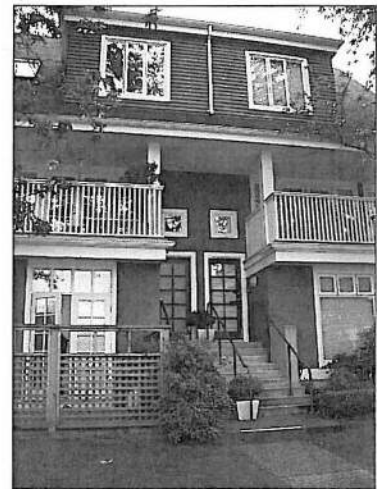
- ♦ additions or renovations to, or the construction of, one single-unit dwelling situated on a fee simple parcel;
- ♦ additions or renovations to any two-unit dwelling situated on a parcel zoned for two-unit use where the value of construction, as specified in the Building Permit, does not exceed 50 percent of the assessed value of the building (as listed on the BCAA property roll at the time of construction) being added to or renovated;
- ♦ construction of buildings or structures less than 10 square meters in area;
- ♦ minor additions to existing dwellings where the floor area of the addition does not exceed 10 percent of the ground floor area of the dwelling;

- ♦ emergency repairs to existing structures where a potential safety hazard exists; and
- ♦ fences.

9.7.5 Guidelines for Owners of Land within the Development Permit Area

The intent of these guidelines is to ensure that new two-unit development (i.e. duplexes) is compatible with and enhances the surrounding community.

- a) New two-unit dwellings, additions to or renovations of existing two-unit dwellings, and the conversion of single-unit dwellings into two-unit dwellings should be designed to be consistent with and preserve the proportions and patterns of existing residential buildings in the immediate vicinity, including the wall-to-window area ratios and the amount and type of open space provided.
- b) Where it is not possible to achieve buildings of similar size and proportion to the surrounding residential buildings, the fronts of the buildings should be designed to create the appearance of smaller structures either by staggering the dwelling units or visually breaking up the façade with architectural detailing.
- c) Innovative and creative site-specific two-unit dwellings are encouraged where yard space is maintained either on the ground or as rooftop gardens. Setbacks to the street may be reduced to maximize property use.
- d) Front to back duplexes are generally discouraged unless they can be designed to eliminate negative impacts to the immediate neighbours such as shading of gardens, overlook of outdoor amenity areas and violation of privacy.
- e) Side by side, up and down, or staggered unit configurations are preferred as these result in a greater number of units facing the street, less disruption of privacy, and a more equitable division of outdoor amenity areas between the two dwelling units.
- f) The use of exterior building materials similar to those used in older residential neighbourhoods (i.e. combinations of wood, brick, stucco, and stone) is encouraged.
- g) Rooflines of new development should relate in height, shape and pitch to existing residential buildings in the immediate area. For corner sites, the building design should avoid having large unbroken sloped roof areas facing the street.
- h) To create interest in the façade of the buildings facing the street, the incorporation of architectural elements such as bay windows, covered porches, verandas and prominent front doors is encouraged.
- i) Buildings should be designed to minimize visual intrusion onto the privacy of surrounding homes. Some overlook of adjoining yards and neighbouring decks may be unavoidable; however, additional privacy should be achieved by inseting balconies, decks and patios into the building or by screening them with latticework or landscaping. Windows should be spaced



so that they do not align directly with those of other buildings.

- j) The height and massing of new two-unit dwellings should be designed to minimize the casting of shadows onto the private outdoor space of adjacent residential dwellings.
- k) A landscaping plan showing ground cover areas, planting beds, shrubbery and trees (both existing and proposed) is required for every new two-unit dwelling or the conversion of a single-unit dwelling to a two-unit dwelling. Landscaping should add to the aesthetic appeal of the streetscape as well as provide privacy between dwelling units.
- l) The provision of private open space should be part of an overall site development and landscape plan and should take into consideration general site circulation patterns (including parking), existing landscape features, sun access, privacy and usability.
- m) Retention and protection of trees and the natural habitat is encouraged where possible.
- n) Parking areas, garages and driveways should appear as a minor component of the site when viewed from the street. The building of curving access roads and driveways helps to avoid views from the street of large expanses of paving. The use of shared driveways is encouraged.
- o) The use of permeable and decorative surfacing materials, such as brick, concrete pavers, textured concrete, coloured paving or grasscrete is encouraged in place of solid expanses of asphalt or concrete.
- p) Where possible, hydro meters will not be placed on the front façade of a building and, if placed on the side of a building which is visible from the street, will be appropriately screened.
- q) Where an existing single unit dwelling is being converted to a two-unit dwelling both the original structure and the addition shall be in the same architectural style and constructed of the same exterior finishes including roofing material, window treatments, exterior finishes, door styles and trims.
- r) Roof styles and pitches of the original and new portions of the building must be complimentary.
- s) For new or converted two unit dwellings, garages and parking areas are encouraged to be located in the rear yard. Shared driveways are preferred to access the rear yard.
- t) Where two single lane driveways serve a two unit lot, landscaping features are encouraged between the driveways.



GREEN BUILDING CHECKLIST



The purpose of this Checklist is to make property owners and developers aware of specific green features that can be included in new developments to reduce their carbon footprints to help create a more sustainable community.

Creating walkable neighbourhoods, fostering green building technologies, making better use of our limited land base and ensuring that new development is located close to services, shops and transit are some of the means of achieving sustainability.

The Checklist which follows focuses on the use of **Green Technologies** in new buildings and major renovations. The Checklist is not a report card, it is a tool to help identify how your project can become 'greener' and to demonstrate to Council how your project will help the Township of Esquimalt meet its sustainability goals. It is not expected that each development will include all of the ideas set out in this list but Council is looking for a strong commitment to green development.

There are numerous green design standards, for example, Built Green BC; LEED ND; Living Building Challenge; Green Shores; Sustainable Sites Initiative. Esquimalt is not directing you to follow any particular standard, however, you are strongly encouraged to incorporate as many green features as possible into the design of your project .

As you review this checklist, if you have any questions please contact **Development Services** at 250.414.7108 for clarification.

**New development is essential to Esquimalt.
We look forward to working with you
to ensure that development is
as green and sustainable as possible.**

Other documents containing references to building and site design and sustainability, which you are advised to review, include:

- Esquimalt's Official Community Plan
- Development Protocol Policy
- Esquimalt's Pedestrian Charter
- Tree Protection Bylaw No. 2664
- A Sustainable Development Strategic Plan for the Township of Esquimalt



"One-third of Canada's energy use goes to running our homes, offices and other buildings. The federal government's Office of Energy Efficiency (Natural Resources Canada) reports that a corresponding one-third of our current greenhouse gas (GHG) emissions come from the built environment."

[Green Building and Development as a Public Good, Michael Buzzelli, CPRN Research Report June 2009]

Please answer the following questions and describe the green and innovative features of your proposed development. Depending on the size and scope of your project, some of the following points may not be applicable.

Green Building Standards

Both energy use and emissions can be reduced by changing or modifying the way we build and equip our buildings.

- 1 Are you building to a recognized green building standard? Yes ☐ No ☒
If yes, to what program and level?
- 2 If not, have you consulted a Green Building or LEED consultant to discuss the inclusion of green features? Yes ☐ No ☒
- 3 Will you be using high-performance building envelope materials, rainscreen siding, durable interior finish materials or safe to re-use materials in this project? ☒ Yes ☐ No
If so, please describe them.
- 4 What percentage of the existing building[s], if any, will be incorporated into the new building? 0 %
- 5 Are you using any locally manufactured wood or stone products to reduce energy used in the transportation of construction materials? Please list any that are being used in this project.
- 6 Have you considered advanced framing techniques to help reduce construction costs and increase energy savings? ☒ Yes ☐ No
- 7 Will any wood used in this project be eco-certified or produced from sustainably managed forests? If so, by which organization? NO
For which parts of the building (e.g. framing, roof, sheathing etc.)? —
- 8 Can alternatives to Chlorofluorocarbons and Hydro-chlorofluorocarbons which are often used in air conditioning, packaging, insulation, or solvents be used in this project? If so, please describe these. — Yes ☐ No ☒
- 9 List any products you are proposing that are produced using lower energy levels in manufacturing. NONE
- 10 Are you using materials which have a recycled content [e.g. roofing materials, interior doors, ceramic tiles or carpets]? Yes ☐ No ☒
- 11 Will any interior products [e.g. cabinets, insulation or floor sheathing] contain formaldehyde? Yes ☐ No ☒

Water Management

The intent of the following features is to promote water conservation, re-use water on site, and reduce storm water run-off.

Indoor Water Fixtures

- 12 Does your project exceed the BC Building Code requirements for public lavatory faucets and have automatic shut offs? Yes ☒ No
- 13 For commercial buildings, do flushes for urinals exceed BC Building Code requirements? Yes No
- 14 Does your project use dual flush toilets and do these exceed the BC Building Code requirements? ☒ Yes No
- 15 Does your project exceed the BC Building Code requirements for maximum flow rates for private showers? ☒ Yes No
- 16 Does your project exceed the BC Building Code requirements for flow rates for kitchen and bathroom faucets? ☒ Yes No

Storm Water

- 17 If your property has water frontage, are you planning to protect trees and vegetation within 60 metres of the high water mark? [Note: For properties located on the Gorge Waterway, please consult Sections 7.1.2.1 and 9.6 of the Esquimalt Official Community Plan.] Yes No ☒ N/A
- 18 Will this project eliminate or reduce inflow and infiltration between storm water and sewer pipes from this property? ☒ Yes No N/A
- 19 Will storm water run-off be collected and managed on site (rain gardens, wetlands, or ponds) or used for irrigation or re-circulating outdoor water features? If so, please describe. ☒ Yes ☒ No N/A
- 20 Have you considered storing rain water on site (rain barrels or cisterns) for future irrigation uses? ☒ Yes No N/A
- 21 Will surface pollution into storm drains will be mitigated (oil interceptors, bio-swales)? If so, please describe. ☒ Yes ☒ No N/A
- 22 Will this project have an engineered green roof system or has the structure been designed for a future green roof installation? Yes ☒ No N/A
- 23 What percentage of the site will be maintained as naturally permeable surfaces? 50 %

Waste water

- 24 For larger projects, has Integrated Resource Management (IRM) been considered (e.g. heat recovery from waste water or onsite waste water treatment)? If so, please describe these. Yes No ☒ N/A

Natural Features/Landscaping

The way we manage the landscape can reduce water use, protect our urban forest, restore natural vegetation and help to protect the watershed and receiving bodies of water.

- 25 Are any healthy trees being removed? If so, how many and what species? ☒ Yes No N/A
1 WILLOW + 2 MAPLES
- Could your site design be altered to save these trees? NO
- Have you consulted with our Parks Department regarding their removal? NOT YET

- 26 Will this project add new trees to the site and increase our urban forest?
If so, how many and what species? refer to landscape Plan Yes ☒ No ☐ N/A ☐
- 27 Are trees [existing or new] being used to provide shade in summer or to buffer winds? Yes ☒ No ☐ N/A ☐
- 28 Will any existing native vegetation on this site be protected?
If so, please describe where and how. _____ Yes ☐ No ☒ N/A ☐
- 29 Will new landscaped areas incorporate any plant species native to southern Vancouver Island? Yes ☒ No ☐ N/A ☐
- 30 Will xeriscaping (i.e. the use of drought tolerant plants) be utilized in dry areas? Yes ☒ No ☐ N/A ☐
- 31 Will high efficiency irrigation systems be installed (e.g. drip irrigation; 'smart' controls)? Yes ☐ No ☒ N/A ☐
- 32 Have you planned to control invasive species such as Scotch broom, English ivy, Himalayan and evergreen blackberry growing on the property? Yes ☒ No ☐ N/A ☐
- 33 Will topsoil will be protected and reused on the site? Yes ☒ No ☐ N/A ☐

Energy Efficiency

Improvements in building technology will reduce energy consumption and in turn lower greenhouse gas [GHG] emissions. These improvements will also reduce future operating costs for building occupants.

- 34 Will the building design be certified by an independent energy auditor/analyst? Yes ☐ No ☒ N/A ☐
If so, what will the rating be? _____
- 35 Have you considered passive solar design principles for space heating and cooling or planned for natural daylighting? Yes ☒ No ☐ N/A ☐
- 36 Does the design and siting of buildings maximize exposure to natural light? Yes ☒ No ☐ N/A ☐
What percentage of interior spaces will be illuminated by sunlight? 80 %
- 37 Will heating and cooling systems be of enhanced energy efficiency (ie. geothermal, air source heat pump, solar hot water, solar air exchange, etc.). Yes ☐ No ☒ N/A ☐
If so, please describe. _____
If you are considering a heat pump, what measures will you take to mitigate any noise associated with the pump? _____
- 38 Has the building been designed to be solar ready? Yes ☐ No ☒ N/A ☐
- 39 Have you considered using roof mounted photovoltaic panels to convert solar energy to electricity? Yes ☐ No ☒ N/A ☐
- 40 Do windows exceed the BC Building Code heat transfer coefficient standards? Yes ☒ No ☐ N/A ☐
- 41 Are energy efficient appliances being installed in this project? Yes
If so, please describe.
- 42 Will high efficiency light fixtures be used in this project? Yes ☒ No ☐ N/A ☐
If so, please describe.
- 43 Will building occupants have control over thermal, ventilation and light levels? Yes ☒ No ☐ N/A ☐
- 44 Will outdoor areas have automatic lighting [i.e. motion sensors or time set]? Yes ☒ No ☐ N/A ☐
- 45 Will underground parking areas have automatic lighting? Yes ☒ No ☐ N/A ☐

Air Quality

The following items are intended to ensure optimal air quality for building occupants by reducing the use of products which give off gases and odours and allowing occupants control over ventilation.

- | | | | | |
|----|---|-----|----|-----|
| 46 | Will ventilation systems be protected from contamination during construction and certified clean post construction? | Yes | No | N/A |
| 47 | Are you using any natural, non-toxic, water soluble or low-VOC [volatile organic compound] paints, finishes or other products?
If so, please describe. _____ | Yes | No | N/A |
| 48 | Will the building have windows that occupants can open? | Yes | No | N/A |
| 49 | Will hard floor surface materials cover more than 75% of the liveable floor area? | Yes | No | N/A |
| 50 | Will fresh air intakes be located away from air pollution sources? | Yes | No | N/A |

Solid Waste

Reuse and recycling of material reduces the impact on our landfills, lowers transportation costs, extends the life-cycle of products, and reduces the amount of natural resources used to manufacture new products.

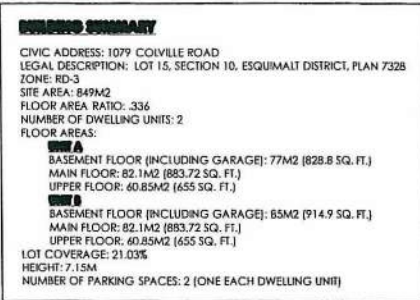
- | | | | | |
|----|---|-----|----|-----|
| 51 | Will materials be recycled during demolition of existing buildings and structures?
If so, please describe. _____ | Yes | No | N/A |
| 52 | Will materials be recycled during the construction phase?
If so, please describe. _____ | Yes | No | N/A |
| 53 | Does your project provide enhanced waste diversion facilities i.e. on-site recycling for cardboard, bottles, cans and or recyclables or on-site composting? | Yes | No | N/A |
| 54 | For new commercial development, are you providing waste and recycling receptacles for customers? | Yes | No | N/A |

Green Mobility

The intent is to encourage the use of sustainable transportation modes and walking to reduce our reliance on personal vehicles that burn fossil fuels which contributes to poor air quality.

- | | | | | |
|----|---|-----|----|-----|
| 55 | Is pedestrian lighting provided in the pathways through parking and landscaped areas and at the entrances to your building[s]? | Yes | No | N/A |
| 56 | For commercial developments, are pedestrians provided with a safe path[s] through the parking areas and across vehicles accesses? | Yes | No | N/A |
| 57 | Is access provided for those with assisted mobility devices? | Yes | No | N/A |
| 58 | Are accessible bike racks provided for visitors? | Yes | No | N/A |
| 59 | Are secure covered bicycle parking and dedicated lockers provided for residents or employees? | Yes | No | N/A |
| 60 | Does your development provide residents or employees with any of the following features to reduce personal automobile use [check all that apply]: | | | |
| | <input type="checkbox"/> transit passes | | | |
| | <input type="checkbox"/> car share memberships | | | |
| | <input type="checkbox"/> shared bicycles for short term use | | | |
| | <input type="checkbox"/> weather protected bus shelters | | | |
| | <input type="checkbox"/> plug-ins for electric vehicles | | | |

Is there something unique or innovative about your project that has not been addressed by this Checklist? If so, please add extra pages to describe it.



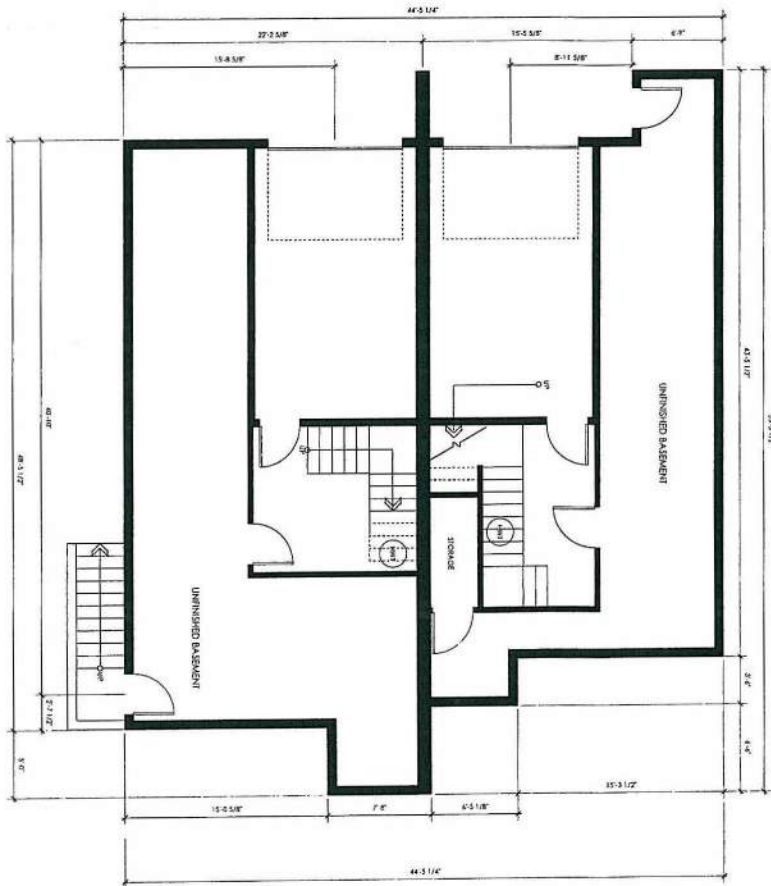
1079 COLVILLE ROAD, VICTORIA, BC
DUPLEX RESIDENCE
 DAVID BASICH & JOHN NORRIS

PROJECT NAME:	REVISION	DATE
	SUBMIT FOR DP	25.04.14
	REV. FOR DP	28.05.14
	REV. FOR DP	02.06.14

SITE PLAN

PROJECT #
14:01
DATE:
06.02.2014
DRAWN BY
NP
DRAWING:

A1



1 BASEMENT FLOOR PLAN
Scale: 1/32"



1079 COLVILLE ROAD, VICTORIA, BC

DUPLEX RESIDENCE

DAVID BASICH & JOHN NORRIS

PROJECT NAME:

REVISION	DATE
SUBMIT FOR DP	25.04.14
REV. FOR DP	28.05.14
REV. FOR DP	02.06.14

BASEMENT
FLOOR
PLAN

PROJECT #	14-01
DATE	04.02.2014
DRAWN BY	JP
CHECKED BY	
DATE	

A2

OF 6

N

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p. 250.889.5970

1079 CONVILLE ROAD, VICTORIA, BC
DUPLEX RESIDENCE
DAVID BASICH & JOHN NORRIS

PROJECT NAME:

REVISION	DATE
SUBMIT FOR DP	25.04.14
REV. FOR DP	25.05.14
REV. FOR DP	02.06.14

MAIN
FLOOR
PLAN

PROJECT #:

1401

DATE:

06.02.2014

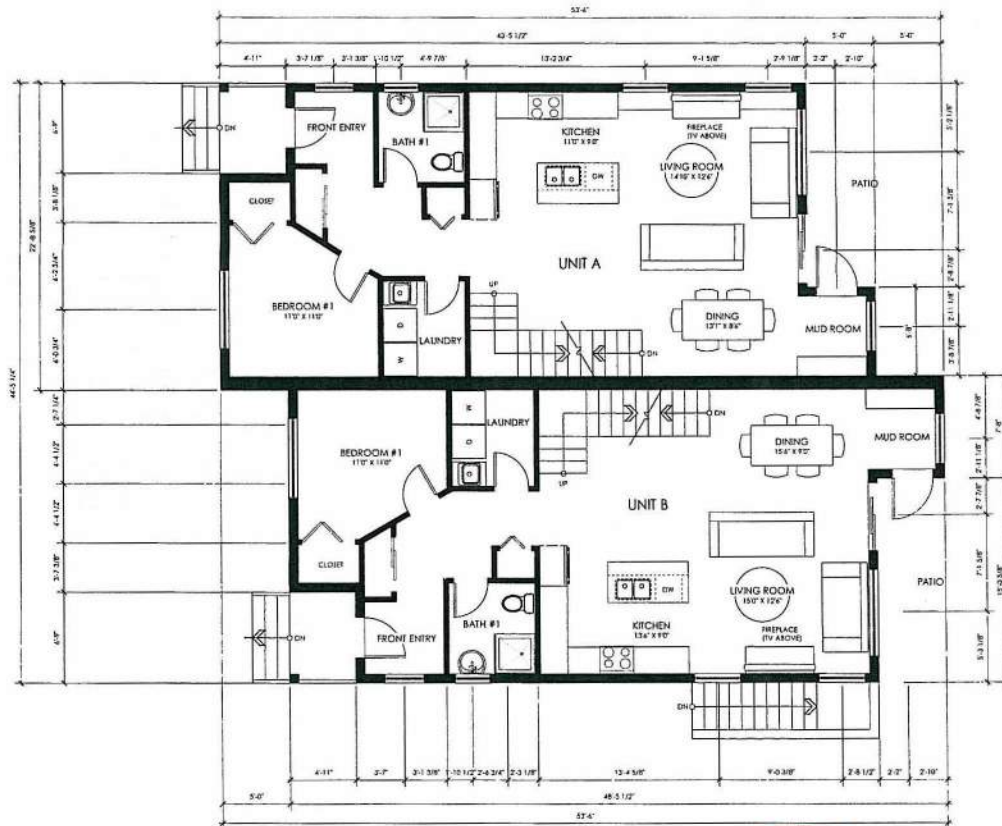
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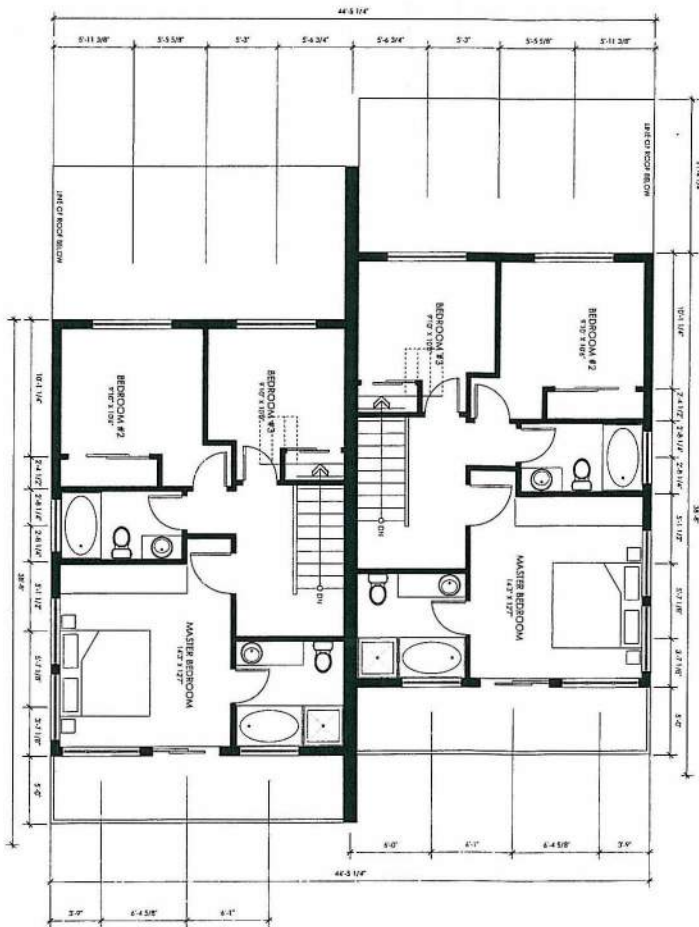
OF - 6



1 MAIN FLOOR PLAN
Scale: 1:50



268



1 UPPER FLOOR PLAN
Scale: 1/50



1079 COLVILLE ROAD, VICTORIA, BC
DUPLEX RESIDENCE
DAVID BASICH & JOHN NORRIS

PROJECT NAME:

REVISION	DATE
SUBMIT FOR DP	20.04.14
REV. FOR DP	20.05.14
REV. FOR DP	02.06.14

UPPER
FLOOR
PLAN

PROJECT:	1401
DATE:	06.02.2014
DRAWN BY:	ME
CHECKED BY:	
DATE:	

A4

OF - 6

MATERIAL LEGEND

- ① CEDAR SIDING
- ② HARDIE VERTICAL PANELS (MONTEREY TAUPE - JH40-20)
- ③ HARDIE SIDING (IRON GRAY - JH90-30)
- ④ VINYL WINDOWS (BLACK)
- ⑤ FLASHING, SOFFIT, TRIM (BLACK)
- ⑥ ALUMINUM HANDRAILS (BLACK)
- ⑦ CONCRETE PARTITION
- ⑧ DOOR WITH GLASS PANELS



1 FRONT ELEVATION
Scale: 1/50



1 REAR ELEVATION
Scale: 1/50



N

a. nicole a. parker@gmail.com
P. 250.887.5970

1079 COLVILLE ROAD, VICTORIA, BC
DUPLEX RESIDENCE
DAVID BASICH & JOHN NORRIS

PROJECT NAME:

REVISION	DATE
SUBMIT FOR DP	25.04.14
REV. FOR DP	28.05.14
REV. FOR DP	02.06.14

ELEVATIONS

ELEVATIONS

PROJECT #:
14-01

DATE:
06.02.2014

DRAWN BY:
NP

DRAWING:

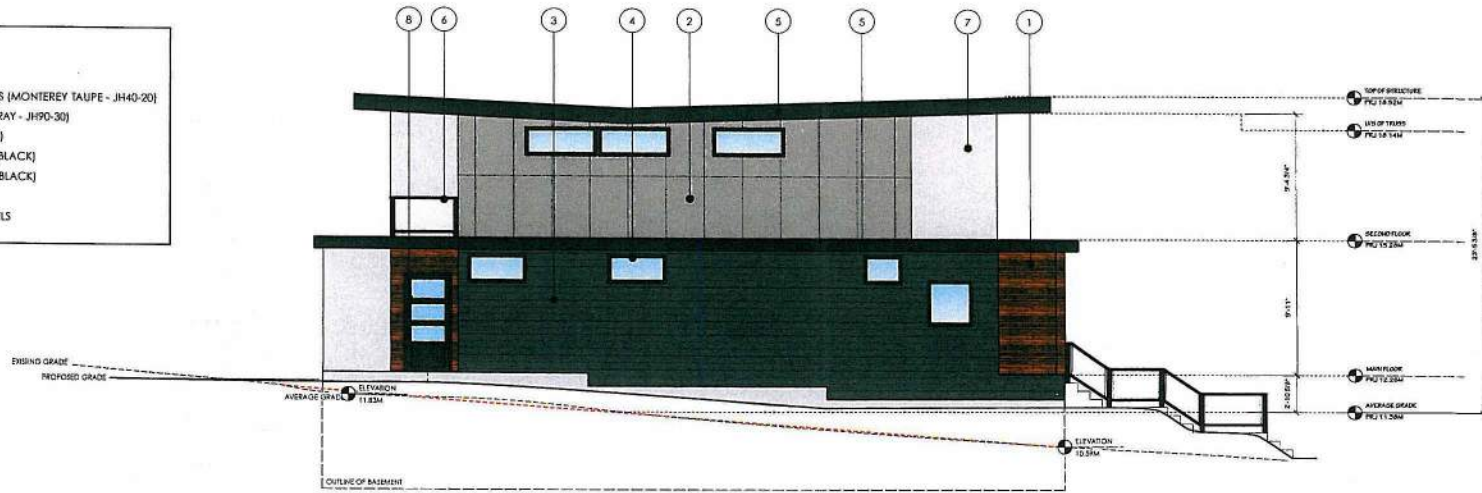
A5

OF - 6

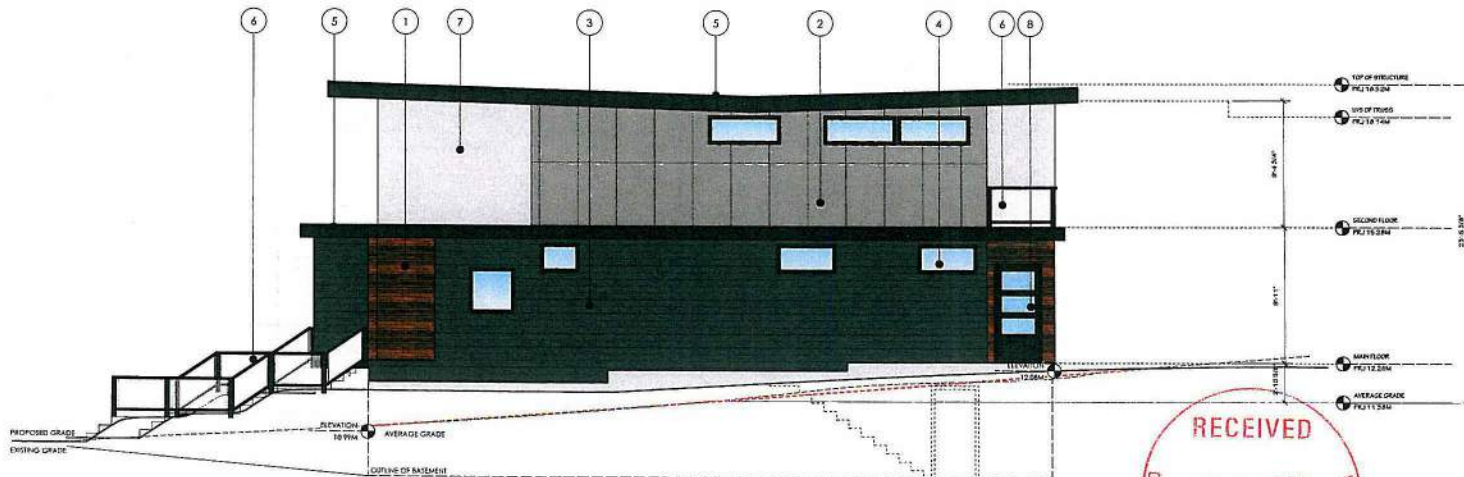
270

MATERIAL LEGEND

- 1 CEDAR SIDING
- 2 HARDIE VERTICAL PANELS (MONTEREY TAUPE - JH40-20)
- 3 HARDIE SIDING (IRON GRAY - JH90-30)
- 4 VINYL WINDOWS (BLACK)
- 5 FLASHING, SOFFIT, TRIM (BLACK)
- 6 ALUMINUM HANDRAILS (BLACK)
- 7 CONCRETE PARTITION
- 8 DOOR WITH GLASS PANELS



1 EAST ELEVATION
Scale: 1:50



2 WEST ELEVATION
Scale: 1:50



W. Nicole A. Parker@gmail.com
p. 250.889.5070

1079 COLVILLE ROAD, VICTORIA, BC
DUPLEX RESIDENCE
DAVID BASICH & JOHN NORRIS

PROJECT NAME:

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SUBMIT FOR DP	25.04.14
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ELEVATIONS

PROJECT #:

1401

DATE:

06.02.2014

DRAWN BY:

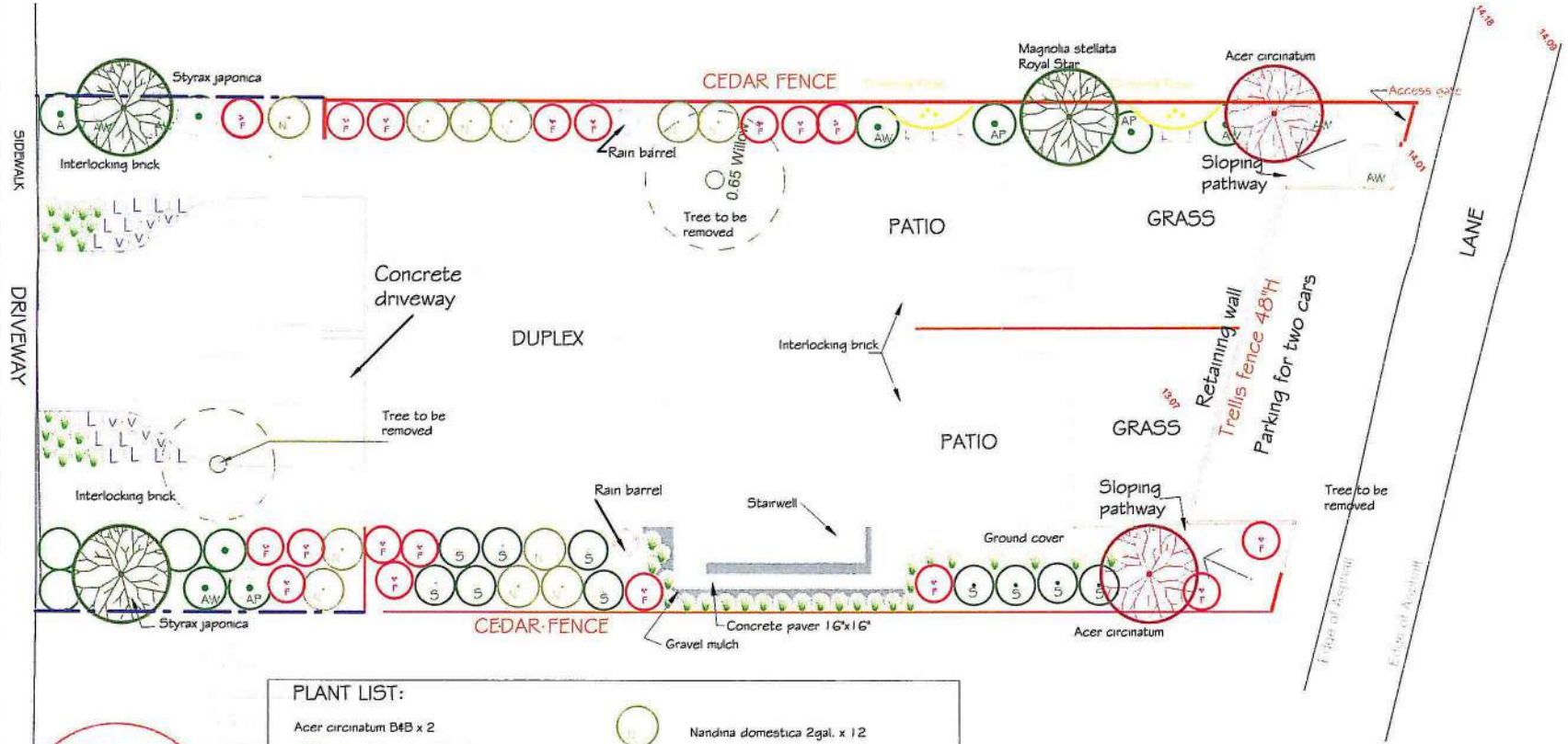
NP

DRAWING:

A6

CF - 6

271



PLANT LIST:

Acer circinatum B4B x 2

- A Azalea Hot Shot 2gal x 3
- AW Azalea Polar Bear 2gal. x 7
- AP Azalea Girard's Roberta 2gal. x 5
- Carex morrowii Variegata 1gal. x26
- Carex Prairie Fire 1gal. x 18
- Fuchsia magellanica 1gal. x 18
- L Lavender Hidcote 1gal. x 19



Nandina domestica 2gal. x 12



Joseph's Coat 5gal. x 2



Sarcococca humilis 1gal x 11



Styrax japonicus B4B x 2



Veronica pedunculans Georgia Blue 4"pot x 8



1079 Colville Duplex
LANDSCAPING PLAN
 Design by
 ANNA SAUNDERS
 Diva Landscape Design



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

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

Council Meeting: July 14, 2014
Staff Report No. DEV-14-053

REQUEST FOR DECISION

SUBJECT: DEVELOPMENT PERMIT

1083/ 1085 Tillicum Road
Strata Plan VIS3743

RECOMMENDATION:

That Council, upon considering comments made at the Advisory Design Review Committee [DRC] meeting resolves that Development Permit No. DP000024 limiting the form and character, of development to that shown on architectural plans by Joe Newell architect inc. stamped "Received June 2, 2014", the landscape plan by Acacia Landscape Inc. stamped "Received July 3, 2014", **be considered for approval, and staff be directed to issue the permit and register the notice on the title of the development located at Strata Plan VIS3743 [1083/1085 Tillicum Road].**

RELEVANT POLICY:

Official Community Plan Bylaw, 2006, No. 2646
Zoning Bylaw, 1992, No. 2050
Development Application Procedures and Fees Bylaw No. 2791, 2012

STRATEGIC RELEVANCE:

This Request For Decision does not directly relate to a specific strategic objective.

Submitted by: Writer Karen Hay

Reviewed by: CAO R. Hunt

Date: July 9/14

STAFF REPORT

DATE: July 7, 2014 Report No. DEV-14-053

TO: Laurie Hurst, Chief Administrative Officer

FROM: Karen Hay, Planner
Bill Brown, Director of Development Services

SUBJECT: DEVELOPMENT PERMIT
1083/ 1085 Tillicum Road
Strata Plan VIS3743

RECOMMENDATION:

That Council, upon considering comments made at the Advisory Design Review Committee [DRC] meeting resolves that Development Permit No. DP000024 limiting the form and character, of development to that shown on architectural plans by Joe Newell architect inc. stamped "Received June 2, 2014", the landscape plan by Acacia Landscape Inc. stamped "Received July 3, 2014", **be considered for approval, and staff be directed to issue the permit and register the notice on the title of the development located at Strata Plan VIS3743 [1083/1085 Tillicum Road].**

BACKGROUND:

Appendixes:

- "A" Development Permit No. DP000024;
- "B" Subject Property Map;
- "C" Air photo of subject property;
- "D" Multi-Unit Residential excerpt from the Official Community Plan ;
- "E" Gorge Waterway excerpt from the Official Community Plan;
- "F" Onsite photos of location of new retaining walls and pathways;
- "G" Letter from Acacia Landscaping Inc.;
- "H" Memo outlining building remediation plan;
- "I" Two Site Plans;
- "J" Photo of existing building;
- "K" Architectural Drawings;
- "L" Foreshore Photo package; and
- "M" Landscape drawings.

Context:

Applicant/ Owner: Gorge Point Strata Corporation

Property Size: Metric: 2070 m² Imperial: 22,281 ft²

Existing Land Use: Comprehensive Development [CD-5, CD-6, CD-7] – Apartment Residential, and Pleasure Boat Moorage – No changes required

Surrounding Land Uses:

North: Gorge Waterway
South: Commercial [Gorge Point Pub], Single and Two-unit Residential
West: Esquimalt Gorge Park, Tillicum Road
East: Gorge Waterway, Single and Two-unit Residential

Purpose of the Application:

The two buildings at the subject location are experiencing a premature envelope failure. The Strata has chosen to take this opportunity to modernize the appearance of the buildings and has proposed to change some of the exterior finishes. The remediation will require that scaffolding be erected on all sides of the building so the majority of the landscaping will need to be removed and replanted. A Development Permit for Development Permit Area No. 1 – *Multi-Unit Residential [Guidelines attached]* regulating the form and character of the development, and Development Permit Area No. 4 – *Gorge Waterway [Guidelines attached]* regulating the protection of the natural environment is required before a building permit can be issued.

Official Community Plan

The Official Community Plan does allow for sensitive re-development in residential zones provided the development is compatible with, and enhances the surrounding neighbourhood.

Building Design: The proposed changes to the exteriors of the buildings are to include replacement of all stucco, with a stucco rain screen system including a change to the colour palette, increasing from two colours to three. The balconies are to be redone with a more open modern look using a combination glass and aluminum rail system. The buildings aluminum doors will be upgraded to vinyl doors and windows. Together these changes would modernize the look of the buildings and should also moderately increase the energy efficiency of the buildings. No additions to the buildings have been proposed.

Landscaping: The replacement landscaping includes the addition of a new retaining wall and a brick pathway within the 7.5 metre natural retention area at the north-east corner of the site. The proposal calls for the retention and replanting of some of the larger ornamental species (Rhododendron) and the addition of many new smaller shrubs.

A landscape bond of 125% of the estimated value of all landscaping will be required if this application is approved.

Design Guidelines:

This proposal is subject Development Permit Area No. 1 – *Multi-Unit Residential [Guidelines attached]* regulating the form and character of the development, and Development Permit Area No. 4 – *Gorge Waterway [Guidelines attached]* regulating the protection of the natural environment (attached) are applicable.

The proposed design appears completely consistent with the guidelines of DP Area No. 1 as the

proposed new cladding will modernize the look of the buildings and therefore enhance the neighbourhood. The proposed landscaping should create an attractive streetscape.

The proposed design is consistent with some of the guidelines of DP Area No. 4 but as the site was developed prior to the creation of DP Area No. 4, it cannot meet many of the Gorge Waterway design guidelines. As there are some changes to the landscaping proposed those changes should be considered against the DP Area No. 4 guidelines. The following are relevant for consideration:

The consideration of the use of soil 'bioengineering' (using live plant materials to provide erosion control, slope and stream bank stabilization) as an alternative to seawalls and retaining walls. This site has many existing retaining walls and a new retaining wall is being proposed.

The OCP advises that lands within 7.5 metres (25 feet) of a high water mark of the Gorge will be retained in a natural state and in the event that the land has been altered, it should be rehabilitated with native plant species suitable for site conditions. In this instance the lands are being altered to accommodate building repairs so consideration should be given as to how much native plant species are being used as replacements. The area immediately adjacent to the Gorge Waterway is not being affected by the construction so no changes are proposed in this area.

Comments from the Advisory Design Review Committee [DRC]:

This application was considered at the regular meeting of the DRC held on July 9, 2014. The committee meeting took place after the Corporate Services reports to Council deadline; so comments from the Committee are included in Staff Report DEV-14-055.

Comments From Other Departments:

The plans for this proposal were circulated to other departments and the following comments were received:

Building Inspection: Construct to BC Building Code 2012 and Municipal Building Code Bylaw, 2002, No. 2538. Applicant must address all issues contained within the Township Development Protocol should the application be approved. Plans will be reviewed for compliance with BC Building Code upon submission of a building permit application.

Engineering Services: Engineering staff have completed a review of the proposed renovations and concluded they will not impact the Engineering aspects of the property.

Parks Services: Owners must abide by the regulations as stated in Esquimalt's Tree Protection Bylaw, 2007, No. 2664. A tree cutting permit is required for the removal of trees. Protection of trees on adjacent properties is required during the construction and demolition process.

Note: All projects are subject to compliance with the BC Building Code, Esquimalt Subdivision and Servicing Bylaw, Esquimalt Zoning Bylaw and other Regulations and Policies set by Council.

ISSUES:

1. Rationale for Selected Option

The proposal is largely consistent with the guidelines of Development Permit Area No. 1 – *Multi-Unit Residential* - regulating the form and character of the development, and was built prior to the adoption of Development Permit Area No. 4 – *Gorge Waterway* - regulating the protection of the natural environment (attached).

2. Organizational Implications

This Request for Decision has no organizational implications.

3. Financial Implications

This Request for Decision has no financial implications.

4. Sustainability & Environmental Implications

The applicant has completed the Esquimalt Green Building Checklist. Increasing density in residential neighbourhoods is believed to increase the sustainability of the municipality as a whole.

5. Communication & Engagement

As this is a Development Permit application requiring no variances, the *Local Government Act* does not require notification be provided.

ALTERNATIVES:

1. Council **approve** Development Permit No. DP000024; and direct staff to issue the permit and register a notice on the property title.
2. Council upon considering the comments made at the Advisory Design Review Committee encourage the applicant to work with staff to more closely meet the guidelines contained within Development Permit Area No. 4 – *Gorge Waterway* - *regulating the protection of the natural environment* and return the application to Council at a later date.
3. Council **deny** Development Permit No. DP000024.

CORPORATION OF THE TOWNSHIP OF ESQUIMALT

DEVELOPMENT PERMIT

NO. DP000024

Owner: Gorge Point Strata Corporation

Lands: Strata Plan VIS3743

Address: 1083-1085 Tillicum Road, Esquimalt, B.C.

Conditions:

1. This Development Permit is issued subject to compliance with all of the bylaws of the Municipality applicable thereto, except as specifically varied or supplemented by this Permit.
2. Approval of this Development Permit is issued in accordance with the architectural plans by Joe Newell architect inc. stamped "Received June 2, 2014", the landscape plan prepared by Acacia Landscape Inc. stamped "Received July 3, 2014", for the development located at Strata Plan VIS3743 [1083-1085 Tillicum Road], attached hereto as Schedule 'A'.
3. The lands shall be developed in accordance with the terms, conditions and provisions of this Permit.
4. The terms, conditions and covenants contained herein shall enure to the benefit of and be binding upon the Owners, their executors, heirs or administrators, successors and assigns as the case may be or their successors to title in the lands.
5. This Development Permit is not a Building Permit.
6. This Permit lapses two (2) years after the date it is issued if the holder of the Permit does not substantially start any construction with respect to which the Permit was issued.
7. For the purposes of this Development Permit, the holder of the Permit shall be the owner(s) of the lands.

ISSUED BY MUNICIPAL COUNCIL RESOLUTION ON THE ____ DAY OF
_____, 2014

SIGNED THIS _____ DAY OF _____, 2014

Director of Development Services

Corporate Officer
Corporation of the Township
of Esquimalt

SCHEDULE 'A' OF
DEVELOPMENT PERMIT
NO. DPO0024

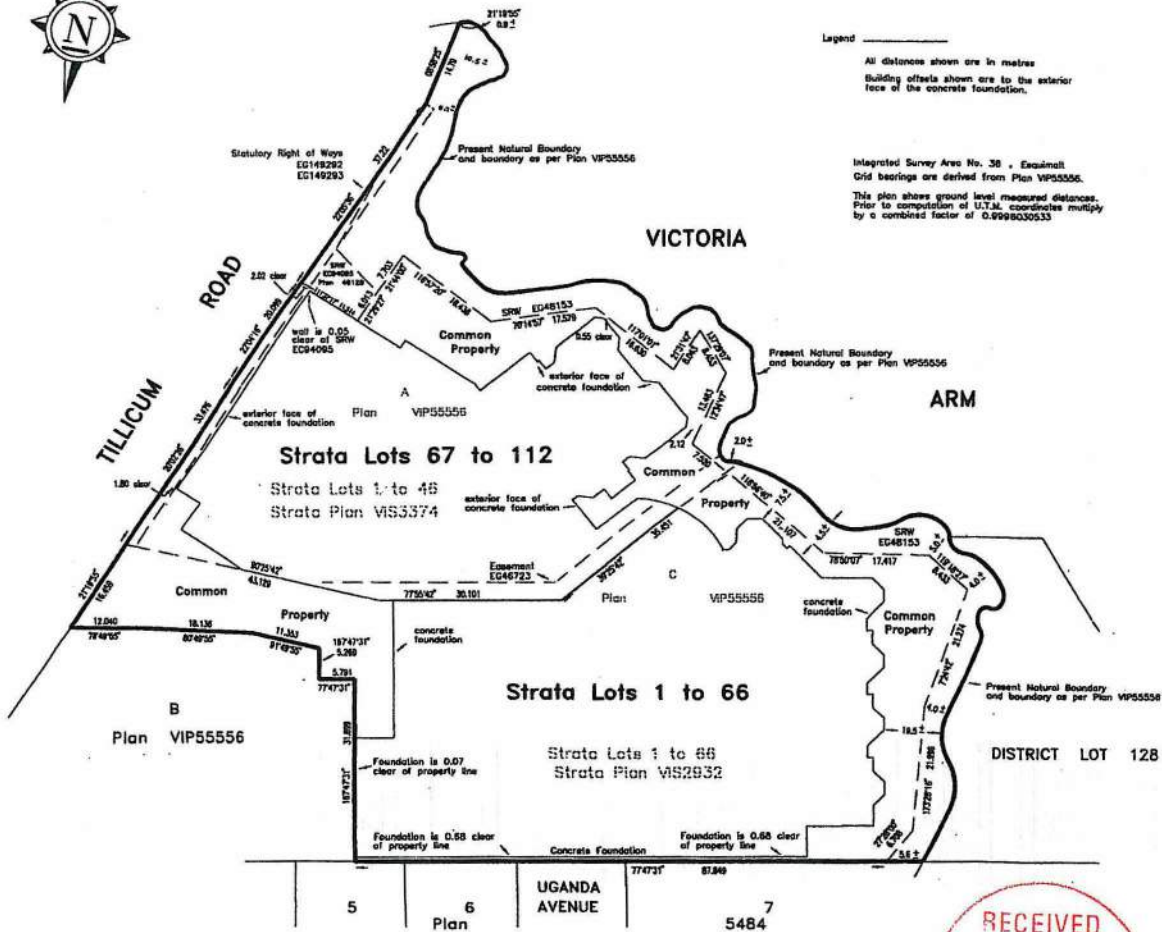
CORPORATE OFFICER

STRATA PLAN OF EXPLANATORY PLAN OF CONSOLIDATION OF STRATA PLAN VIS2932 and STRATA PLAN VIS3374, SECTION 10, ESQUIMALT DISTRICT

(PREPARED PURSUANT TO SECTION 61 OF THE CONDOMINIUM ACT)

B.C.S.S. 926.044

Scale 1:500
0 5 10 20 30 40 50



FIRST SHEET
Sheet 1 of 4 Sheets

STRATA PLAN VIS3743

Deposited and registered in the Victoria Land Title Office, this
22 day of JUNE, 1995.

San MacDonell
Deputy Registrar

Legend

All distances shown are in metres
Building offsets shown are to the exterior
face of the concrete foundation.

Integrated Survey Area No. 36 - Esquimalt
Grid bearings are derived from Plan VIP55556.

This plan shows ground level measured distances.
Prior to computation of U.T.M. coordinates multiply
by a combined factor of 0.9998030533

Civic Address :

Strata Lots 67 to 70 are at Units 1 to 4,
Strata Lots 71 to 82 are at Units 101 to 112,
Strata Lots 83 to 94 are at Units 201 to 212,
Strata Lots 95 to 104 are at Units 301 to 310,
Strata Lots 105 to 112 are at Units 401 to 408,
1085 Tillicum Road, Victoria, B.C., V8A 7L7

Civic Address :

Strata Lots 1 to 5 are Units 01 to 05,
Strata Lots 6 to 22 are Units 101 to 117,
Strata Lots 23 to 36 are Units 201 to 216,
Strata Lots 37 to 54 are Units 301 to 316,
Strata Lots 55 to 66 are Units 401 to 412,
1075 Tillicum Road, Victoria, B.C., V8A 2A4

The address for the service of
documents on the Strata Corporation is :
1075 Tillicum Road, Victoria, B.C., V8A 2A4

This plan lies within the Municipality of Esquimalt.



I, Michael S. Manson, of the City of Victoria,
British Columbia Land Surveyor, hereby certify that
the building erected on the parcel described above is
wholly within the external boundaries of the parcel.
Michael S. Manson
B.C.L.S.

Dated at Victoria, B.C., this

17th day of May, 1995.

J.E. ANDERSON & ASSOCIATES
B.C. Land Surveyors - Consulting Engineers
Victoria and Nanaimo, B.C.
File 1: 190221
XRef: 17769,18266

This plan lies within the
Capital Regional District.



Tillicum Road

The Gorge

1085

1083

SCHEDULE 'A' OF
DEVELOPMENT PERMIT
NO. D000024
CORPORATE OFFICER



Gorge Pointe Condominiums: Proposed Exterior Colours
1083 & 1085 Tillicum Road, Victoria, BC

May 2014
Elevation Key Plan
281

Joe Newell
architect inc. 
612 Yates Street, Victoria, BC V8W 1K3
P. (250) 382-4340, F. (250) 382-5723
www.joewellarchitect.com



SCHEDULE 'A' OF
DEVELOPMENT PERMIT
NO. DP000024



Materials Key 1

1	Sloped Roofing	Existing Concrete Tile Roof	Imasco 286-1P 'Southern Charm'
2	Stucco Cladding	Cementitious Stucco Rainscreen Cladding System	Imasco 139-6P 'Colonial Marble'
3	Stucco Cladding	Cementitious Stucco Rainscreen Cladding System	Imasco 238A-6A 'Terra Firma'
4	Stucco Cladding & Feature Bands	Cementitious Stucco Rainscreen Cladding System	Benjamin Moore HC-167 'Amhurst Grey'
5	Fascias & Bargeboards	Existing Wood Repainted	Gentek 'Cashmere'
6	Vented Soffit	Perforated Aluminum	Makin Metals 'Cashmere'
7	Gutter and Downspouts	Pre-finished Aluminum	White
8	Windows	Thermally Broken Vinyl Frame Windows	White
9	Patio Doors	Thermally Broken Vinyl Frame Doors	White
10	Through-Wall & Parapet Flashings	Pre-finished Metal	Makin Metals 'Charcoal Grey'
11	Balcony Railings	Pre-finished Aluminum Post & Rail & Glass / Pickets	RAL colour to match 'Cashmere'
12	Balcony Fascia Flashing	Pre-finished Metal	Makin Metals 'Cashmere'

1 1083 Tillicum Road - Partial North Elevation
A.1 Scale: 1:200

283

2 1083 Tillicum Road - North Courtyard Elevation
A.1 Scale: 1:200

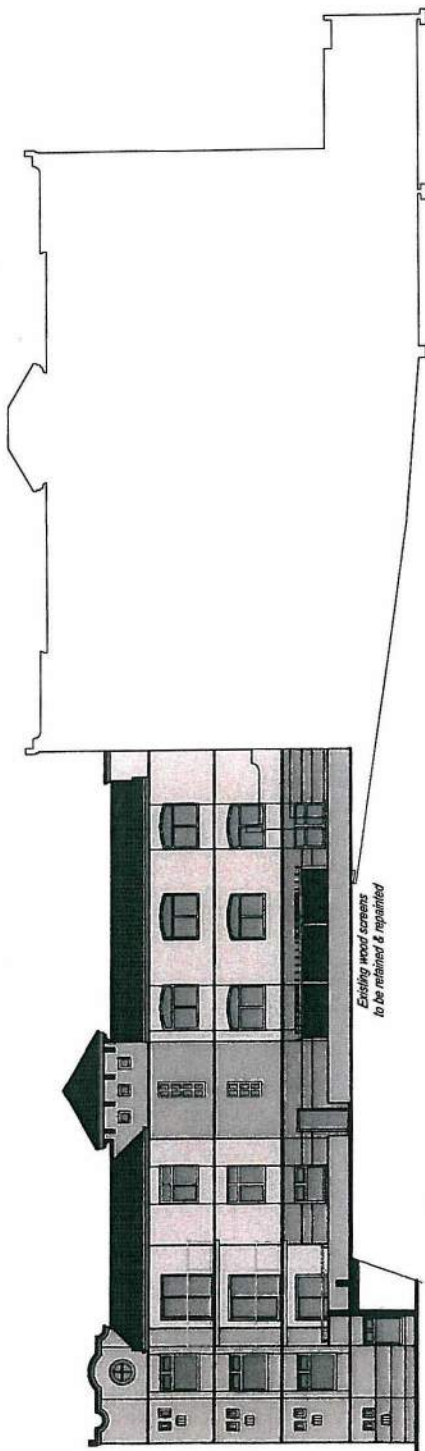
Gorge Pointe Condominiums: Proposed Exterior Colours
1083 & 1085 Tillicum Road, Victoria, BC

May 2014
Drawing A-1

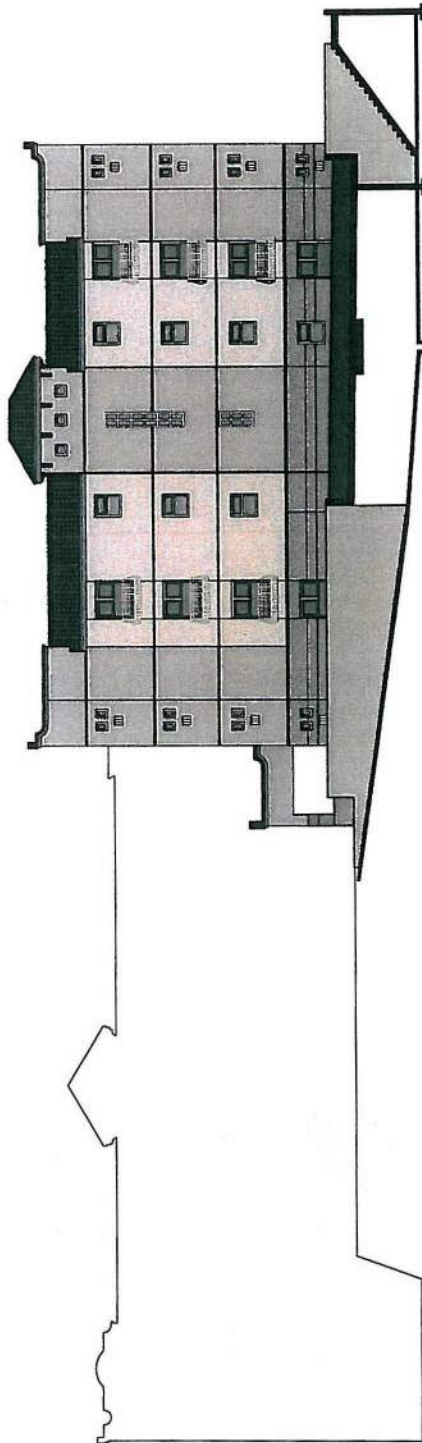
Joe Newell
ARCHITECTURAL INC.
812 Yates Street, Victoria, BC V8W 1G3
P. (250) 882-4240, F. (250) 882-6723
www.joewellarchitect.com

SCHEDULE A OF
DEVELOPMENT PERMIT
NO. DP000024

CORPORATE OFFICER



1 1083 Tillicum Road - West Courtyard Elevation
A-2 Scale: 1:200



2 1083 Tillicum Road - West Elevation
A-2 Scale: 1:200

Gorge Pointe Condominiums: Proposed Exterior Colours
1083 & 1085 Tillicum Road, Victoria, BC

May 2014

Drawing A-2

SCHEDULE 'A' OF
DEVELOPMENT PERMIT
NO. DP000024
CORPORATE OFFICER

Joe Newell
ARCHITECT
213 West Street, Victoria, BC V8W 1A2
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www.joewellarchitect.com

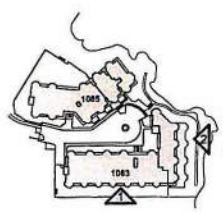


1 1083 Tillicum Road - South Elevation
A-3 Scale: 1:200

285



2 1083 Tillicum Road - East Elevation
A-3 Scale: 1:200

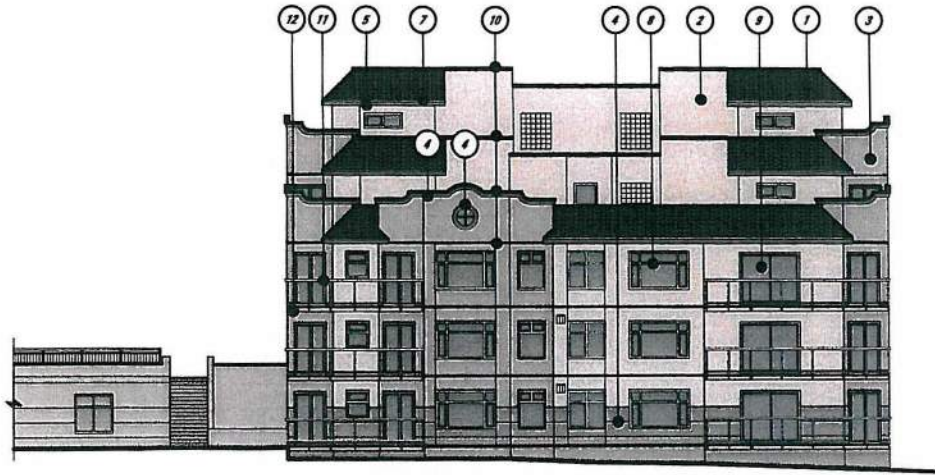


Gorge Pointe Condominiums: Proposed Exterior Colours
1083 & 1085 Tillicum Road, Victoria, BC

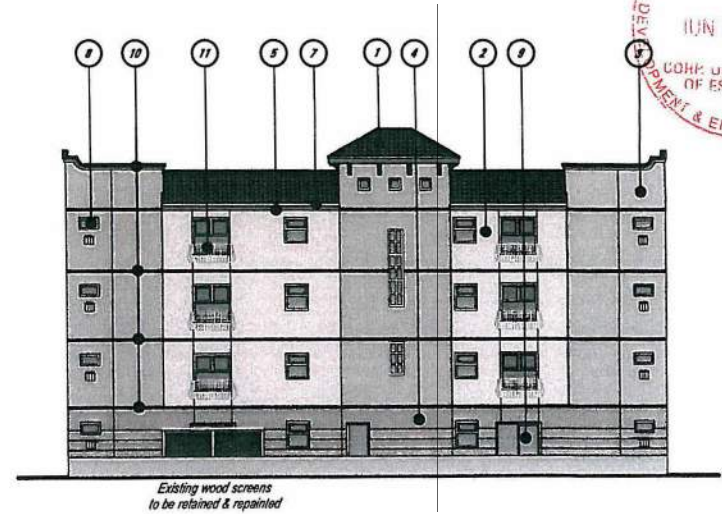
May 2014
Joe Newell
ARCHITECT INC.
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Drawing A-3

SCHEDULE <u>A</u> OF DEVELOPMENT PERMIT NO. <u>DP000024</u> CORPORATE OFFICER
--



1 1085 Tillicum Road - East Elevation
A-4 Scale: 1:200



2 1085 Tillicum Road - West Elevation
A-4 Scale: 1:200

Materials Key 1

1	Sloped Roofing	Existing Concrete Tile Roof	
2	Stucco Cladding	Cementitious Stucco Rainscreen Cladding System	Imasco 286-1P 'Southern Charm'
3	Stucco Cladding	Cementitious Stucco Rainscreen Cladding System	Imasco 139-6P 'Colonial Marble'
4	Stucco Cladding & Feature Bands	Cementitious Stucco Rainscreen Cladding System	Imasco 238A-6A 'Terra Firma'
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Gorge Pointe Condominiums: Proposed Exterior Colours
1083 & 1085 Tillicum Road, Victoria, BC

May 2014

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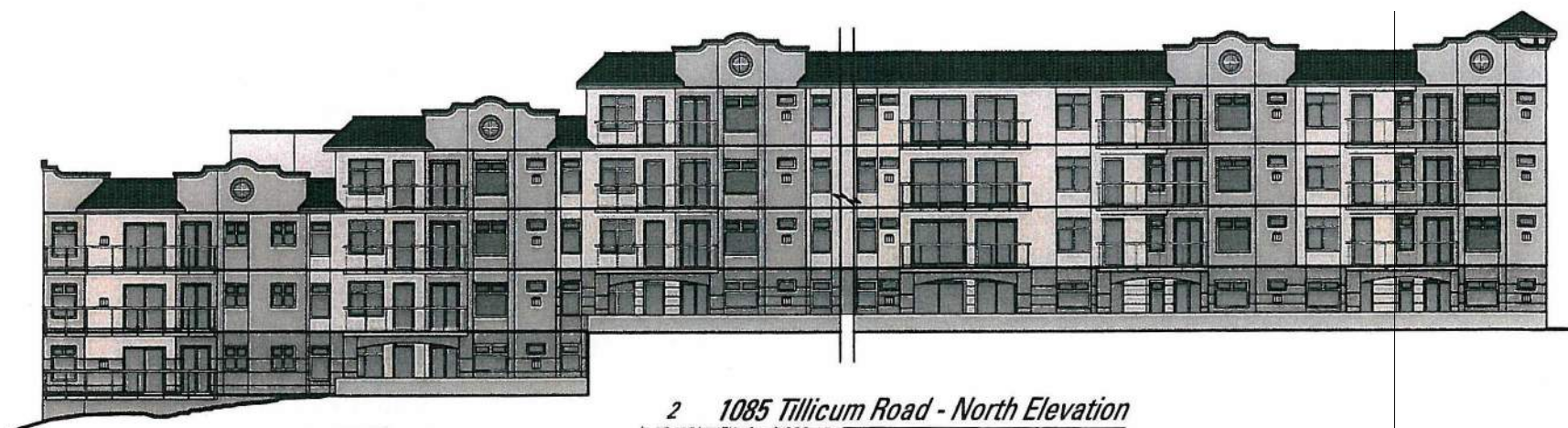
Drawing A-4

SCHEDULE 'A' OF
DEVELOPMENT PERMIT
NO. DP000024
CORPORATE OFFICER



1
A-5 1085 Tillicum Road - South Courtyard Elevation
Scale: 1:200

287



2
A-5 1085 Tillicum Road - North Elevation
Scale: 1:200



Gorge Pointe Condominiums: Proposed Exterior Colours
1083 & 1085 Tillicum Road, Victoria, BC

May 2014

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Drawing A-5

SCHEDULE <u>'A'</u> OF
DEVELOPMENT PERMIT
NO. <u>DP000024</u>
CORPORATE OFFICER

SCHEDULE 1A OF
DEVELOPMENT PERMIT
NO. DP000024

CORPORATE OFFICER



RECEIVED
JUL 6 3 2014
CORP. OF TOWNSHIP
OF ESQUIMALT
DEVELOPMENT & ENGINEERING

Area Definition	
	Building
	Hardscape Area
	Area of Disturbance/Renovation
	Forshore (Existing to Remain)
	The Gorge
	Limit of landscape work
	Landscape Area

1

Concept Plan
Scale: 1/32" = 1'-0"

Revisions

Gorge Point Condos
1083 Tillicum Rd.
Esquimalt, BC
Concept Plan



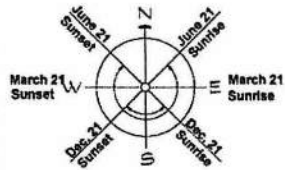
P.O. Box 5299,
1625 Fort Street,
Victoria, B.C.
V8R 1H9

Tel. 250-595-0527
Fax. 250-479-2575

Date:
07/02/2014

L1

289



SCHEDULE 'A' OF
DEVELOPMENT PERMIT
NO. DP000024

CORPORATE OFFICER

Revisions

Gorge Point Condos
1083 Tillicum Rd.
Esquimalt, BC
Concept Plan



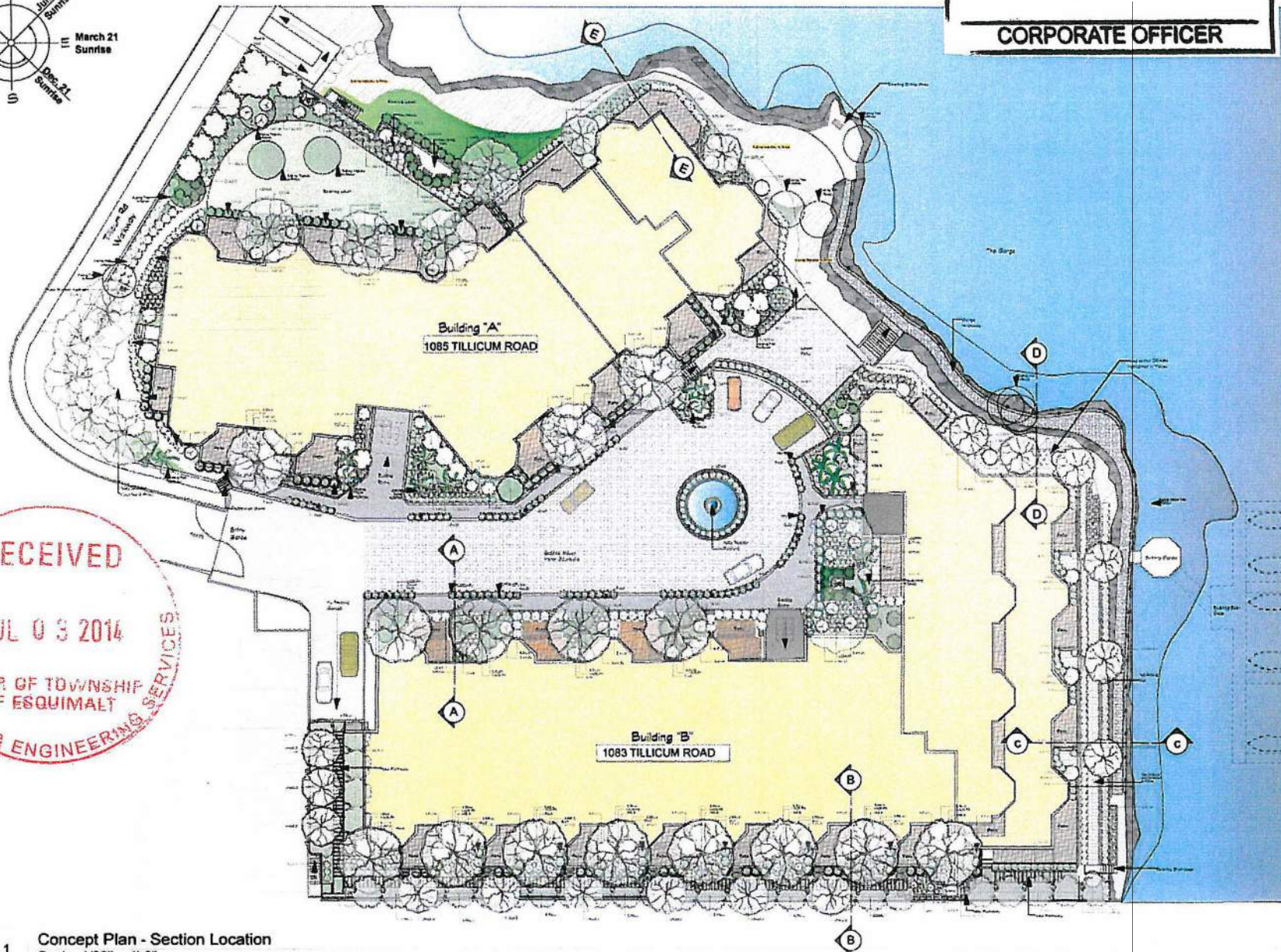
P.O. Box 5299,
1625 Fort Street,
Victoria, B.C.
V8R 1H9
Tel. 250-595-0527
Fax. 250-479-2575

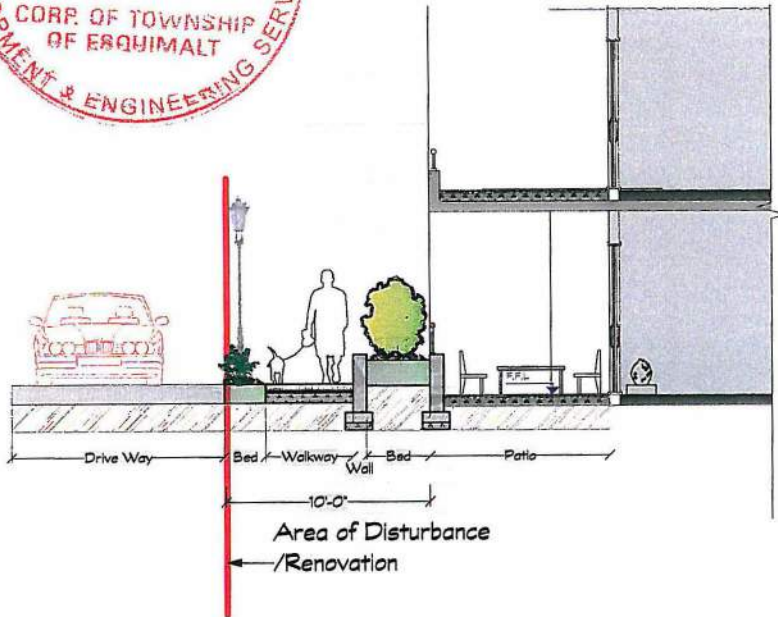
Date:
07/02 Area
definition/2014

L2



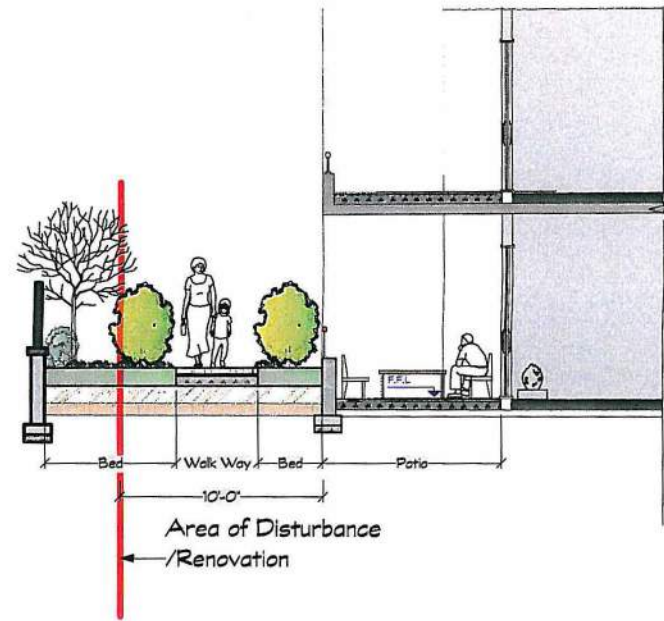
1 Concept Plan - Section Location
Scale: 1/32" = 1'-0"





1 Concept - Section A
Scale: 3/16" = 1'-0"

SCHEDULE 'A' OF
DEVELOPMENT PERMIT
NO. DP000024
CORPORATE OFFICER



2 Concept- Section B
Scale: 3/16" = 1'-0"

Revisions

Gorge Point Condos
1083 Tillicum Rd.
Esquimalt, BC
Concept - Sections- A&B



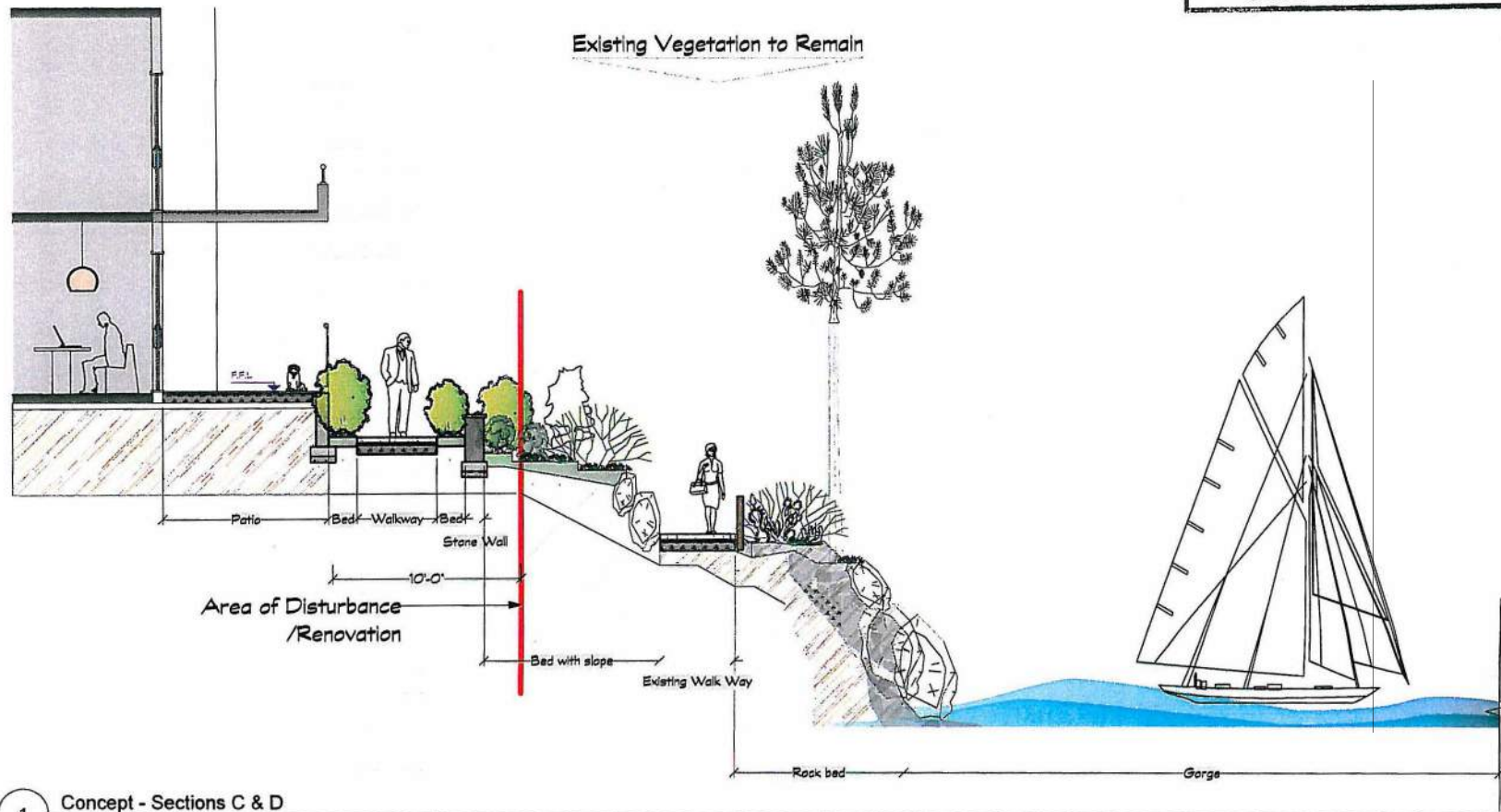
P.O. Box 5299,
1625 Fort Street,
Victoria, B.C.
V8R 1H9
Tel. 250-595-0527
Fax. 250-479-2575

Date:
07/02/2014

W1



SCHEDULE 'A' OF
DEVELOPMENT PERMIT
NO. DP 000024
CORPORATE OFFICER



1 Concept - Sections C & D
Scale: 3/16" = 1'-0"

Revisions

Gorge Point Condos
1083 Tillicum Rd.
Esquimalt, BC

Concept - Sections- C&D



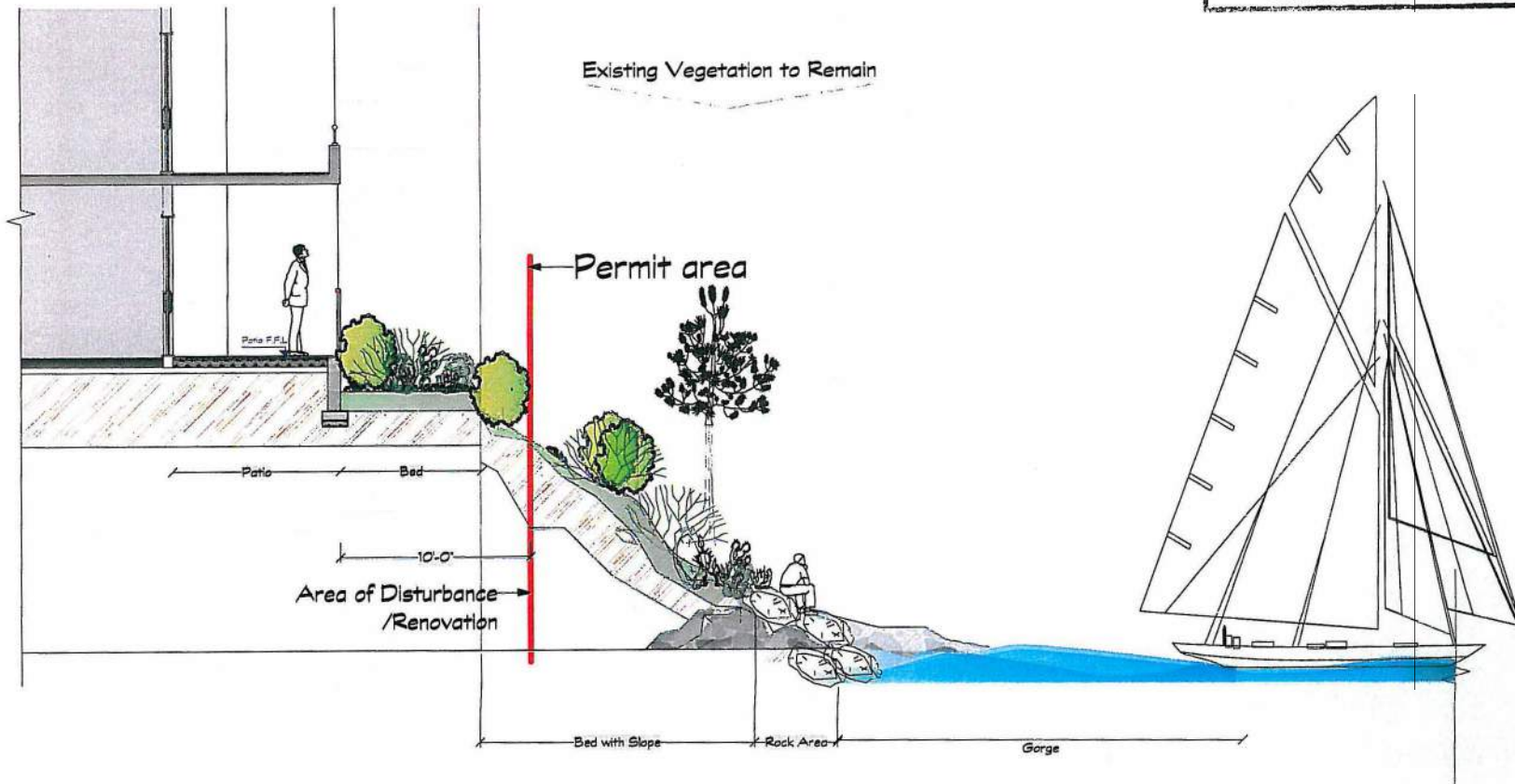
P.O. Box 5299,
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Victoria, B.C.
V8R 1H9
Tel. 250-595-0527
Fax. 250-479-2575

Date:
07/02/2014

W2



SCHEDULE <u>1A</u> OF
DEVELOPMENT PERMIT
NO. <u>DP000024</u>
CORPORATE OFFICER



1 Concept - Section E
Scale: 3/16" = 1'-0"

Revisions

Gorge Point Condos
1083 Tillicum Rd.
Esquimalt, BC
Concept - Section E



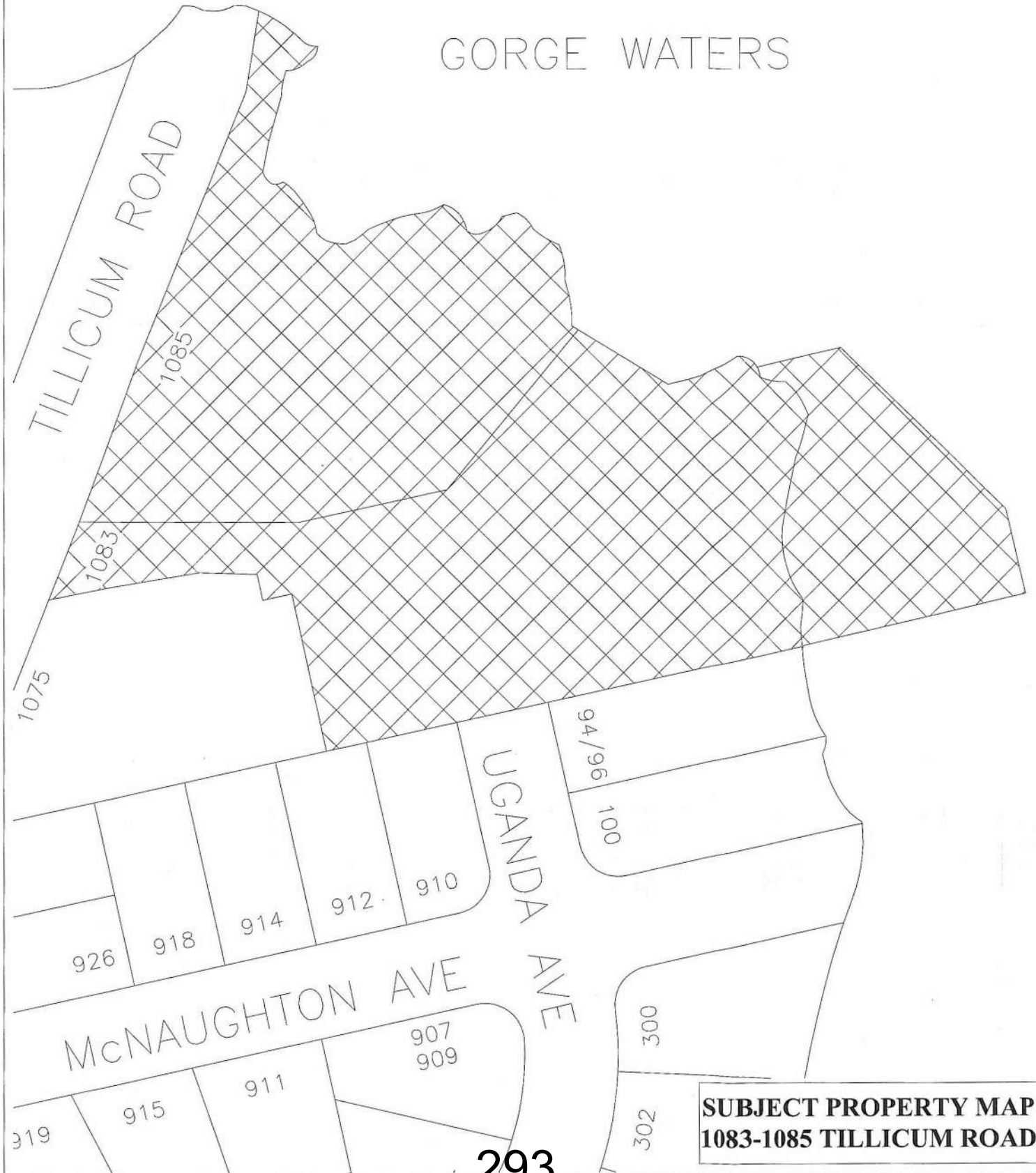
P.O. Box 5299,
1625 Fort Street,
Victoria, B.C.
V8R 1H9
Tel. 250-595-0527
Fax. 250-479-2575

Date:
07/02/2014

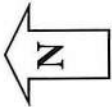
W3



GORGE WATERS



**SUBJECT PROPERTY MAP
1083-1085 TILLICUM ROAD**



1083/ 1085 Tillicum Road



Development Permit Area No. 1 – Multi-Unit Residential

9.3.1 Scope

All land designated Multi-Unit Residential on Schedule "C" are part of DPA No. 1.

9.3.2 Category

Section 919(1)(f) of the *Local Government Act* – form and character, multi-family residential.

9.3.3 Justification

This Plan emphasizes the importance of protecting residential neighbourhoods and encouraging a high quality of construction for new development. It is essential that new multi-unit residential development not have a negative impact on, or be out of character with, existing residential neighbourhoods. The primary objective of Development Permit Area No. 1 is to ensure that the development of multi-unit residential sites is compatible with surrounding uses.

9.3.4 Requirements of Owners of Land within the Development Permit Area

a) Owners of land within Development Permit Area No. 1 must not do any of the following without first obtaining a development Permit in accordance with the guidelines for this Development Permit Area:

- i) subdivide lands; or
- ii) construct or alter a building or structure;

without first obtaining a Development Permit in accordance with the guidelines of this Development Permit Area.

b) Exemptions:

The following do not require a development permit:

- i) construction of buildings or structures less than 10 square metres in area;
- ii) minor additions to existing dwellings where the floor area of the addition does not exceed 10 percent of the ground floor area of the dwelling;
- iii) emergency repairs to existing structures and public walkways where a potential safety hazard exists;
- iv) fences;
- v) the cutting of trees as permitted upon application under the municipal tree protection bylaw; and
- vi) placement of signs less than 1.5 sq. metres in area.

9.3.5 Guidelines for Owners of Land within the Development Permit Area

a) The size and siting of buildings that abut existing single- and two-unit and townhouse dwellings should reflect the size and scale of adjacent development and complement the surrounding uses. To achieve this, height and setback restrictions may be imposed as a condition of the development permit.

- b) New buildings should be designed and sited to minimize visual intrusion onto the privacy of surrounding homes and minimize the casting of shadows onto the private outdoor space of adjacent residential units.
- c) High-density multi-unit residential buildings or mixed commercial/residential buildings in commercial areas with a zero front setback should be designed so that the upper storeys are stepped back from the building footprint, with lower building heights along the street front.
- d) Landscaping of multi-unit residential sites should emphasize the creation of an attractive streetscape, as well as provide privacy between individual buildings and dwellings, screen parking areas and break up large expanses of paving.
- e) Surface parking areas in multi-unit residential developments less than five storeys in height, will be situated away from the street and screened by berms, landscaping or solid fencing or a combination of these three.
- f) Underground parking will be provided for any multi-unit residential buildings exceeding four storeys.
- g) The retention of public view corridors particularly views to the water should be encouraged wherever possible.
- h) To preserve view corridors and complement natural topography, stepped-down building designs are encouraged for sloping sites.
- i) Retention and protection of trees and the natural habitat is encouraged wherever possible.
- j) Townhouses will be designed such that the habitable space of one dwelling unit abuts the habitable space of another unit and the common wall overlap between adjoining dwellings shall be at least 50 percent.
- k) Site lighting in multi-unit residential developments should provide personal safety for residents and visitors and be of the type that reduces glare and does not cause the spill over of light onto adjacent residential sites.
- l) Garbage receptacle areas and utility kiosks should be screened by solid fencing or landscaping or a combination of the two.
- m) For waterfront sites, retention of natural features and existing trees should be a priority in site planning considerations.
- n) When any existing single-unit residence or duplex residence is being redeveloped to a multi-unit residential use by adding on of one or more dwelling units, such addition will be designed so that all of the units form a cohesive whole. In order to achieve cohesiveness:
 - i) both, the existing and proposed structures will be in the same architectural style;
 - ii) variations between the roofline of the existing building and any proposed addition(s) will be no greater than 1.5 metres;



- iii) roof styles and pitches must be complementary;
- iv) architectural features such as sloping roofs and dormers should be incorporated into the design to unite the various parts of the structure; and
- v) the existing and proposed structure will be constructed using the same or complimentary exterior finishes including roofing materials, window treatments, door styles and other finishing details.
- o) Within the area bounded by Tillicum, Craigflower, Lampson and Transfer Streets, redevelopment to multi-unit residential use will require that vehicular access to these sites be off Lampson Street rather than Tillicum, in recognition of the high levels of traffic currently using Tillicum Road.
- p) To create a more aesthetic and functional design that links each multi-unit residential project with the streetscape, the following guidelines are recommend:
 - i) Avoid long, narrow parcels with minimal road frontage (consolidate one or more parcels where necessary);
 - ii) Place parking areas away from the street; and
 - iii) Design porches and windows overlooking the street to increase personal interaction and safety.

9.6 Development Permit Area No. 4 – Gorge Waterway

9.6.1 Scope

All waters of the Gorge within Esquimalt and the lands within 30 meters of the natural boundary of the Gorge Waterway form DPA No. 4 and are shown on "Schedule C" of this Plan.

9.6.2 Category

Section 919(1)(a) of the *Local Government Act* – protection of the natural environment.

9.6.3 Justification

The Gorge waterway is a sensitive, tidal-influenced watercourse that connects the fish-bearing fresh water of Craigflower and Colquitz Creeks with the saltwaters of Victoria Harbour.

Over the past few decades, significant public expenditures and efforts have gone into removing sources of pollution and contamination that once plagued this waterway.

However, the removal of native shoreline vegetation and the construction of extensive sea walls has substantially diminished the quality of the shoreline as supportive habitat for fish and wildlife. Both private and public landowners are responsible for this loss of habitat, often through well meaning and beneficial projects such as shoreline walkways.

This plan, like previous plans, encourages the restoration of more natural habitat conditions on private and public land adjacent to the Gorge Waterway and the acquisition of the foreshore as parkland in all redevelopment proposals. Environmentally friendly construction methods must be utilized in redevelopment in this environmentally significant zone.

The Township encourages property owners to undertake voluntary protection of natural features and the use of stewardship tools such as conservation covenants.

9.6.4 Requirements of Owners of Land within the Development Permit Area

- a) Owners of land within Development Permit Area No. 4 must not do any of the following without first obtaining a development Permit in accordance with the guidelines for this Development Permit Area:
 - i) alter lands;
 - ii) subdivide lands; or
 - iii) construct or alter a building or structure;without first obtaining a Development Permit in accordance with the guidelines of this Development Permit Area.
- b) Exemptions:

The following do not require a development permit:

 - i) construction of buildings or structures less than 10 square metres in area and located more than 20 m from the high water mark;
 - ii) minor additions to existing dwellings where the floor area of the addition does not exceed 10 percent of the ground floor area of the dwelling;
 - iii) emergency repairs to existing structures and public walkways where a potential safety hazard exists;

- iv) fences constructed along a side parcel boundary (generally perpendicular to the shoreline); and
- v) the cutting of trees as permitted by the municipal tree protection bylaw.

9.6.5 Guidelines for Owners of Land within the Development Permit Area

- a) New buildings or structures, other than lawfully established boat moorage facilities, will not be located within 20 metres of the high water mark of the Gorge Waters.
- b) Where shoring methods are required to prevent erosion or sloughing of the shoreline, bio-engineering methods are preferred rather than the use of sea-walls or retaining walls.
- c) Where sea-walls or retaining walls are the only means of effectively preventing erosion, they should be designed in consultation with qualified environmental professionals as well as engineering professionals.
- d) The preservation and enhancement of native trees and shrub clusters that overhang the water's edge will be strongly encouraged as these provide shade, protection and feeding habitat for fish and wildlife.
- e) In the design of new developments or re-developments, lands within 7.5 metres (25 ft) of the high water mark of the Gorge will be retained in a natural state. In the event that the area has been previously cleared or altered, it should be rehabilitated with native plant species suitable to the site conditions. Rehabilitation may be a requirement of the Development Permit.
- f) Any new public pathways along the Gorge waterway will be designed and constructed in consultation with qualified environmental professionals and the Township of Esquimalt Parks Department.
- g) Lighting fixtures within 30 metres of the Gorge Waters will be designed to avoid glare spill over onto the water's surface.
- h) In the design of new developments or re-development, the use of soft engineered and innovative alternatives to stabilizing shorelines and preventing erosion, such as bioengineering rather than traditional hard engineered solutions should be considered.

1083/1085 Tillicum Road – Existing north-east section plantings and area of new walkway and retaining walls above existing retaining wall.



Existing north-east section plantings and area of new walkway and retaining walls above existing retaining wall. (looking South)





Acacia Landscape Inc.
Box 5299, 1625 Fort Street
Victoria, BC V8R 6H4
Phone: 250-595-0527 Fax: 250-479-2575

President: Stephen McLeish BA BLA
Registered Landscape Architect (BCSLA, CSLA)



May 30, 2014

Esquimalt Development Services
1229 Esquimalt Road
Esquimalt, BC
V9A 3P1

Re: DPA #4 Application for Revitalization of 1083 Tillicum Road

Development Services Officer,

This letter is intended to accompany the proposed Architectural and Landscape Plans (Plans) for the revitalization of the Gorge Point Condominium Complex (Complex) at 1083 Tillicum Road, a key gateway property located next to the Tillicum Bridge. Because of the Complex's adjacency to the Waterway, the revitalization of the property will require both a DPA #1 and DPA #4 from the Township of Esquimalt in order for the project to proceed to the development phase.

The Complex includes two large condominium buildings set along the Gorge Waterway. These buildings house 200 residents occupying 112 units. The majority of these residents are senior citizens, many of them on fixed incomes.

It is important to note that the proposed Plans are a direct response to a building envelope failure as documented in Appendix A. To remedy the structural failure, a substantial building upgrade with significant financial costs is required. In an effort to lessen the financial impact of the revitalization, the Complex is seeking the approval of a Landscape Architectural Plan that is consistent with the spirit of the DPA #4 guidelines as laid out in the Esquimalt Official Community Plan (OCP).

As per section 9.6.5 of the OCP, design re-developments that affect lands within 7.5 metres of the high water mark along the Gorge Waterway are to be "retained in a natural state" and "in the event the area was previously cleared or altered, it should be rehabilitated with native plant species suitable to the site conditions."

Unfortunately, the costs associated with rehabilitating the entire length of the Complex's foreshore would make the project fiscally unattainable for the residents. These foreshore

rehabilitation costs would effectively have the adverse effect of putting the entire project in jeopardy.

For this reason, the Complex proposes the following:

1. Areas along the foreshore that are not directly impacted by the building envelope construction efforts be “retained” in their current state (the current state of the foreshore has been photo documented and is attached to this letter as Appendix B).
2. Areas along the foreshore that are impacted by the construction be rehabilitated with site appropriate native plants.

Rehabilitation would be in line with the OCP ecological landscape goals and would include the selection of native plant material chosen from a list of plants compiled by the Gorge Waterway Action Society. It is important to note that the Complex’s foreshore is tightly bounded by the Tillicum Bridge on one end and the end of McNaughton Street on the other. These boundaries, in many ways, act to contain the current foreshore vegetation.

Further, in an effort to prevent future erosion and add ecological value, areas of lawn located within the foreshore boundaries are proposed to be replaced with a mixture of stone retaining walls, permeable pathways and associated native plantings. These retaining walls are to be designed by a Landscape Architect in consultation with a qualified Environmental Consultant as per the guidelines set out in section 9.6.5 of the OCP and again the new plantings are to be chosen from the list of Gorge Waterway Action Society native plants.

The acceptance of the Plans and the issuance of the appropriate development permits will ensure the Township of Esquimalt achieves a timely revitalization of a key gateway property while working towards the Gorge Waterway foreshore rehabilitation goals.

The Complex, and its group of professional consultants, looks forward to working alongside the Township of Esquimalt in a collaborative manner while developing strong working relationships with all affected stakeholders as the project moves forward.

Yours sincerely,



Stephen J McLeish, B.A., B.L.A
Registered landscape Architect, President

Our remediation will include:



The removal of the existing stucco cladding and replacing with a stucco rain screen system, as recommended by Morrison Hershfield.

Changing the existing stucco from a two tone colour to a three tone colour as illustrated with the attached architect renderings.

Changing the stucco parapet wall along the perimeter of the balconies and replacing it with a combination glass and aluminum rail system, as recommended by Morrison Hershfield.

All existing aluminum doors and windows will be changed to vinyl doors and windows.

We have awarded the contract and once all permits have been obtained they will begin to mobilize.

Respectfully submitted,

A handwritten signature in black ink that reads "Carl Doucet".

Carl Doucet

Chair Building Remediation Committee

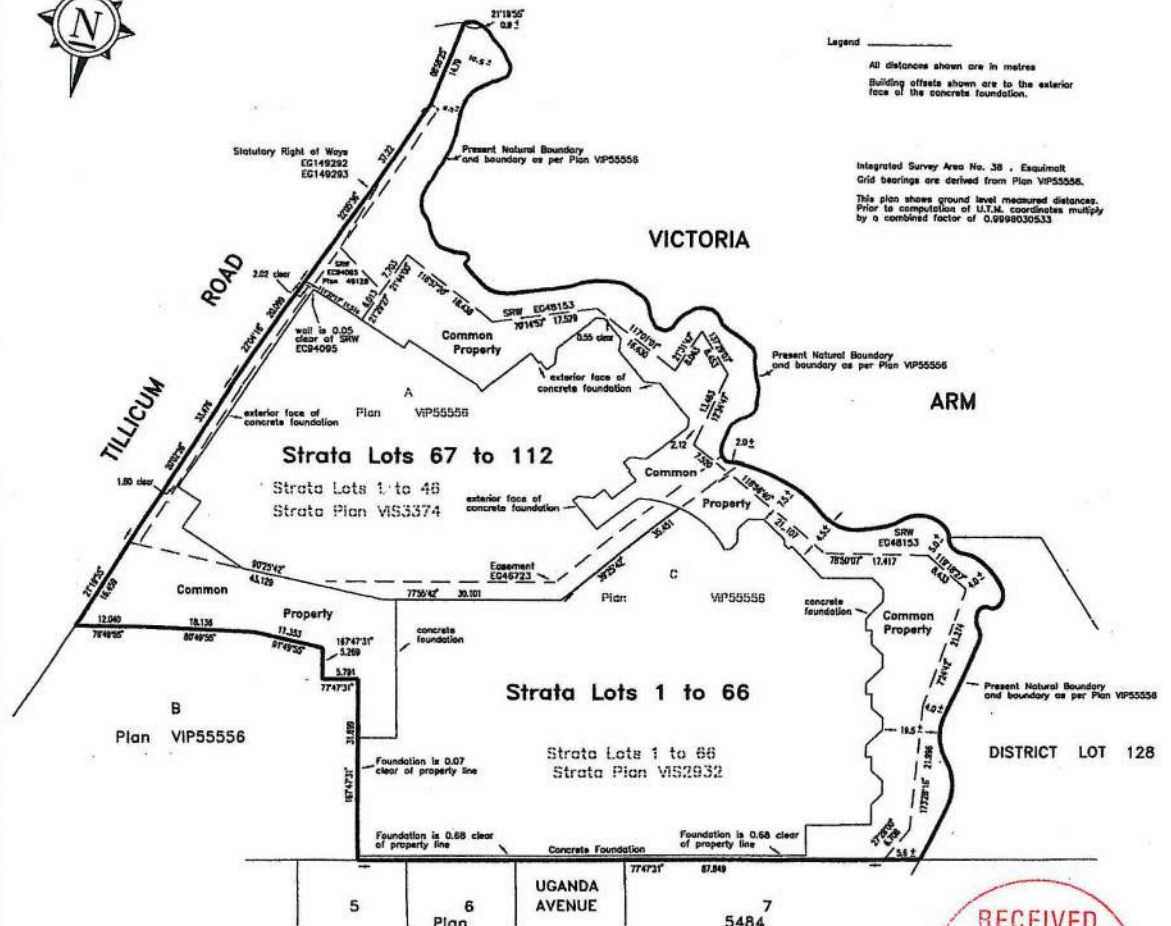
LTB/CD/17/5/02

STRATA PLAN OF EXPLANATORY PLAN OF CONSOLIDATION OF STRATA PLAN VIS2932 and STRATA PLAN VIS3374, SECTION 10, ESQUIMALT DISTRICT

(PREPARED PURSUANT TO SECTION 81 OF THE CONDOMINIUM ACT)

B.C.G.S. 928.044

Scale 1:500



Legend

All distances shown are in metres.
Building offsets shown are to the exterior face of the concrete foundation.

Integrated Survey Area No. 38 - Esquimalt
Grid bearings are derived from Plan VP55556.
This plan shows ground level measured distances.
Prior to computation of U.T.M. coordinates multiply by a combined factor of 0.9998030533

FIRST SHEET
Sheet 1 of 4 SheetsSTRATA PLAN VIS3374Deposited and registered in the Victoria Land Title Office, this
22 day of JUNE, 1995.

Don MacDonald
Deputy Registrar

Civic Address:

Strata Lots 57 to 70 are at Units 1 to 4,
Strata Lots 71 to 82 are at Units 101 to 112,
Strata Lots 83 to 94 are at Units 201 to 212,
Strata Lots 95 to 104 are at Units 301 to 310,
Strata Lots 105 to 112 are at Units 401 to 408,
1085 Tillicum Road, Victoria, B.C., V8A 7L7

Civic Address:

Strata Lots 1 to 5 are Units 01 to 05,
Strata Lots 6 to 22 are Units 101 to 117,
Strata Lots 23 to 39 are Units 201 to 215,
Strata Lots 40 to 54 are Units 301 to 318,
Strata Lots 55 to 66 are Units 401 to 412,
1075 Tillicum Road, Victoria, B.C., V8A 2A4

The address for the service of
documents on the Strata Corporation is:
1075 Tillicum Road, Victoria, B.C., V8A 2A4

This plan lies within the Municipality of Esquimalt.

I, Michael S. Mansson, of the City of Victoria,
British Columbia Land Surveyor, hereby certify that
the building erected on the parcel described above is
wholly within the external boundaries of the parcel.

Michael S. Mansson
B.C.L.S.

Dated at Victoria, B.C., this

17th day of May, 1995.

J.E. ANDERSON & ASSOCIATES
B.C. Land Surveyors - Consulting Engineers
Victoria and Nanaimo, B.C.
File: 19021
XRef 17769,18386

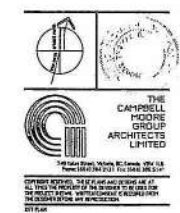
This plan lies within the
Capital Regional District.

01-R39-307

APPROVED
FOR LAND USESITING
County CD6
AL. No. 2020
WETBACK JURISDICTIONS
Bay: _____
Side: _____ Side: _____
Transect: _____
Height of land: _____
Special: _____
Remarks: There are no
structures and
no flow
Date: August 19
By: [Signature]

LIST OF COMPANIES	
SURVEY:	<p>AL HODGSON & ASSOCIATES 1015 S. BAYVIEW AVENUE METRO PARK, NJ 07657</p> <p>CONTACT: JOHN HODGSON PHONE: 201-271-4144 FAX: 201-272-1220</p>
GEOTECHNICAL:	<p>THORNTON GROUP INC. 2015 WEST 10TH AVENUE METRO PARK, NJ 07654</p> <p>CONTACT: THOMAS HENRY PHONE: 201-272-5500 FAX: 201-272-3100</p>
STRUCTURAL:	<p>KIMM ENGINEERS LTD. 1000 CROSSLAND STREET METRO PARK, NJ 07656</p> <p>CONTACT: BOB MILLER PHONE: 201-613-1177 FAX: 201-613-1141</p>
MECHANICAL:	<p>ENGINEERING INC. 100 WEST 10TH AVENUE METRO PARK, NJ 07654</p> <p>CONTACT: DALE HODGES PHONE: 201-274-1899 FAX: 201-274-0830</p>
ELECTRICAL:	<p>HUGHES M&E ASSOCIATES 150A FORD STREET METRO PARK, NJ 07656</p> <p>CONTACT: SCOTT MILLER PHONE: 201-272-2333 FAX: 201-272-7180</p>

JAN 28 1983	04:24:00 AM	1
DATE	04:24:00	BY
ISSUES		



1 SITE PLAN / ROOF
A101 SCALE: 1/8" = 1'-0"



**CORPORATION OF THE
TOWNSHIP OF ESQUIMAULT**
CHILDREN SERVICE ADVISORY TEAM

THE PERMIT HOLDER IS RESPONSIBLE TO ENSURE
THAT THEIR PLAYS & ALL RELATED WORK
CONFORM TO THE B.C. BUILDING CODE & ALL
MUNICIPAL BYLAWS.

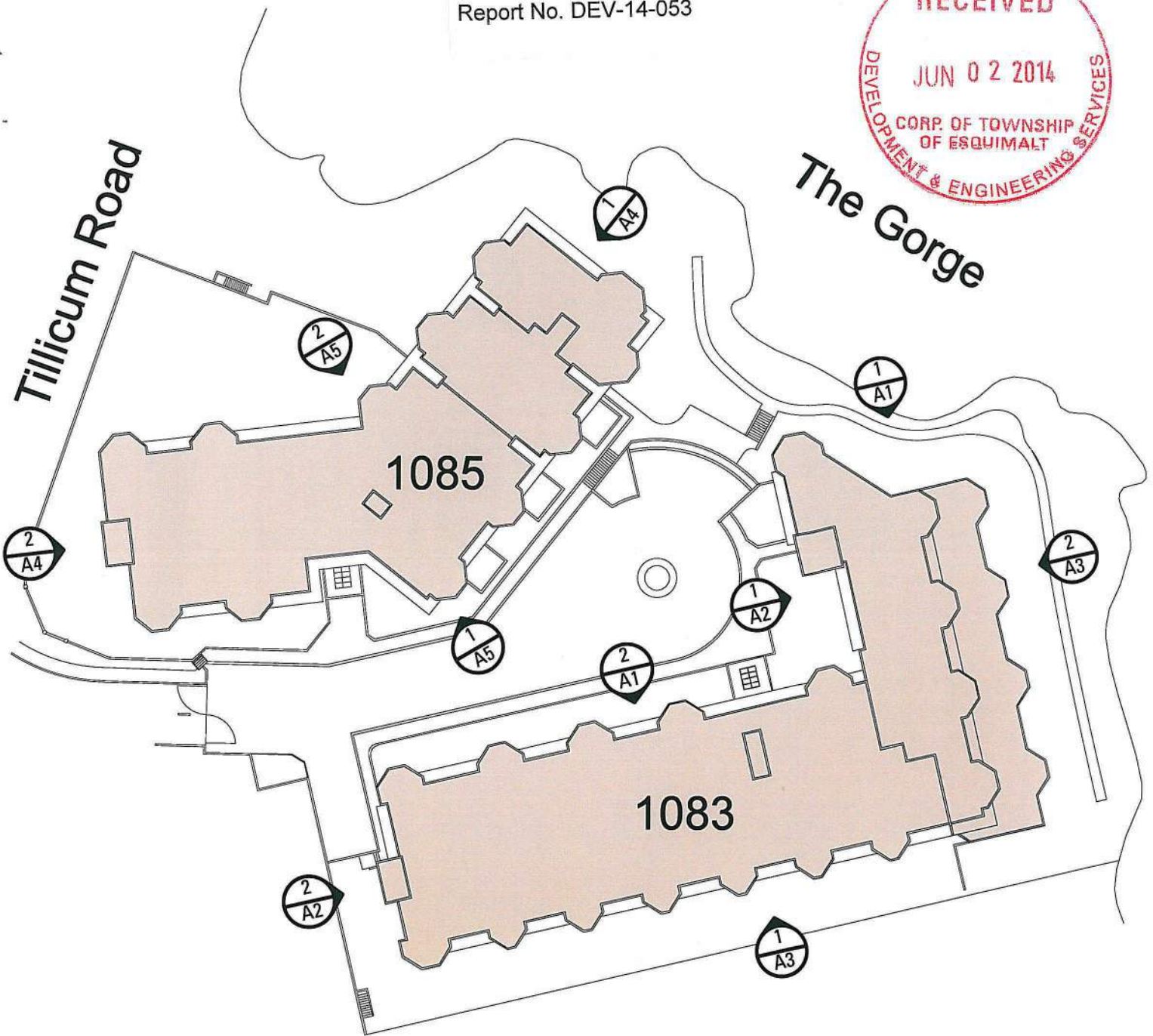
[Signature]
Baking Supervisor

PROJECT FILE
**GORGE POINT
 CONDOMINIUMS
 PHASE 2**
 1075 TELLUQUO ROAD, ESQUIMALT, BC
 DRAWING SET
**o/s SITE PLAN /
 ROOF PLAN**
 DRAWN BY: BML DATE: 05.10.1999
 CHECKED BY: RST DATE: APR 01, 1993
 PROJECT NO. 1700/1875 1-UP
 DRAWING NO.



307

Existing. MAY 2014



***Gorge Pointe Condominiums: Proposed Exterior Colours
1083 & 1085 Tillicum Road, Victoria, BC***

May 2014

Elevation Key Plan

Joe Newell
architect inc.
812 Yates Street, Victoria, BC V8W 1K3
P. (250) 382-4240, F. (250) 382-5733
www.joewellarchitect.com



Materials Key ①

1	Sloped Roofing	Existing Concrete Tile Roof	
2	Stucco Cladding	Cementitious Stucco Rainscreen Cladding System	Imasco 266-1P 'Southern Charm'
3	Stucco Cladding	Cementitious Stucco Rainscreen Cladding System	Imasco 139-6P 'Colonial Marble'
4	Stucco Cladding & Feature Bands	Cementitious Stucco Rainscreen Cladding System	Imasco 238A-6A 'Terra Firma'
5	Fascias & Bargeboards	Existing Wood Repainted	Benjamin Moore HC-167 'Amhurst Grey'
6	Vented Soffit	Perforated Aluminum	Gentek 'Cashmere'
7	Gutter and Downspouts	Pre-finished Aluminum	Makin Metals 'Cashmere'
8	Windows	Thermally Broken Vinyl Frame Windows	White
9	Patio Doors	Thermally Broken Vinyl Frame Doors	White
10	Through-Wall & Parapet Flashings	Pre-finished Metal	Makin Metals 'Charcoal Grey'
11	Balcony Railings	Pre-finished Aluminum Post & Rail & Glass / Pickets	RAL colour to match 'Cashmere'
12	Balcony Fascia Flashing	Pre-finished Metal	Makin Metals 'Cashmere'

1 1083 Tillicum Road - Partial North Elevation
A.1 Scale: 1:200



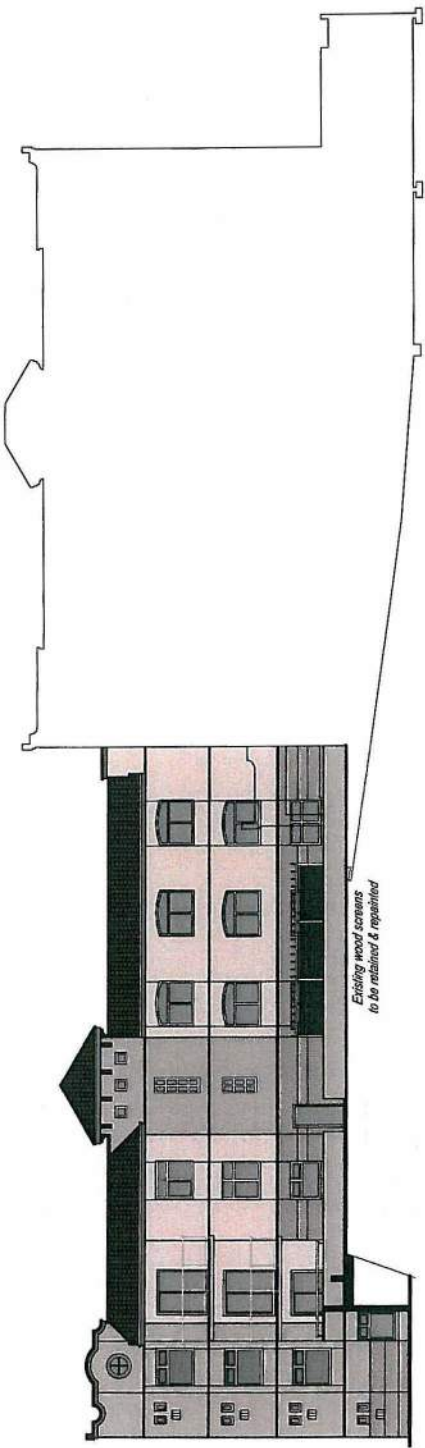
2 1083 Tillicum Road - North Courtyard Elevation
A.1 Scale: 1:200



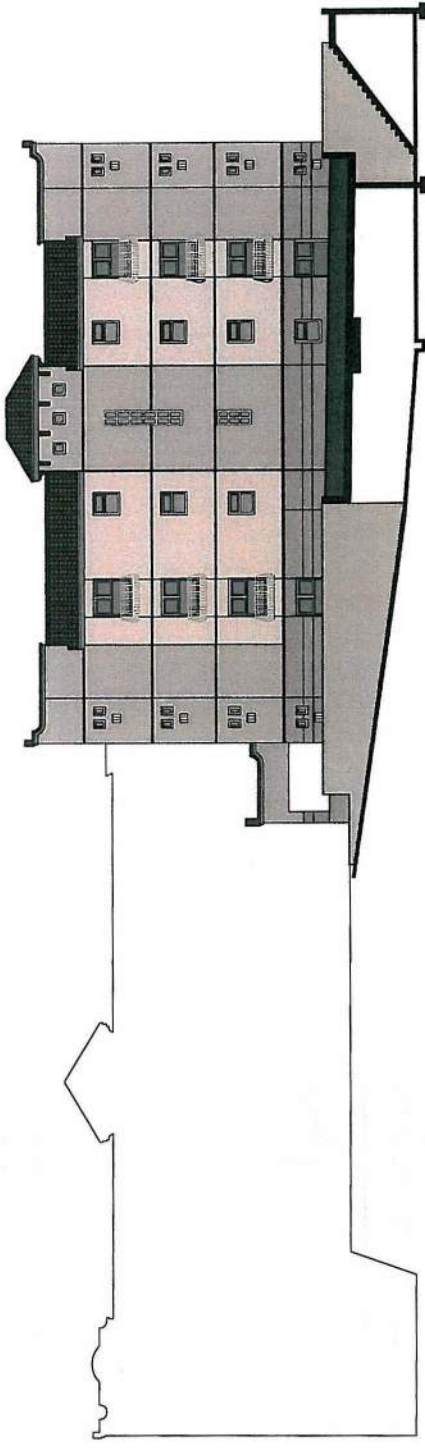
Gorge Pointe Condominiums: Proposed Exterior Colours
1083 & 1085 Tillicum Road, Victoria, BC

May 2014
Drawing A-1

Joe Newell JNA
Architect Inc.
812 Thross Street, Victoria, BC V8W 1G3
P: (250) 362-4240, F: (250) 362-4720
www.joewellarchitect.com



1 1083 Tillicum Road - West Courtyard Elevation
A-2 Scale: 1:200



2 1083 Tillicum Road - West Elevation
A-2 Scale: 1:200

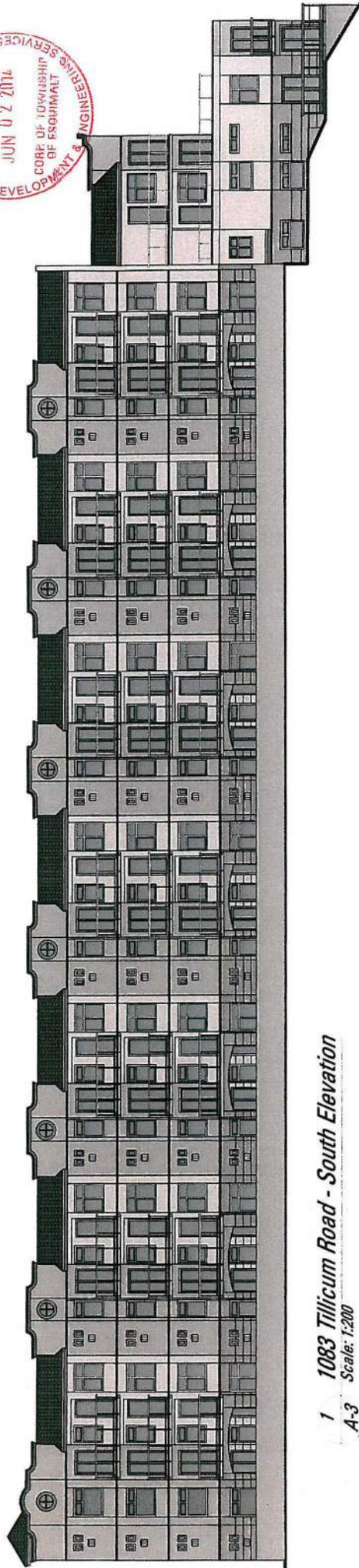


Gorge Pointe Condominiums: Proposed Exterior Colours
1083 & 1085 Tillicum Road, Victoria, BC

May 2014
Drawing A-2



RECEIVED
JUN 02 2014
CORP OF TORRISHIP
OF ESQUIMALT
DEVELOPMENT & ENGINEERING SERVICES



1 1083 Tillicum Road - South Elevation
A-3 Scale: 1:200



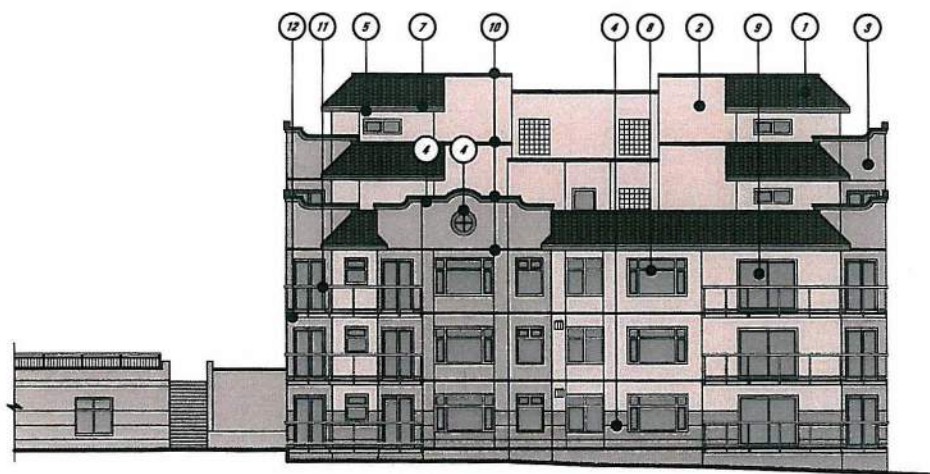
2 1083 Tillicum Road - East Elevation
A-3 Scale: 1:200



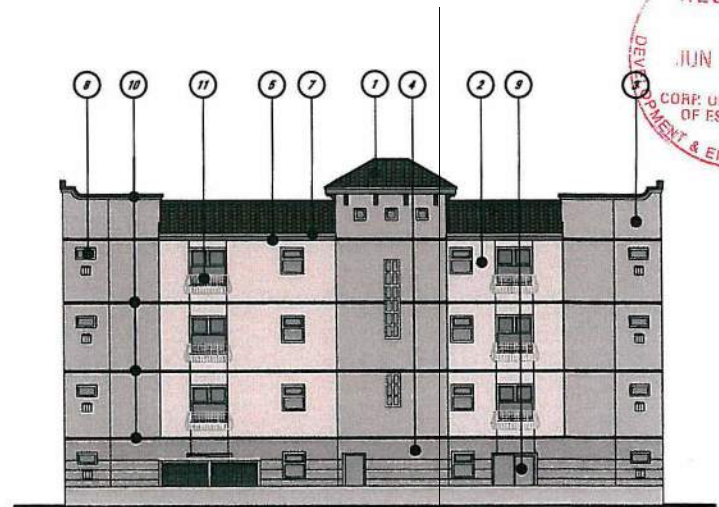
Gorge Pointe Condominiums: Proposed Exterior Colours
1083 & 1085 Tillicum Road, Victoria, BC

May 2014
Drawing A-3

Joe Newell JN
111 West Street, Victoria, B.C. V8W 1A8
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1 1085 Tillicum Road - East Elevation
A-4 Scale: 1:200



2 1085 Tillicum Road - West Elevation
A-4 Scale: 1:200

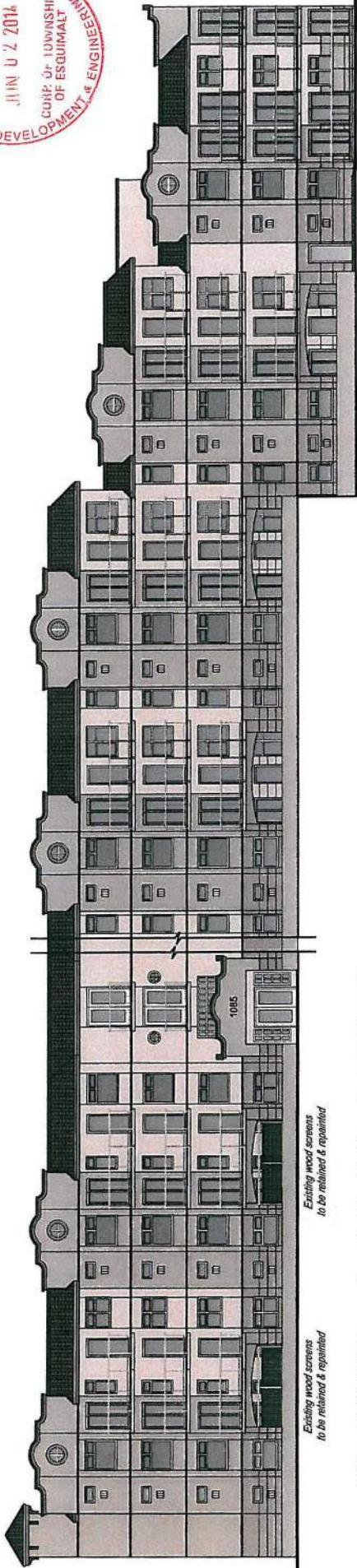
Materials Key 1

1	Sloped Roofing	Existing Concrete Tile Roof	
2	Stucco Cladding	Cementitious Stucco Rainscreen Cladding System	Imasco 286-1P 'Southern Charm'
3	Stucco Cladding	Cementitious Stucco Rainscreen Cladding System	Imasco 139-6P 'Colonial Marble'
4	Stucco Cladding & Feature Bands	Cementitious Stucco Rainscreen Cladding System	Imasco 238A-6A 'Terra Firma'
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9	Patio Doors	Thermally Broken Vinyl Frame Doors	White
10	Through-Wall & Parapet Flashings	Pre-finished Metal	Makin Metals 'Charcoal Grey'
11	Balcony Railings	Pre-finished Aluminum Post & Rail & Glass / Pickets	RAL colour to match 'Cashmere'
12	Balcony Fascia Flashing	Pre-finished Metal	Makin Metals 'Cashmere'

313



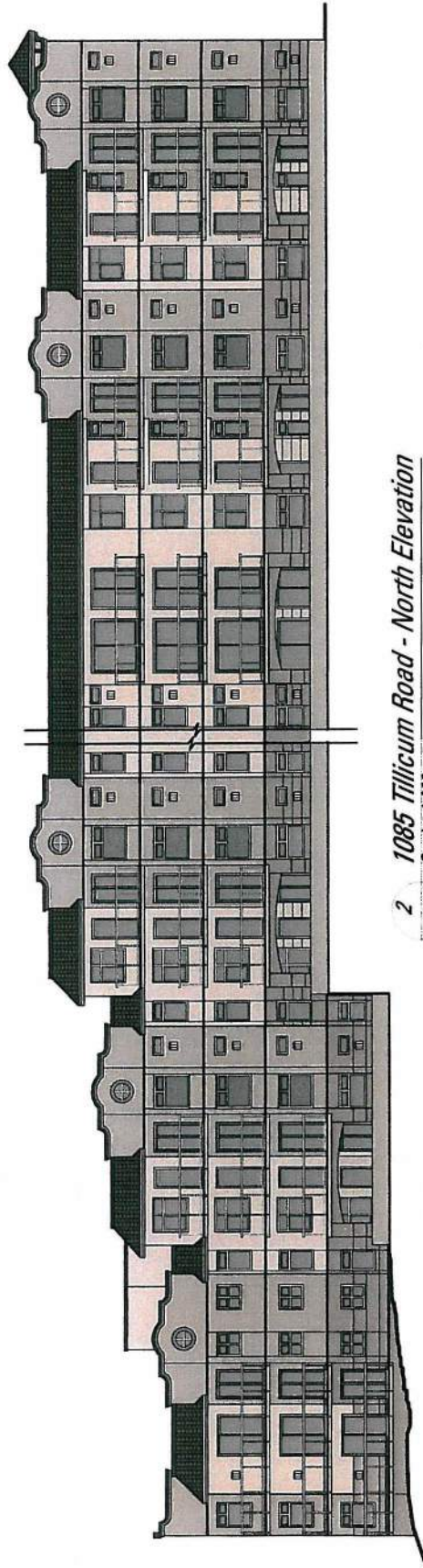
Gorge Pointe Condominiums: Proposed Exterior Colours
1083 & 1085 Tillicum Road, Victoria, BC



Existing wood screens
to be retained & repainted

Existing wood screens
to be retained & repainted

1 1085 Tillicum Road - South Courtyard Elevation
A-5 Scale: 1:200



2 1085 Tillicum Road - North Elevation
A-5 Scale: 1:200



Gorge Pointe Condominiums: Proposed Exterior Colours
1083 & 1085 Tillicum Road, Victoria, BC

May 2014

Drawing A-5

Joe Newell
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P: (250) 362-4265 F: (250) 362-4272
www.joewellarchitect.com

Gorge Pointe Condos

1083-1085 Tillicum Rd.

Application for DPA #4 (Foreshore)

June 2, 2014



1083 Tillicum Rd.
southernmost building



1085 Tillicum Rd.
as seen from Tillicum Bridge

The foreshore in this area is bounded by the Tillicum Bridge and a retaining wall at the end of McNaughton Ave. There are two houses separating the Gorge Pointe and the retaining wall.

With a full \$5,000,000+ remediation coming up, there will be a 3 m clearance required around the buildings. There are a few areas of concern where the clearance will intersect with the foreshore as seen in photos 1 and 2. The letter from Steve McLeish of Acacia Landscaping explains the plan for those areas. As you can see, there was development of parts of the foreshore when the buildings were built.



1



2

The following photos of the foreshore are taken in sequence, starting at the Tillicum Bridge. Each photo is labeled to correspond to the respective area of the site plan.



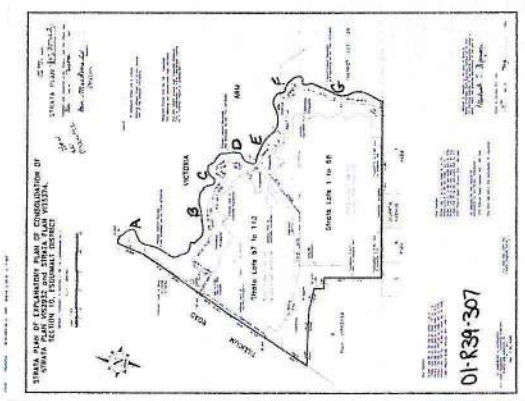
A



C



B



D



F



6

W

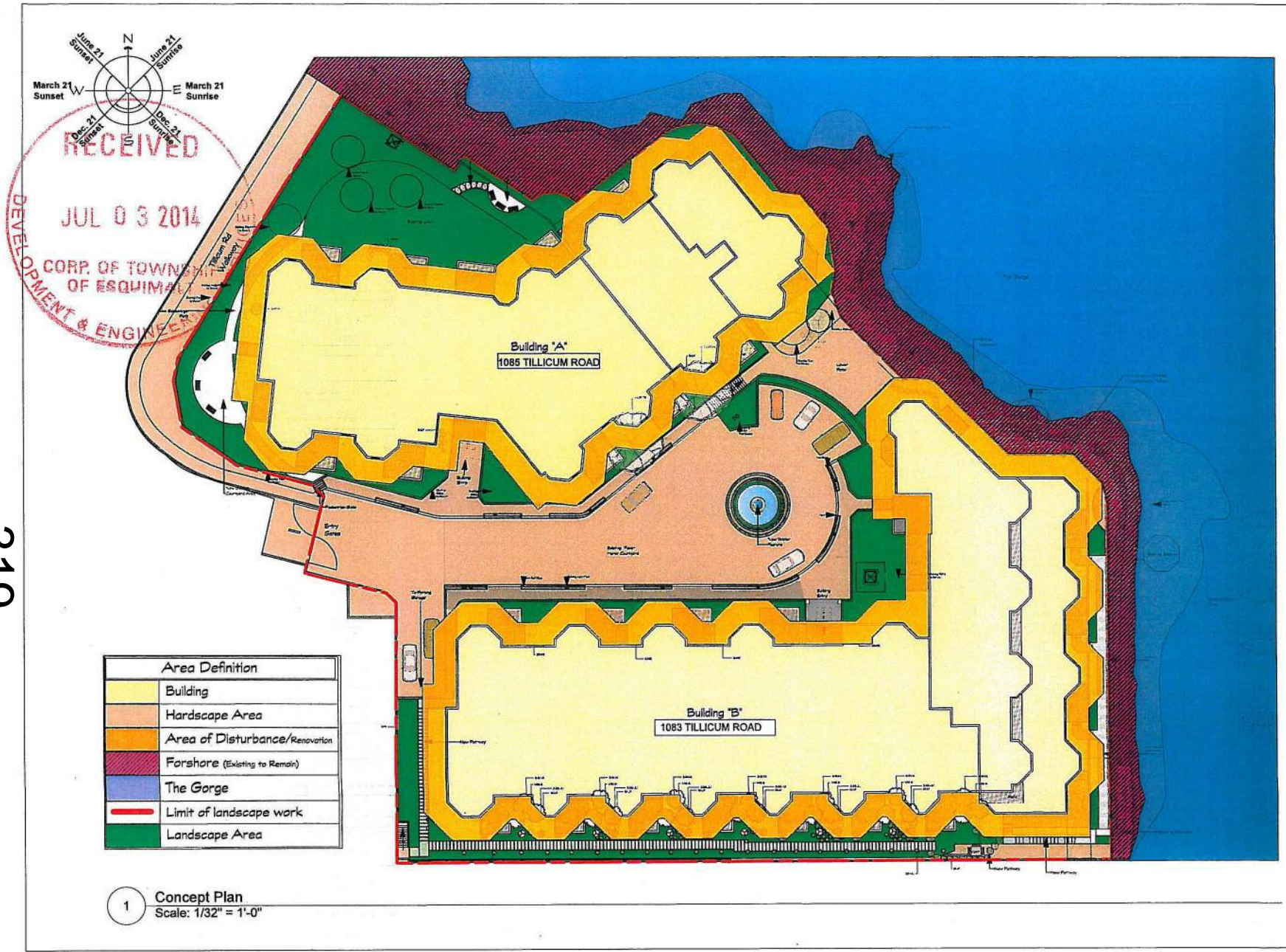


LANDSCAPE
P.O. Box 5299,
1625 Fort Street,
Victoria, B.C.
V8R 1H9
Tel. 250-595-0527
Fax. 250-479-2575

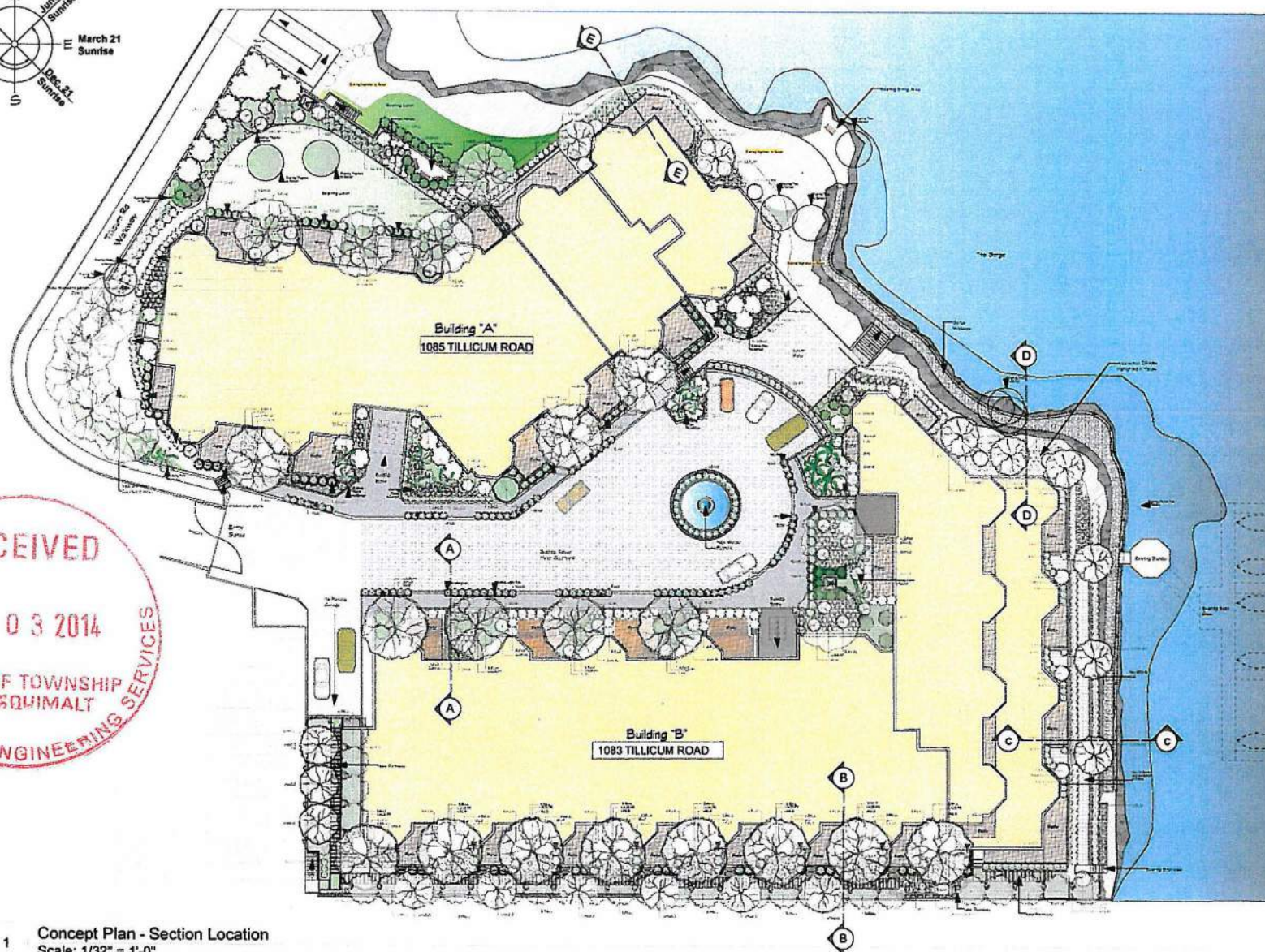
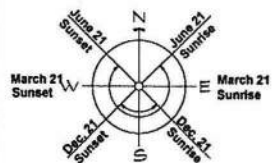
Date:
07/02/2014

L1

319



320



1 Concept Plan - Section Location
Scale: 1/32" = 1'-0"

Revisions

Gorge Point Condos
1083 Tillicum Rd.
Esquimalt, BC
Concept Plan

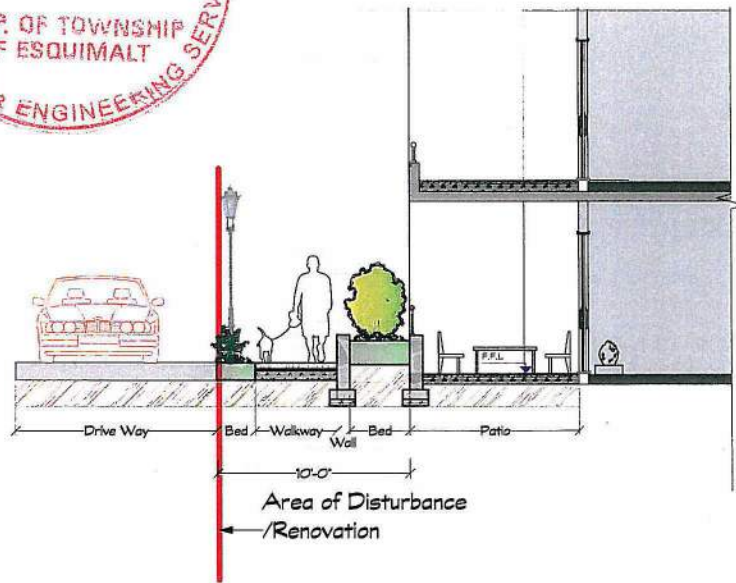


P.O. Box 5299,
1625 Fort Street,
Victoria, B.C.
V8R 1H9

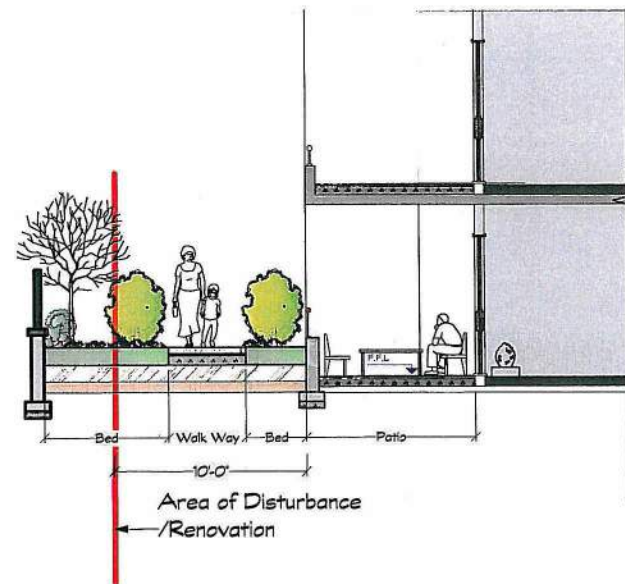
Tel. 250-595-0527
Fax. 250-479-2575

Date:
07/02 Area
definition/2014

L2



1 Concept - Section A
Scale: 3/16" = 1'-0"



2 Concept- Section B
Scale: 3/16" = 1'-0"

Revisions

Gorge Point Condos
1083 Tillicum Rd.
Esquimalt, BC

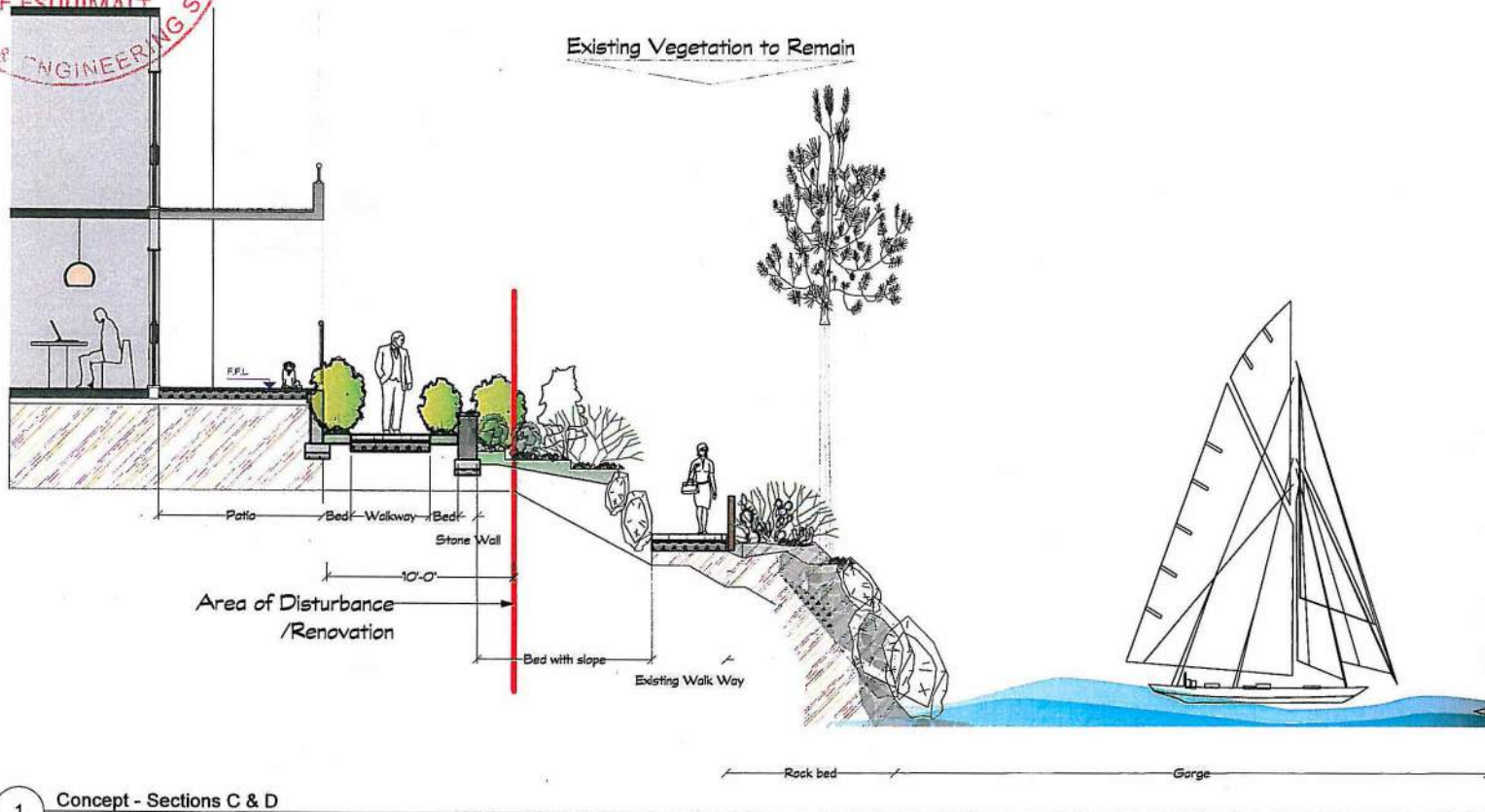
Concept - Sections- A&B



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1625 Fort Street,
Victoria, B.C.
V8R 1H9
Tel. 250-595-0527
Fax. 250-479-2575

Date:
07/02/2014

W1



1

Concept - Sections C & D
Scale: 3/16" = 1'-0"

Revisions

Gorge Point Condos
1083 Tillicum Rd.
Esquimalt, BC

Concept - Sections- C&D

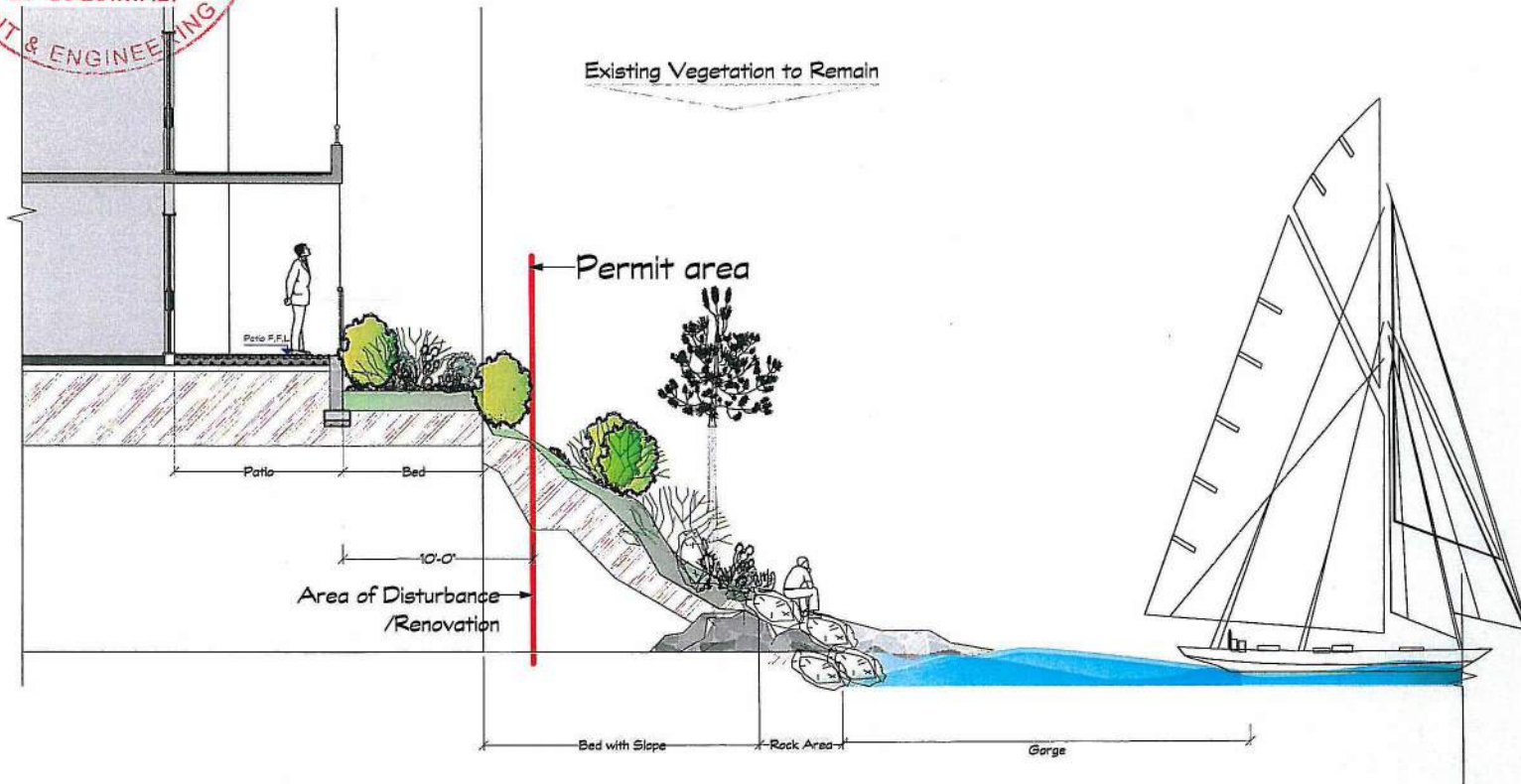


P.O. Box 5299,
1625 Fort Street,
Victoria, B.C.
V8R 1H9

Tel. 250-595-0527
Fax. 250-479-2575

Date:
07/02/2014

W2



1

Concept - Section E
Scale: 3/16" = 1'-0"

Revisions

Gorge Point Condos
1083 Tillicum Rd.
Esquimalt, BC

Concept - Section E



P.O. Box 5299,
1625 Fort Street,
Victoria, B.C.
V8R 1H9

Tel. 250-595-0527
Fax. 250-479-2575

Date:
07/02/2014

W3



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

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

Council Meeting: July 14, 2014
Staff Report No. DEV-14-055

REQUEST FOR DECISION

SUBJECT: DEVELOPMENT PERMIT (modified version from Report DEV-14-053)

1083/ 1085 Tillicum Road
Strata Plan VIS3743

RECOMMENDATION:

That Council, upon considering comments made at the Advisory Design Review Committee [DRC] meeting resolves that this version of Development Permit No. DP000024 limiting the form and character, of development to that shown on architectural plans by Joe Newell architect inc. stamped "Received June 2, 2014", the landscape plan by Acacia Landscape Inc. stamped "Received July 3, 2014", and including the Schedule of Construction [Schedule "B"] **be approved, and staff be directed to issue the permit and register the notice** on the title of the development located at Strata Plan VIS3743 [1083/1085 Tillicum Road].

RELEVANT POLICY:

Official Community Plan Bylaw, 2006, No. 2646
Zoning Bylaw, 1992, No. 2050
Development Application Procedures and Fees Bylaw No. 2791, 2012

STRATEGIC RELEVANCE:

This Request For Decision does not directly relate to a specific strategic objective.

Submitted by: Writer Loren Hay

Reviewed by: CAO R. Hurst

Date: July 14/14

STAFF REPORT

DATE: July 7, 2014 Report No. DEV-14-055

TO: Laurie Hurst, Chief Administrative Officer

FROM: Karen Hay, Planner
Bill Brown, Director of Development Services

SUBJECT: DEVELOPMENT PERMIT (modified version from Report DEV-14-053)
1083/ 1085 Tillicum Road
Strata Plan VIS3743

RECOMMENDATION:

That Council, upon considering comments made at the Advisory Design Review Committee [DRC] meeting resolves that this version of Development Permit No. DP000024 limiting the form and character, of development to that shown on architectural plans by Joe Newell architect inc. stamped "Received June 2, 2014", the landscape plan by Acacia Landscape Inc. stamped "Received July 3, 2014", and including the Schedule of Construction [Schedule "B"] **be approved, and staff be directed to issue the permit and register the notice** on the title of the development located at Strata Plan VIS3743 [1083/1085 Tillicum Road].

BACKGROUND:

Appendixes:

- "A" Subject Property Map;
- "B" Development Permit No. DP000024

Comments from the Advisory Design Review Committee [DRC]:

This application was considered at the regular meeting of the DRC held on July 9, 2014. The committee meeting took place after the Corporate Services reports to Council deadline for the July 14, 2014 Council Meeting.

The following comments were made by the Design Review Committee members:

- A long term plan is necessary for remediation of the shoreline.
- Owners should retain a consultant to research the environmental values of shoreline. A development permit is the only opportunity to do protection and restoration. It would be useful to know the values, such as overhangs, pocket beaches, etc. The current focus is on ornamental landscaping.
- A development permit is an opportunity for the Township of Esquimalt to address areas that have been neglected in the past such as shoreline values. This is the Township's only opportunity to request cooperation in enhancing this value. Effort should be made to identify opportunities where the landowner could cooperate with other organizations on restoration. Past the property line are invasive species. This is not a naturalized area. There are opportunities here to do something fun.

- Possibly great opportunities for restoration of the Gorge shoreline. A little effort could make a big difference. For example restoration of Osoyoos Lake has made a difference in fish populations. The Township of Esquimalt has identified the Gorge Waterway in their Official Community Plan both for the view, and the ecological values. There could be real opportunities here.
- Overreaching vegetation or shadowing habitat would benefit the Gorge Waterway.
- It is recommended that Strata contact environmental consultants, environmental non-profits, stewardship programs, and the CRD for people to work with and financial resources for restoration. While costs can be burdensome there are opportunities for funds for restoration, and environmental values are worth investing in.
- Good opportunity to work with non-profit organizations. A suitable speaker presenting to the Strata Board could be very helpful. Perhaps there can be a compromise made for adding more shade and overhanging plants when the pathway needs to be replaced.
- The proposed hedge closes off the view to the Gorge waterway. A medium height hedge would allow for street views.
- Development permit should include a provision for tree protection.
- This is a prominent site. Remedial work needs to be facilitated and from the time the development was built until now little care has been taken about the waterway. A commitment to shoreline restoration would be welcome.

RECOMMENDATION:

Moved by Paul De Greeff, seconded by Alec Katz, that the Esquimalt Design Review Committee [DRC] recommends that the alterations proposed for 1083/1085 Tillicum Road as illustrated in the architectural drawings prepared by Joe Newell, Architect Inc., and the landscape plan prepared by Stephen McLeish BA, BLA, Acacia Landscape Inc., stamped "Received June 02, 2014" be forwarded to Esquimalt Council for approval subject to the following:

1. That staff request from the applicant an environmental report that identifies opportunities for restoration and soft shoreline approaches.
2. Work collaboratively with the applicant for restoration opportunities.

The Motion **CARRIED UNANIMOUSLY.**

ISSUES:

1. Rationale for Selected Option

The proposal is largely consistent with the guidelines of Development Permit Area No. 1 – *Multi-Unit Residential* - regulating the form and character of the development. The DRC has strong expressed support for a rehabilitation plan for all lands within 7.5 metres (25 feet) of the Gorge Waterway in order to comply with the guidelines of Development Permit Area No. 4 – *Gorge Waterway* - regulating the protection of the natural environment. The building cannot be altered without obtaining a Development Permit that satisfies the guidelines of both Development Permit areas.

2. Organizational Implications

This Request for Decision has no organizational implications.

3. Financial Implications

This Request for Decision has no financial implications.

4. Sustainability & Environmental Implications

Protection of the Gorge Waterway is a priority as outlined in the Official Community Plan. The subject buildings were built prior to the implementation of Development Permit Area No. 4 – Gorge Waterway and the proposed work on the buildings will be partially located within the area that is now intended to be protected and retained in a natural state or rehabilitated if it has been altered. Requiring the involvement of a Qualified Environmental Professional will allow the repair work on the buildings to commence while still providing current protection for the Gorge Waterway and allow for some future site rehabilitation.

5. Communication & Engagement

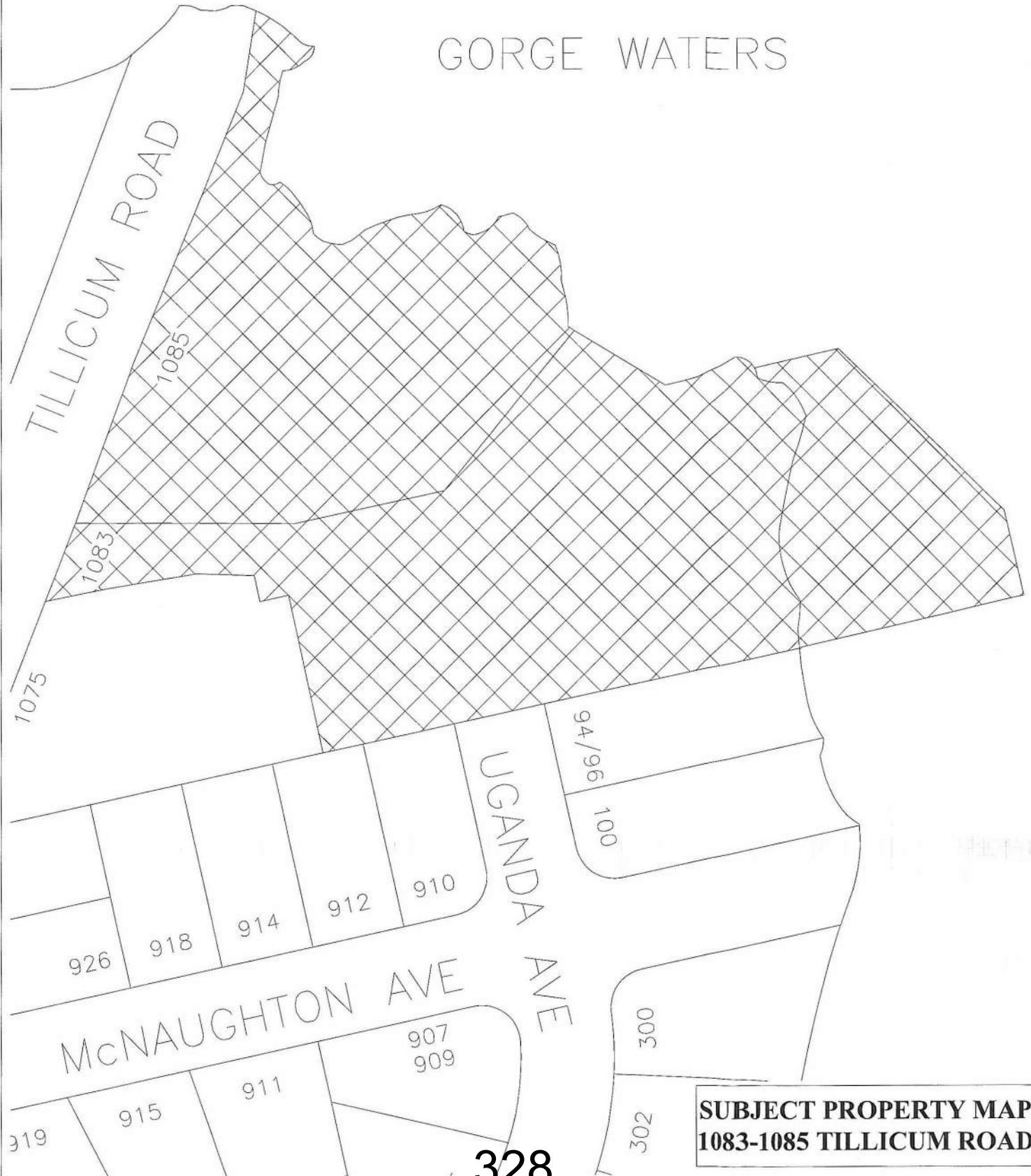
As this is a Development Permit application requiring no variances, the *Local Government Act* does not require notification be provided.

ALTERNATIVES:

1. Council **approve** Development Permit No. DP000024; and direct staff to issue the permit, and register a notice on the property title.
2. Council upon considering the comments made at the Advisory Design Review Committee encourage the applicant to work further with staff to more closely meet the guidelines contained within Development Permit Area No. 4 – *Gorge Waterway* - regulating the protection of the natural environment and return the application to Council at a later date.
3. Council **deny** Development Permit No. DP000024.



GORGE WATERS



**SUBJECT PROPERTY MAP
1083-1085 TILlicum ROAD**

CORPORATION OF THE TOWNSHIP OF ESQUIMALT

DEVELOPMENT PERMIT

NO. DP000024

Owner: Gorge Point Strata Corporation

Lands: Strata Plan VIS3743

Address: 1083-1085 Tillicum Road, Esquimalt, B.C.

Conditions:

1. This Development Permit is issued subject to compliance with all of the bylaws of the Municipality applicable thereto, except as specifically varied or supplemented by this Permit.
2. Approval of this Development Permit is issued in accordance with the architectural plans by Joe Newell architect inc. stamped "Received June 2, 2014", the landscape plan prepared by Acacia Landscape Inc. stamped "Received July 3, 2014", for the development located at Strata Plan VIS3743 [1083-1085 Tillicum Road], attached hereto as Schedule 'A'.
3. Approval of this Development Permit is issued in accordance with the Schedule of Construction attached hereto as Schedule 'B' and with the condition that a Qualified Environmental Professional will be hired to consultant on the project prior to the commencement of work on the site.
4. The lands shall be developed in accordance with the terms, conditions and provisions of this Permit.
5. The terms, conditions and covenants contained herein shall enure to the benefit of and be binding upon the Owners, their executors, heirs or administrators, successors and assigns as the case may be or their successors to title in the lands.
6. This Development Permit is not a Building Permit.
7. This Permit lapses two (2) years after the date it is issued if the holder of the Permit does not substantially start any construction with respect to which the Permit was issued.

8. For the purposes of this Development Permit, the holder of the Permit shall be the owner(s) of the lands.

ISSUED BY MUNICIPAL COUNCIL RESOLUTION ON THE ____ DAY OF _____, 2014

SIGNED THIS _____ DAY OF _____, 2014

Director of Development Services

Corporate Officer
Corporation of the Township
of Esquimalt

SCHEDULE 'A' OF
DEVELOPMENT PERMIT
NO. DPO00024

CORPORATE OFFICER

STRATA PLAN OF EXPLANATORY PLAN OF CONSOLIDATION OF
STRATA PLAN VIS2932 and STRATA PLAN VIS3374,
SECTION 10, ESQUIMALT DISTRICT

(PREPARED PURSUANT TO SECTION 61 OF THE CONDOMINIUM ACT)

B.C.S.S. 628.044

Scale 1:500
0 5 10 20 30 40 50



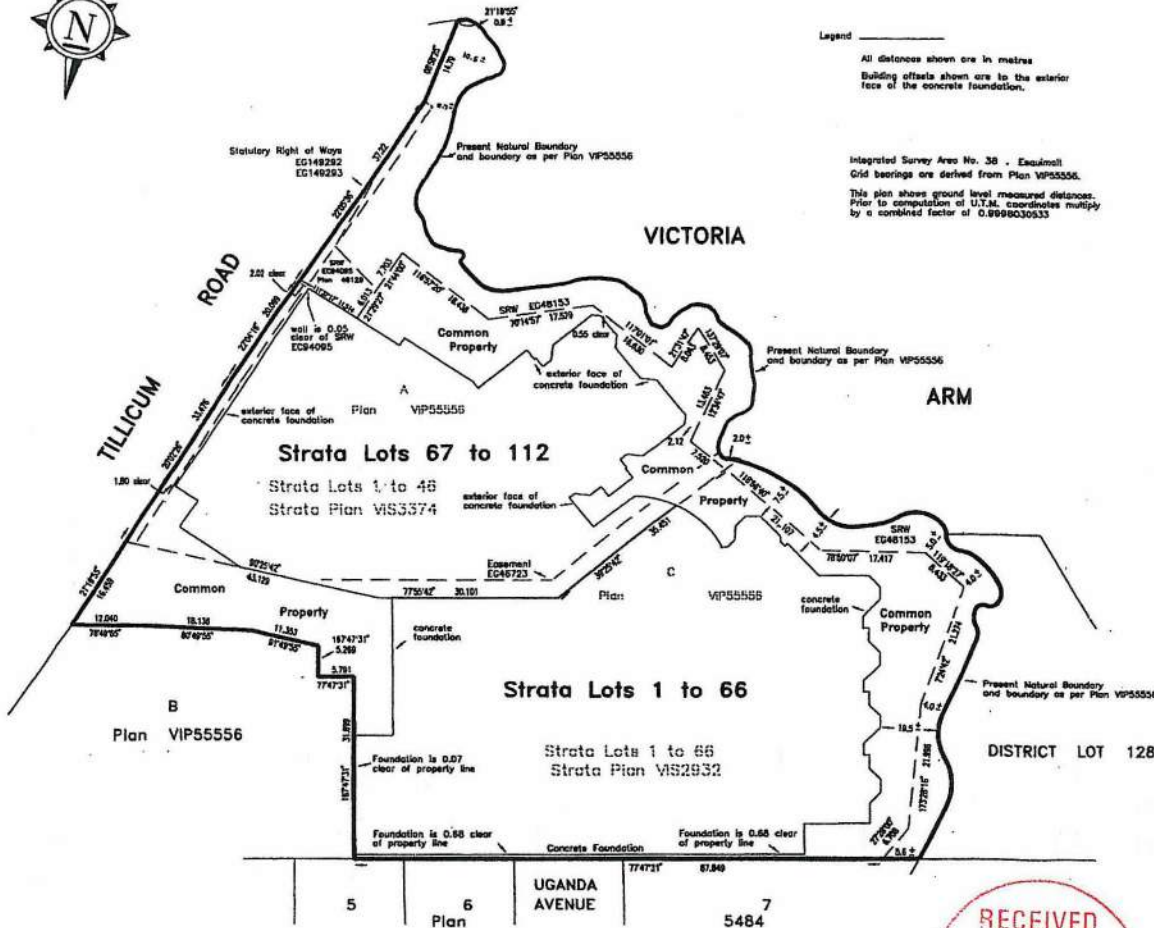
FIRST SHEET
Sheet 1 of 4 Sheets
STRATA PLAN VIS3743

Deposited and registered in the Victoria Land Title Office, this
22 day of JUNE, 1995.

San MacDonell
Deputy Registrar

Legend
All distances shown are in metres
Building setbacks shown are to the exterior
face of the concrete foundation.

Integrated Survey Area No. 38 - Esquimalt
Grid bearings are derived from Plan VP55556.
This plan shows ground level measured distances.
Prior to computation of U.T.M. coordinates multiply
by a combined factor of 0.9998030533



Civic Address :

Strata Lots 67 to 70 are at Units 1 to 4,
Strata Lots 71 to 82 are at Units 101 to 112,
Strata Lots 83 to 94 are at Units 201 to 212,
Strata Lots 95 to 104 are at Units 301 to 310,
Strata Lots 105 to 112 are at Units 401 to 406,
1085 Tillicum Road, Victoria, B.C., V8A 7J7

Civic Address :

Strata Lots 1 to 5 are Units 01 to 05,
Strata Lots 6 to 22 are Units 101 to 117,
Strata Lots 23 to 36 are Units 201 to 216,
Strata Lots 37 to 54 are Units 301 to 316,
Strata Lots 55 to 66 are Units 401 to 412,
1075 Tillicum Road, Victoria, B.C., V8A 2M4

The address for the service of
documents on the Strata Corporation is :
1075 Tillicum Road, Victoria, B.C., V8A 2M4

This plan lies within the Municipality of Esquimalt.



I, Michael S. Hanson, of the City of Victoria,
British Columbia Land Surveyor, hereby certify that
the building erected on the parcel described above is
wholly within the external boundaries of the parcel.

Michael S. Hanson
B.C.L.S.

Dated at Victoria, B.C., this
17th day of May, 1995.

01-R39-307

J.E. ANDERSON & ASSOCIATES
B.C. Land Surveyors - Consulting Engineers
Victoria and Nanaimo, B.C.
File : 19021
XRef 17789,18398

This plan lies within the
Capital Regional District.

331



Tillicum Road

The Gorge

1085

1083

SCHEDULE 'A' OF DEVELOPMENT PERMIT NO. DP000024 CORPORATE OFFICER
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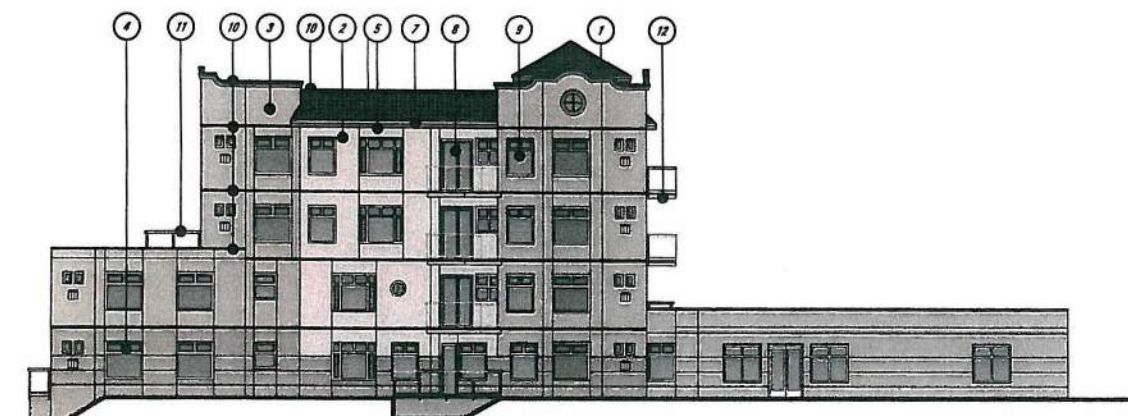
Gorge Pointe Condominiums: Proposed Exterior Colours
1083 & 1085 Tillicum Road, Victoria, BC

May 2014
Elevation Key Plan

Joe Newell
architect inc. JNA
812 Yates Street, Victoria, BC V8W 1K3
P. (250) 382-4240, F. (250) 382-6733
www.joanewellarchitect.com



SCHEDULE 'A' OF
DEVELOPMENT PERMIT
NO. DP00024

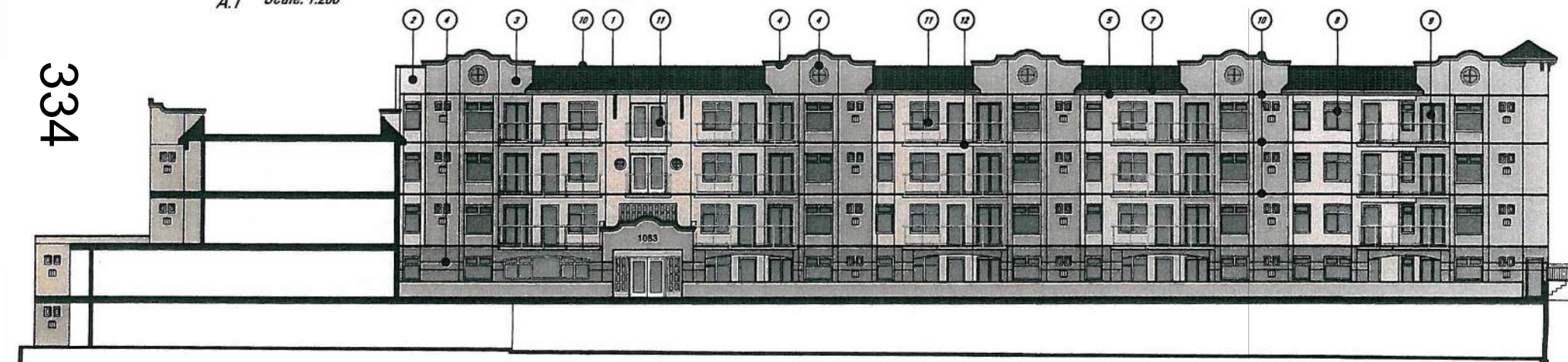


Materials Key 1

1	Sloped Roofing	Existing Concrete Tile Roof	
2	Stucco Cladding	Cementitious Stucco Rainscreen Cladding System	Imasco 266-1P 'Southern Charm'
3	Stucco Cladding	Cementitious Stucco Rainscreen Cladding System	Imasco 139-6P 'Colonial Marble'
4	Stucco Cladding & Feature Bands	Cementitious Stucco Rainscreen Cladding System	Imasco 238A-6A 'Terra Firma'
5	Fascias & Bargeboards	Existing Wood Repainted	Benjamin Moore HC-167 'Amhurst Grey'
6	Vented Soffit	Perforated Aluminum	Gentek 'Cashmere'
7	Gutter and Downspouts	Pre-finished Aluminum	Makin Metals 'Cashmere'
8	Windows	Thermally Broken Vinyl Frame Windows	White
9	Patio Doors	Thermally Broken Vinyl Frame Doors	White
10	Through-Wall & Parapet Flashings	Pre-finished Metal	Makin Metals 'Charcoal Grey'
11	Balcony Railings	Pre-finished Aluminum Post & Rail & Glass / Pickets	RAL colour to match 'Cashmere'
12	Balcony Fascia Flashing	Pre-finished Metal	Makin Metals 'Cashmere'

1 1083 Tillicum Road - Partial North Elevation
A.1 Scale: 1:200

334



2 1083 Tillicum Road - North Courtyard Elevation
A.1 Scale: 1:200



Gorge Pointe Condominiums: Proposed Exterior Colours
1083 & 1085 Tillicum Road, Victoria, BC

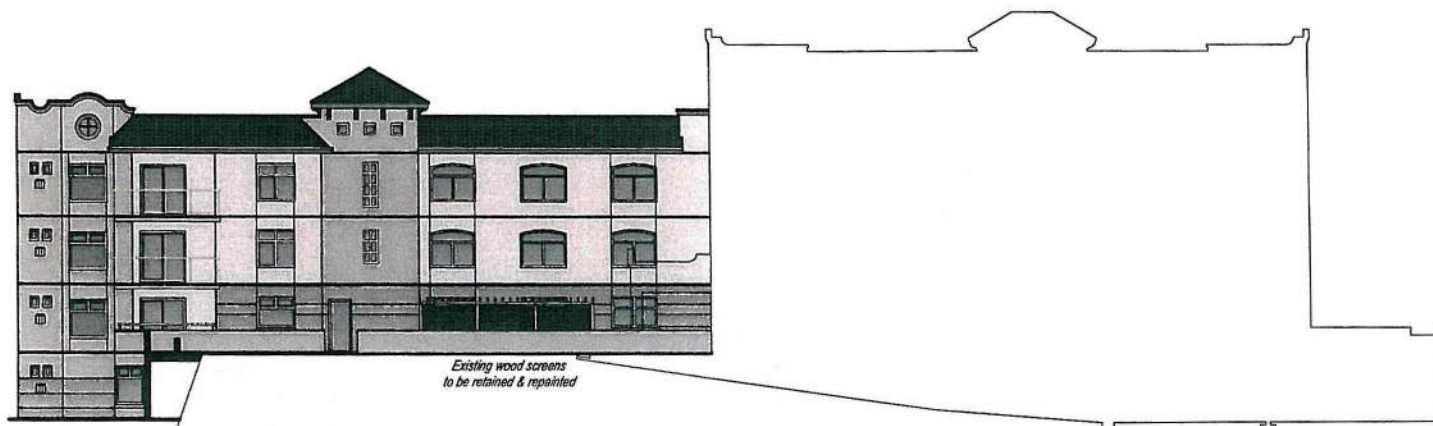
May 2014

Joe Newell
ARCHITECT INC.
812 Yates Street, Victoria, BC V8W 1K3
P: (250) 362-4246 F: (250) 362-4732
www.joewellarchitect.com

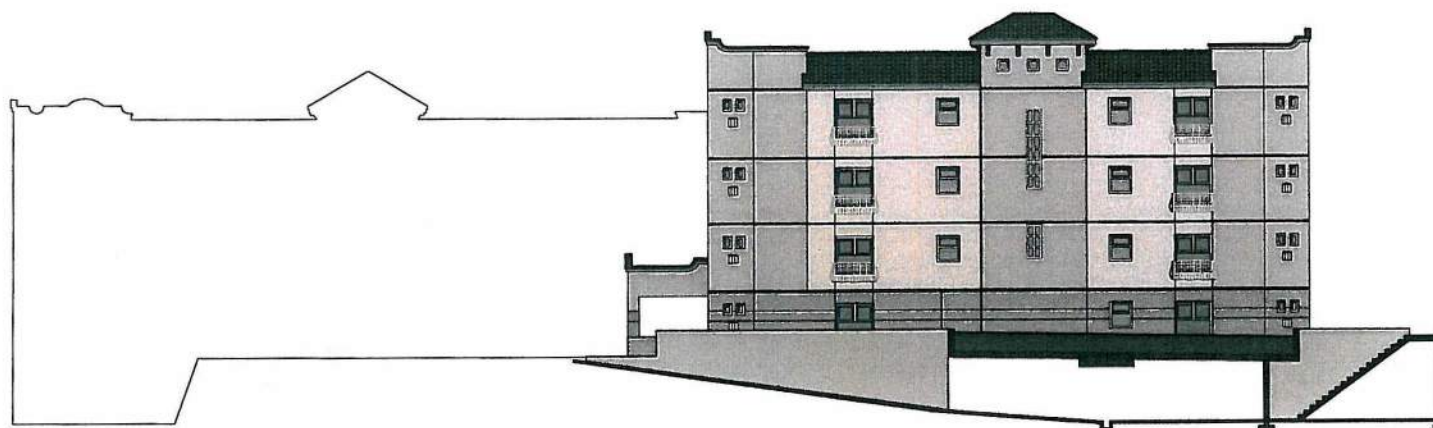
Drawing A-1

SCHEDULE 1A OF
DEVELOPMENT PERMIT
NO. DP000024

CORPORATE OFFICER



1
A-2 1083 Tillicum Road - West Courtyard Elevation
Scale: 1:200



2
A-2 1083 Tillicum Road - West Elevation
Scale: 1:200

Gorge Pointe Condominiums: Proposed Exterior Colours
1083 & 1085 Tillicum Road, Victoria, BC

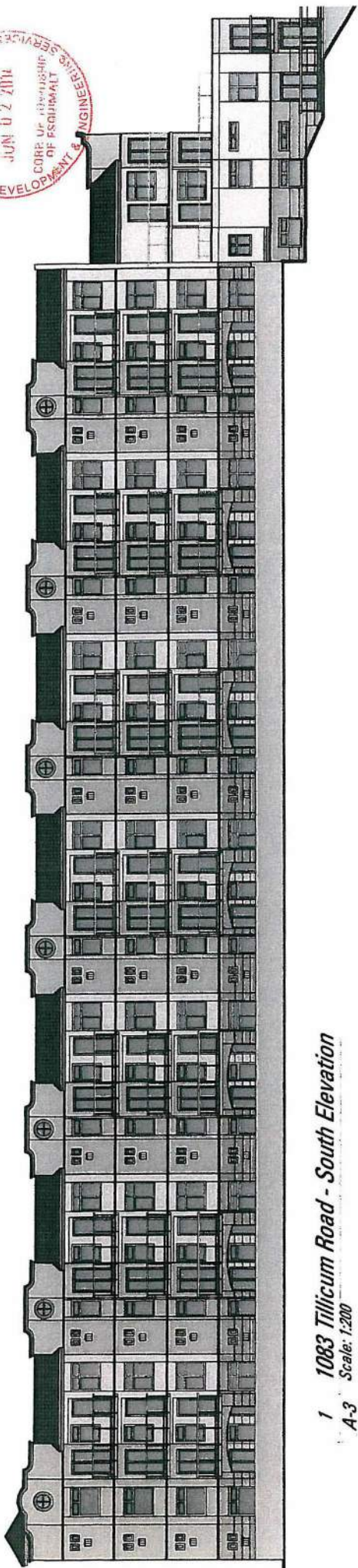


May 2014

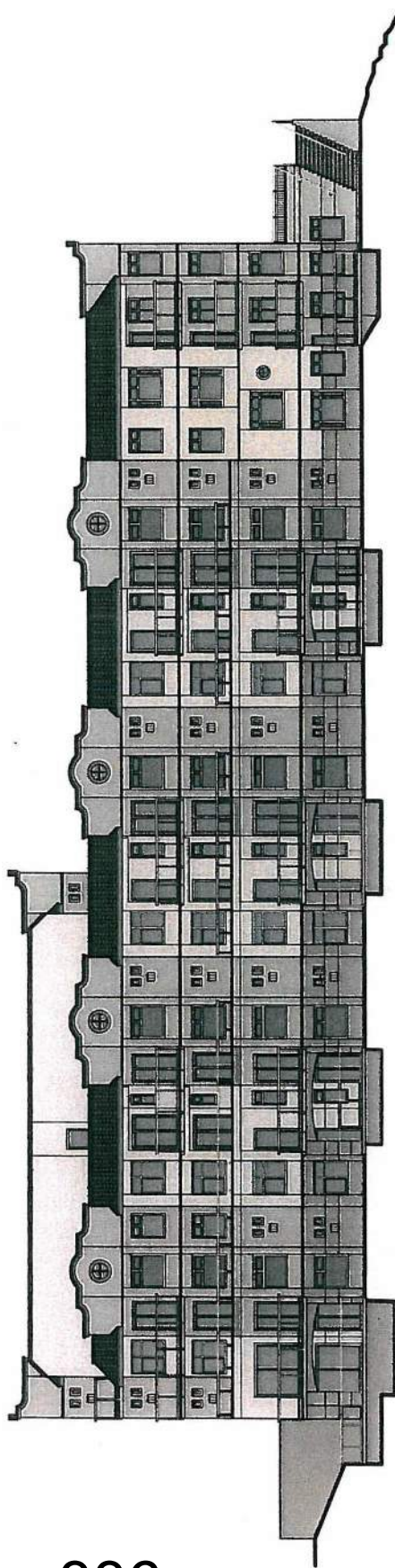
Joe Newell
ARCHITECTURE INC.
811 Yates Street, Victoria, BC V8W 1G8
P: (250) 362-4266, F: (250) 362-6722
www.joewellarchitect.com

Drawing A-2

SCHEDULE <u>A</u> OF DEVELOPMENT PERMIT NO. <u>DP 0000 24</u> CORPORATE OFFICER
--



1 1083 Tillicum Road - South Elevation
A-3 Scale: 1:200



2 1083 Tillicum Road - East Elevation
A-3 Scale: 1:200



Gorge Pointe Condominiums: Proposed Exterior Colours
1083 & 1085 Tillicum Road, Victoria, BC

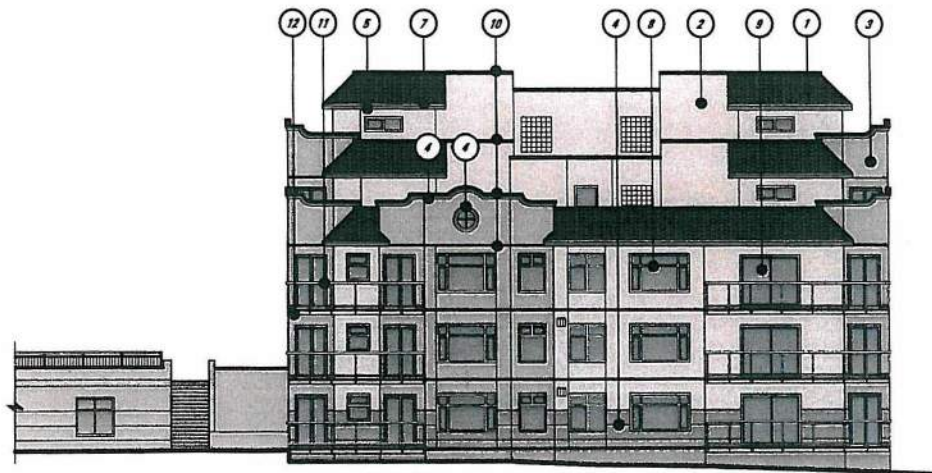
May 2014



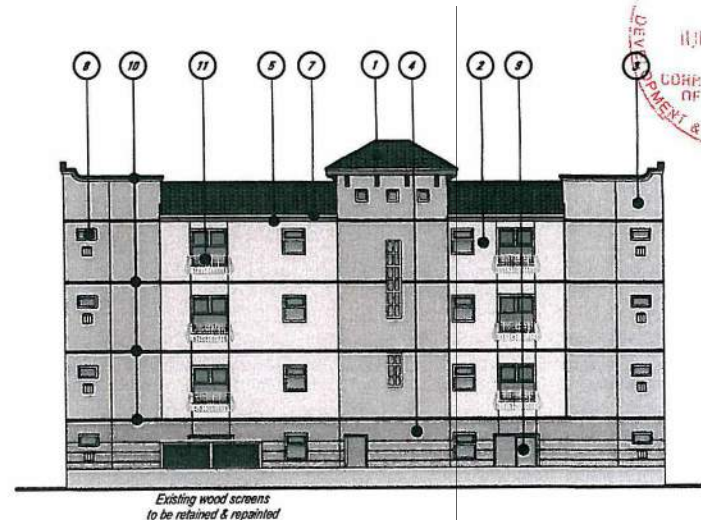
Drawing A-3

SCHEDULE A' OF
DEVELOPMENT PERMIT
NO. D000024

CORPORATE OFFICER



1
A-4
1085 Tillicum Road - East Elevation
Scale: 1:200



2
A-4
1085 Tillicum Road - West Elevation
Scale: 1:200



Materials Key 1

1	Sloped Roofing	Existing Concrete Tile Roof	Imasco 286-1P 'Southern Charm'
2	Stucco Cladding	Cementitious Stucco Rainscreen Cladding System	Imasco 139-6P 'Colonial Marble'
3	Stucco Cladding	Cementitious Stucco Rainscreen Cladding System	Imasco 238A-6A 'Terra Firma'
4	Stucco Cladding & Feature Bands	Cementitious Stucco Rainscreen Cladding System	Benjamin Moore HC-167 'Amhurst Grey'
5	Fascias & Bargeboards	Existing Wood Repainted	Genlek 'Cashmere'
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12	Balcony Fascia Flashing	Pre-finished Metal	Makin Metals 'Cashmere'



Gorge Pointe Condominiums: Proposed Exterior Colours
1083 & 1085 Tillicum Road, Victoria, BC

May 2014

Joe Newell
architect inc.
112 Tilden Street, Victoria, BC V8W 1G3
P: (250) 363-4041, F: (250) 363-6723
www.joewellarchitect.com

Drawing A-4

SCHEDULE 'A' OF
DEVELOPMENT PERMIT
NO. DP000024
CORPORATE OFFICER

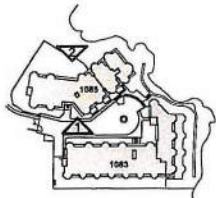


1 1085 Tillicum Road - South Courtyard Elevation
A-5 Scale: 1:200

338



2 1085 Tillicum Road - North Elevation
A-5 Scale: 1:200



Gorge Pointe Condominiums: Proposed Exterior Colours
1083 & 1085 Tillicum Road, Victoria, BC

May 2014

Joe Newell
architect inc. 
812 Yates Street, Victoria, BC V8W 1G3
P. (250) 362-4240, F. (250) 362-5733
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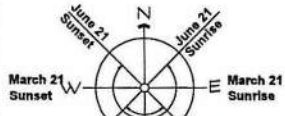
Drawing A-5

SCHEDULE 'A' OF
DEVELOPMENT PERMIT
NO. DP000024

CORPORATE OFFICER

SCHEDULE 1A OF
DEVELOPMENT PERMIT
NO. DP000024

CORPORATE OFFICER

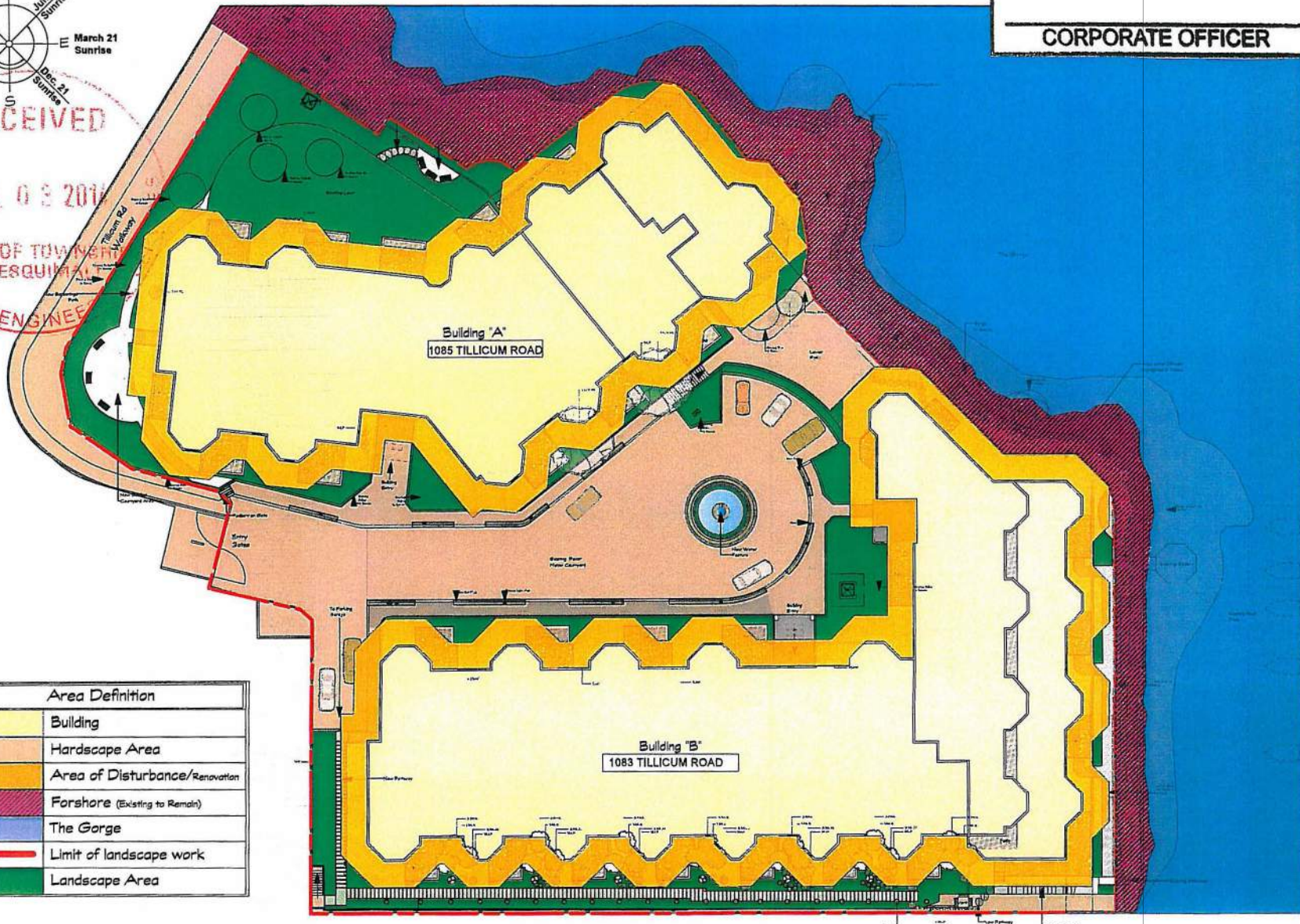


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JUL 03 2014
CORP. OF TOWN OF ESQUIMALT
DEVELOPMENT & ENGINEERING

339

Area Definition	
	Building
	Hardscape Area
	Area of Disturbance/Renovation
	Forshore (Existing to Remain)
	The Gorge
	Limit of landscape work
	Landscape Area

1 Concept Plan
Scale: 1/32" = 1'-0"



Revisions

Gorge Point Condos
1083 Tillicum Rd.
Esquimalt, BC
Concept Plan

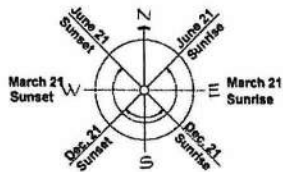


P.O. Box 5299,
1625 Fort Street,
Victoria, B.C.
V8R 1H9
Tel. 250-595-0527
Fax. 250-479-2575

Date:
07/02/2014

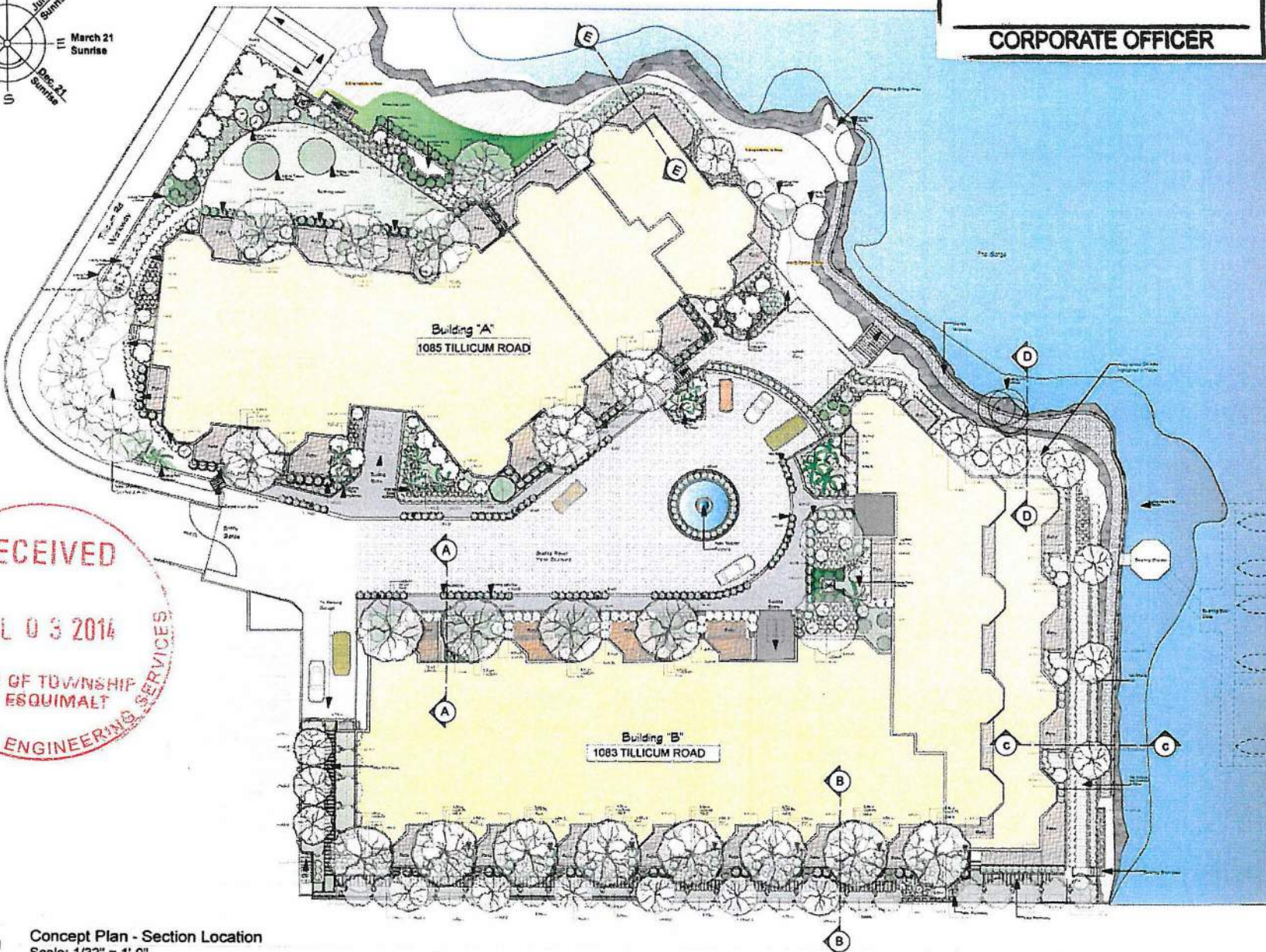
L1

340



SCHEDULE 'A' OF
DEVELOPMENT PERMIT
NO. DP000024

CORPORATE OFFICER



1 Concept Plan - Section Location
Scale: 1/32" = 1'-0"

Revisions

Gorge Point Condos
1083 Tillicum Rd.
Esquimalt, BC
Concept Plan

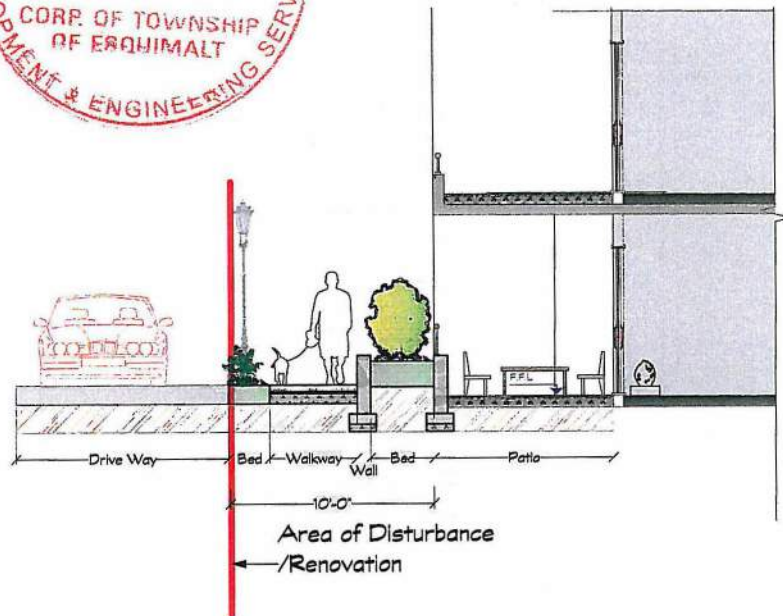


P.O. Box 5299,
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V8R 1H9
Tel. 250-595-0527
Fax. 250-479-2575

Date:
07/02Area
definition/2014

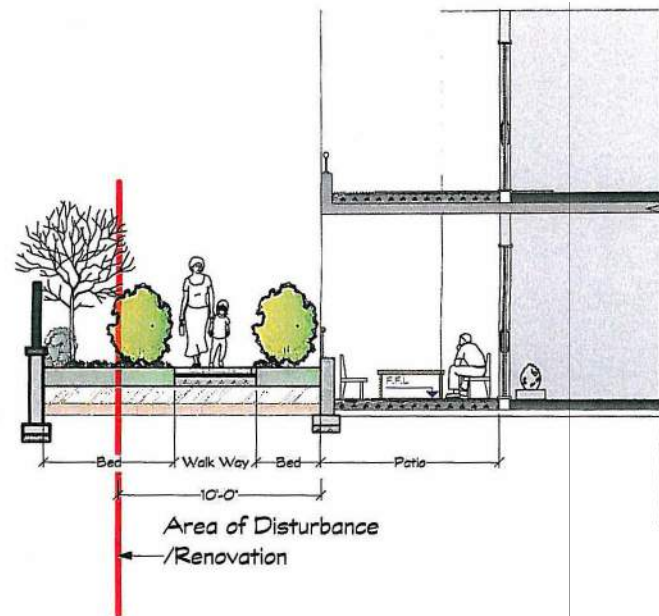
L2

341



1 Concept - Section A
Scale: 3/16" = 1'-0"

SCHEDULE 'A' OF
DEVELOPMENT PERMIT
NO. DP000024
CORPORATE OFFICER



2 Concept- Section B
Scale: 3/16" = 1'-0"

Revisions

Gorge Point Condos
1083 Trillicum Rd.
Esquimalt, BC
Concept - Sections- A&B



P.O. Box 5299,
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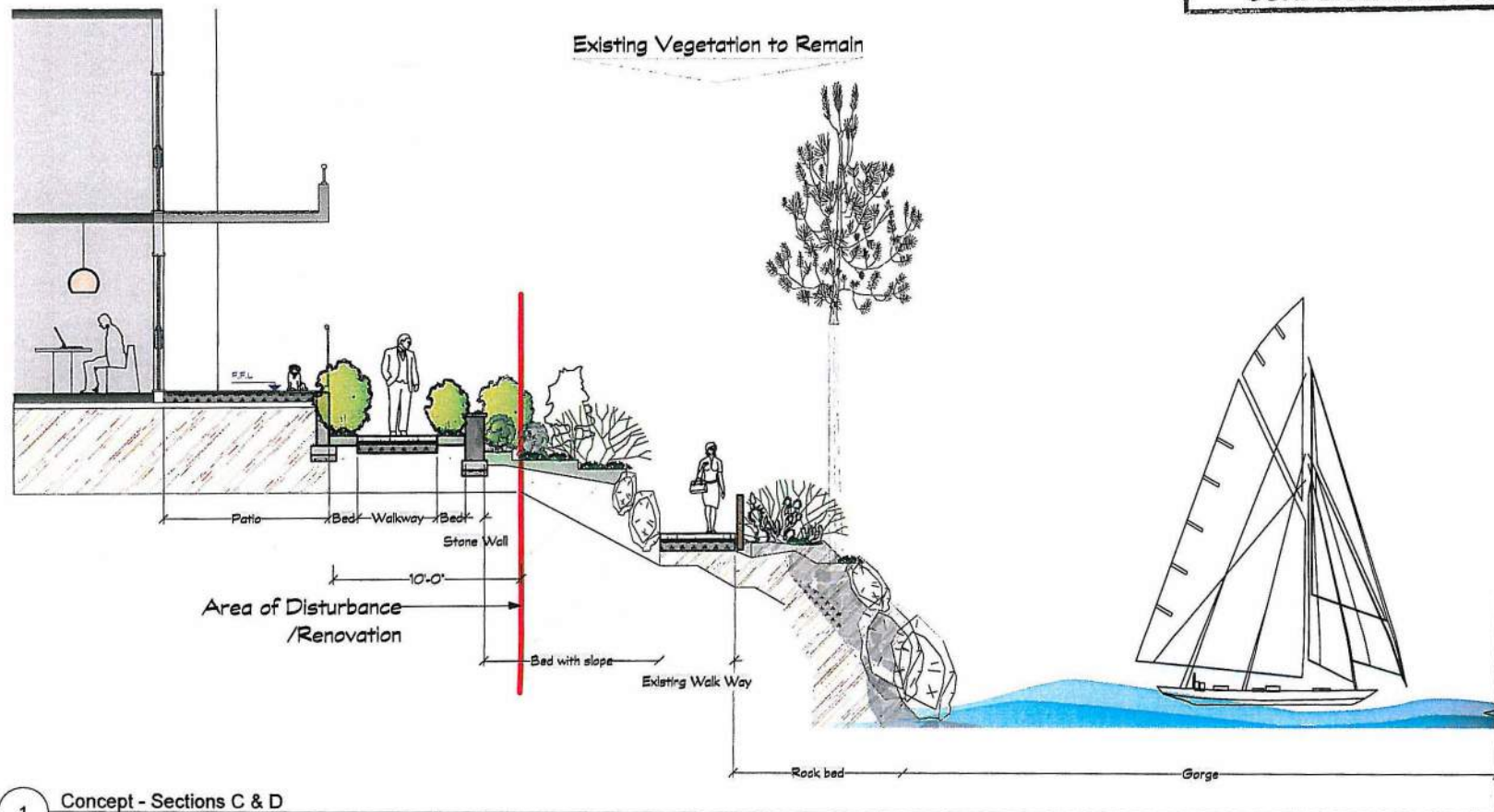
Date:
07/02/2014

W1

342



SCHEDULE 'A' OF
DEVELOPMENT PERMIT
NO. DP 000024
CORPORATE OFFICER



1 Concept - Sections C & D
Scale: 3/16" = 1'-0"

Revisions

Gorge Point Condos
1083 Tillicum Rd.
Esquimalt, BC

Concept - Sections - C&D



P.O. Box 5299,
1625 Fort Street,
Victoria, B.C.
V8R 1H9

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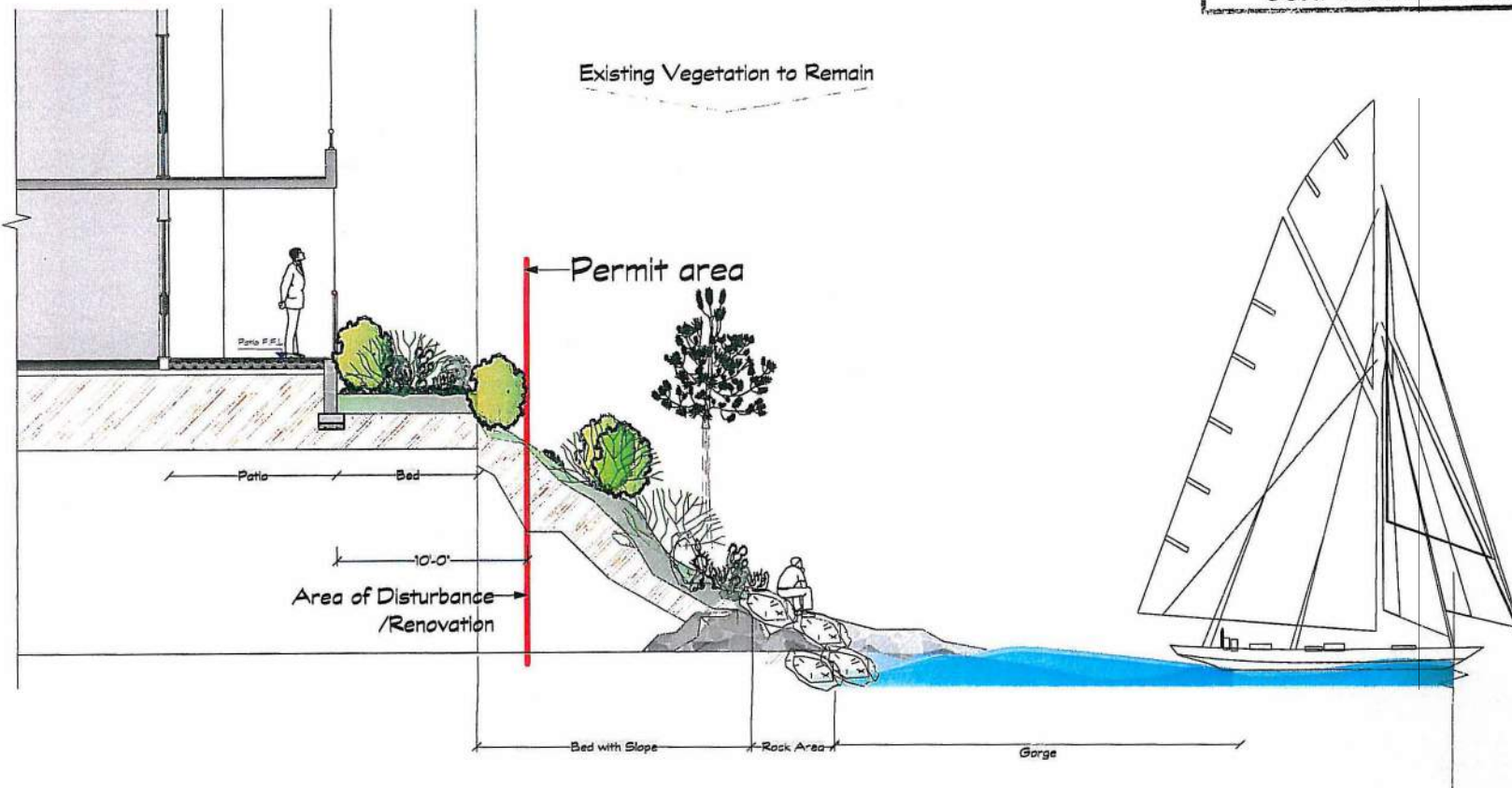
Date:
07/02/2014

W2



SCHEDULE <u>1A</u> OF DEVELOPMENT PERMIT NO. <u>DP000024</u>	
_____ CORPORATE OFFICER	

343



1 Concept - Section E
 Scale: 3/16" = 1'-0"

Revisions

This drawing is not to be used or copied without the written consent of the Landscape Architect. The user of this drawing assumes all liability for any and all consequences arising from its use. The user agrees to indemnify and hold the Landscape Architect harmless from all claims, damages, and expenses, including reasonable attorneys' fees, arising from its use.

Gorge Point Condos
 1083 Tillicum Rd.
 Esquimalt, BC

Concept - Section E



P.O. Box 5299,
 1625 Fort Street,
 Victoria, B.C.
 V8R 1H9
 Tel. 250-595-0527
 Fax. 250-479-2575

Date:
 07/02/2014

W3

SCHEDULE OF CONSTRUCTION

SCHEDULE B OF

DEVELOPMENT PERMIT

NO. DP000024

1. That prior to the commencement of Demolition the following will be provided to the Township of Esquimalt:
 - a) A written estimate of the total costs of landscape work is to be supplied by the landscaping professional identified in Schedule 'A'. This should include materials, soil, fencing, irrigation systems and other appropriate details.
 - b) A landscape security deposit representing 125% of the estimated costs as provided by the landscape professional and accepted by the Director of Development Services.
 - c) Confirmation that a Qualified Environmental Professional [QEP] has been hired to oversee the project and make recommendations for protection of the Gorge Waterway during the demolition and construction process.
 - d) A letter from the engineering firm overseeing the project [Morrison Hershield] that the recommendations made by the QEP will be implement prior to, and during the demolition, construction and landscaping of the project.
2. That prior to the approval of the Construction Phase of the project the following will be provided to the Township of Esquimalt:
 - a) A report from a Qualified Environmental Professional [QEP] outlining a rehabilitation plan for the foreshore area, including all lands within 7.5 meters (25 feet) of the highwater mark of the Gorge Waterway, with native species suitable to the site conditions, which may supersede the Landscape Plan provided in Schedule 'A' where appropriate.
3. The landscape security may be reduced proportionately as the area of the site are completed and accepted by the Director of Development Services.

CORPORATE OFFICER

CORPORATION OF THE TOWNSHIP OF ESQUIMALT

BYLAW NOTICE ENFORCEMENT BYLAW, 2014

BYLAW NO. 2839

JUNE 2014

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CORPORATION OF THE TOWNSHIP OF ESQUIMALT**BYLAW NO. 2839****A Bylaw Respecting the Enforcement of Bylaw Notices**

The Council of the Township of Esquimalt, in open meeting assembled, hereby enacts as follows:

1. Title

This Bylaw may be cited as the "BYLAW NOTICE ENFORCEMENT BYLAW, 2014, No. 2839."

2. Definitions

In this Bylaw:

"Act" means the *Local Government Bylaw Notice Enforcement Act*, SBC 2003, Chap. 60, as amended or replaced from time to time.

"Township" means the Township of Esquimalt.

"Registry" means the Township of Esquimalt Bylaw Notice Adjudication Registry established by this Bylaw.

3. Terms

The terms in this Bylaw have the same meaning as the terms defined in the *Act*.

4. Bylaw Contraventions

The bylaws and bylaw contraventions designated in the Schedules attached hereto and forming part of this Bylaw may be dealt with by Bylaw Notice.

5. Offence and Penalty

The penalty for a contravention referred to in Section 4 shall be as follows:

- (1) Subject to Subsection 5(2) and 5(3), the amount set out in the Penalty column of the Schedules.
- (2) If received by the Township within 14 days of the person receiving or being presumed to have received the Bylaw Notice, the early payment reduced penalty set out in the early payment reduced penalty column of the Schedules.
- (3) If more than 28 days after the person received or being presumed to have received the Bylaw Notice, is subject to a late payment surcharge in addition to the penalty under Subsection 5(1), and is set out in the late payment penalty column of the Schedules.

6. Period for Paying a Disputed Notice

- (1) A person who receives a Bylaw Notice must, within 14 days of the date on which the person received or is presumed to have received the Bylaw Notice:

- (a) pay the penalty, or
- (b) request dispute adjudication,

by filling in the appropriate portion of the Bylaw Notice indicating either a payment or a dispute and delivering it, either in person during regular office hours, by mail, or by email to the Township's Municipal Hall, 1229 Esquimalt Road, Esquimalt, BC V9A 3P1.

- (2) A person may pay the indicated penalty after 14 days of receiving the Bylaw Notice, subject to the applicable surcharge for late payment in accordance with Section 5(3), but no person may dispute the Bylaw Notice after 14 days of receiving the Bylaw Notice.
- (3) Where a person was not served personally with a Bylaw Notice and advises the Township, in accordance with the requirements of Section 25 of the *Act*, that they did not receive a copy of the original Bylaw Notice, the time limits for responding to a Bylaw Notice under Section 5 and Section 7 of this Bylaw do not begin to run until a copy of the Bylaw Notice is delivered to him or her in accordance with the *Act*.

7. Bylaw Notice Dispute Adjudication Registry

- (1) The Registry, located at the Township's Municipal Hall, 1229 Esquimalt Road, Esquimalt, BC V9A 3P1, is hereby established as a Bylaw Notice dispute adjudication system in accordance with the *Act* to resolve disputes in relation to Bylaw Notices.
- (2) Every person who is unsuccessful in a dispute adjudication in relation to a Bylaw Notice under the dispute adjudication system established under this Section must pay the Township an additional fee of \$25 for the purpose of the Township recovering partial costs of administration of the Bylaw Notice dispute adjudication system.

8. Screening Officers

- (1) The position of Screening Officer is hereby established.
- (2) The positions designated as Screening Officers are listed in Schedule "B", attached to and forming part of this Bylaw.

9. Powers, Duties and Functions of Screening Officers

The powers, duties and functions of Screening Officers are set out in the *Act*, and include the following:

- (1) Where requested by the person against whom a contravention is alleged, communicate information respecting the nature of the contravention, the provision of the bylaw contravened, the facts on which the contravention allegation is based, the penalty for a contravention, the opportunity to enter into a Compliance Agreement, the opportunity to proceed to the Bylaw Notice dispute adjudication system, and the fee or fees payable in relation to the Bylaw Notice dispute adjudication system;
- (2) To communicate with any or all of the following for the purposes of performing their functions under this Bylaw or the Act:
 - (a) the person against whom a contravention is alleged or his or her representative;
 - (b) the officer issuing the Bylaw Notice;
 - (c) the complainant or his or her representative;
 - (d) the Township's staff, including a review of the Township's records, regarding the disputant's history of bylaw compliance.
- (3) To negotiate and enter into a Compliance Agreement substantially in the format as set out in Schedule "A: attached to and forming part of this Bylaw.
- (4) To cancel Bylaw Notices in accordance with the Act or Township policies and guidelines.

10. Bylaw Compliance Officers

Persons acting as any of the following are hereby designated as Bylaw Compliance Officers for the purposes of this Bylaw and the Act:

- (1) Special constables, officers, members or constables of:
 - (a) The provincial police force as defined in Section 1 of the Police Act, or
 - (b) A municipal police force;
- (2) Members of the Royal Canadian Mounted Police; and
- (3) Bylaw enforcement officers, building inspectors, animal control officers or other persons acting in another capacity on behalf of the Township for the purpose of enforcement of one or more of its bylaws.

11. Form of Bylaw Notice

The Township may from time to time provide for the form or forms of the Bylaw Notice, provided the notice complies with Section 4 of the Act.

12. Severability

If any portion of this Bylaw is held to be invalid by a Court of competent jurisdiction, then the invalid portion must be severed and the remainder of this Bylaw is deemed to have been adopted with the severed section, subsection, paragraph, subparagraph, clause or phrase, and such invalidity shall not affect the validity of the remaining portions of this Bylaw.

READ a first time this 23rd day of June , 2014.

READ a second time this 23rd day of June , 2014.

READ a third time this 23rd day of June , 2014.

ADOPTED this day of , 2014.

BARBARA DESJARDINS, MAYOR

ANJA NURVO, CORPORATE OFFICER

Schedule "A"

COMPLIANCE AGREEMENT PURSUANT TO THE TOWNSHIP OF ESQUIMALT
BYLAW OFFENCE NOTICE ENFORCEMENT BYLAW, 2014, NO. 2839

I, _____ of _____,
(NAME) (ADDRESS)
acknowledge receipt of Bylaw Offence Notice(s) # _____ (the "Bylaw Notice"),
and wish to enter into this Compliance Agreement whereby I agree to fulfil the conditions below,
in exchange for a reduced penalty which shall be one half of the penalty identified on the face of
the Bylaw Offence Notice.

Specifically, I agree to pay the reduced penalty of \$ _____ on or before _____.
I further agree to comply with the following terms and conditions of this Agreement:

1. On or before _____ I will; _____

_____;

and

2. On or before _____ I will; _____

_____.

I understand that this Agreement is binding upon me for one year from the date of this Agreement.

I also understand that if I breach a term of this Agreement, or fail to observe or perform the above terms and conditions, the Township of Esquimalt's Screening Officer may rescind this Agreement.

I understand that if this Agreement is rescinded, I will have 14 days to dispute the Screening Officer's decision to rescind the Agreement and that, if I do not dispute this decision in that time, the full penalty stated in the Bylaw Notice(s) of \$ _____ will be immediately due and payable and subject to all fees and penalties as if the Bylaw Notice was not disputed.

Signature of Bylaw Notice Recipient

Signature of Screening Officer

Date

Date

Schedule "B"

Screening Officers

The following positions are designated classes of persons that are appointed as Screening Officers in accordance with Section 8 of this Bylaw:

1. Chief Administrative Officer
2. Director of Community Safety Services
3. Emergency Program Manager
4. Director of Corporate Services
5. Director of Engineering and Public Works
6. Engineering Manager
7. Director Parks and Recreation Services
8. Manager of Parks and Facilities
9. Director of Development Services
10. Senior Planner
11. Fire Chief

DESIGNATED BYLAW CONTRAVENTIONS AND PENALTIES**SCHEDULE "C"****Building Code Bylaw, 2002, No. 2538**

Section	Description	Penalty	Early Payment Reduced Penalty	Late Payment Penalty
6.1	Failure to obtain building permit	100.00	75.00	125.00
8.5	Failure to renew registration of Secondary Suite Permit by April 1 st ; additional fine would be issued on the first day of each month until the registration fee and accumulated fines are paid	50.00	37.50	62.50
8.5	Failure to register Secondary Suite	125.00	93.75	156.25
6.1	Demolition without Permit	100.00	75.00	125.00
6.2	Occupancy without Permit	100.00	75.00	125.00
6.4	Alter Notice/Certificate	100.00	75.00	125.00
6.5	Work at Variance with Permit	100.00	75.00	125.00
6.6	Obstruct Entry of Building Inspector	200.00	150.00	250.00
25.4	Failure to obey Stop Work Order	150.00	112.50	187.50
14.1.1	Move building without Inspection	100.00	75.00	125.00

"Schedule D"

Zoning Bylaw, 1992, No. 2050

Section	Description	Penalty	Early Payment Reduced Penalty	Late Payment Penalty
13(9), 13(11)	Prohibited Home Occupation	300.00	225.00	375.00
24(1)	Vegetation Obstructing Line of Vision	100.00	75.00	125.00
25(1)	Wrecked Vehicles on Parcel	200.00	150.00	250.00
25(2)	More than one unlicensed vehicle on parcel of land	200.00	150.00	250.00
25(2)	Unlicensed Vehicle parked in front yard	100.00	75.00	125.00
34(1)	Unlawful land use in RS-1 zone	300.00	225.00	375.00
35(1)	Unlawful land use in RS-2 zone	300.00	225.00	375.00
36(1)	Unlawful land use in RS-3 zone	300.00	225.00	375.00
37(1)	Unlawful land use in RS-4 zone	300.00	225.00	375.00
37.1(1)	Unlawful land use in RS-5 zone	300.00	225.00	375.00
37(2)	More than 6 transient guests	200.00	150.00	250.00
38(1)	Unlawful land use RD-1 zone	300.00	225.00	375.00
39(1)	Unlawful land use RD-2 zone	300.00	225.00	375.00
40(1)	Unlawful land use RD-3 zone	300.00	225.00	375.00
63(2)(a)	Prohibited boat moorage	200.00	150.00	250.00
63(2)(c)	Prohibited permanent boat anchorage	200.00	150.00	250.00

Schedule "E"

Fire Protection and Control Bylaw, 2011, No. 2783

Section	Description	Penalty	Early Payment Reduced Penalty	Late Payment Penalty
22	Obstruct firefighter at incident	400.00	300.00	500.00
23	Refuse to permit inspection	300.00	225.00	375.00
26(3)	Enter/re-enter building after evacuation without authorization	200.00	150.00	250.00
29	Interfere with roads/streets/fire hydrant/cistern/body of water	400.00	300.00	500.00
31	Interfere with apparatus at incident	400.00	300.00	500.00
32	Interfere with ingress/egress	400.00	300.00	500.00
33	Fail to remove fire hazard	200.00	150.00	250.00
34	Fail to keep vacant building free from debris/properly secured	200.00	150.00	250.00
35	Improper container for combustible refuse	100.00	75.00	125.00
36	Fail to prepare/maintain fire safety plan when required	200.00	150.00	250.00
37	Make false fire alarm	300.00	225.00	375.00
38(1)	Have open air fire without permit	100.00	75.00	125.00
38(2)	Burn prohibited material	100.00	75.00	125.00
39	Fail to ensure competent person/necessary equipment at fire	100.00	75.00	125.00
40	Have fire too close to building/combustible material	200.00	150.00	250.00
41	Nuisance fire	100.00	75.00	125.00
42	Foreshore fire w/o permit/contrary to conditions of permit	200.00	150.00	250.00
44	Fail to report dangerous conditions to Fire Chief	200.00	150.00	250.00
46	Install/remove/alter oil burner/tank without permit	200.00	150.00	250.00
51	Remove/deface/destroy posted order	150.00	112.50	187.50
52	Falsely represent self as member of Fire Department	200.00	150.00	250.00

Schedule "F"

Business Licence and Regulation Bylaw, 2013, No. 2810

Section	Description	Penalty	Early Payment Reduced Penalty	Late Payment Penalty
12(1)	Conduct business without a licence	200.00	150.00	250.00
12(4)	Conduct more than one business on a single licence	200.00	150.00	250.00
12(5)	Change nature of business after licence issued without notification	200.00	150.00	250.00
12(6)	Transfer business licence to another person	200.00	150.00	250.00
12(7)	Conduct business not described on licence without notification	200.00	150.00	250.00
12(8)	Fail to notify of any change in business	100.00	75.00	125.00
12(9)	Fail to notify and surrender licence on cessation of business	100.00	75.00	125.00
12(10)	Fail to submit revised incorporation documents	100.00	75.00	125.00
12(11)	Operate business after licence suspended or cancelled	200.00	150.00	250.00
15(1)	Fail to pay applicable fee	100.00	75.00	125.00
15(5)	Increase units w/o notification	100.00	75.00	125.00
17(1)	Fail to renew licence	100.00	75.00	125.00
20	Fail to display licence	100.00	75.00	125.00
21	Advertise business not licenced	100.00	75.00	125.00
22(2)	Fail to display inspection plate on ride	100.00	75.00	125.00
23(1)	Operate show outside of prescribed hours	200.00	150.00	250.00
23(2)	Fail to provide required security	200.00	150.00	250.00
23(3)	Fail to ensure premises/grounds properly controlled	200.00	150.00	250.00
24(1)	Sell drug paraphernalia within 0.5 km of a school	300.00	225.00	375.00
24(2)	Display drug paraphernalia	200.00	150.00	250.00
24(3)	Sell paraphernalia to person under 19	200.00	150.00	250.00
24(4)	Operate outside of prescribed hours	200.00	150.00	250.00
25	Operate business from secondary suite	100.00	75.00	125.00
26	Operate home operation contrary to zoning bylaw	200.00	150.00	250.00
27	Improper operation of a recycling depot	200.00	150.00	250.00
28(1)	Peddle without identifying business or organization	100.00	75.00	125.00
28(2)	Peddle without identifying self	100.00	75.00	125.00
28(3)	Peddle without suitable identification	100.00	75.00	125.00
28(4)	Peddle without business licence	200.00	150.00	250.00

Section	Description	Penalty	Early Payment Reduced Penalty	Late Payment Penalty
28(5)	Peddle on private property without permission	100.00	75.00	125.00
29	Operate pawnbroker contrary to regulation	200.00	150.00	250.00
30	Sell on municipal lands without permission	100.00	75.00	125.00
31	Permit business without occupancy permit	200.00	150.00	250.00
33	Conduct more than three garage sales/year without permit	100.00	75.00	125.00
34	Allow waste to accumulate	300.00	225.00	375.00
36(3)	Operate Mobile Food Vehicle in area not zoned for restaurant	100.00	75.00	125.00
36(4)	Operate Mobile Food Vehicle outside of allowable hours	200.00	150.00	250.00
36(5)	Operate Mobile Food Vehicle contrary to restrictions	150.00	112.50	187.50
38	Operate Money Lender outside of allowable hours	200.00	150.00	250.00
39	Operate business contrary to conditions of licence	100.00	75.00	125.00

Schedule "G"

Solid Waste Collection and Disposal Bylaw, 2014, No. 2815

Section	Description	Penalty	Early Payment Reduced Penalty	Late Payment Penalty
3.8	Place own garbage in Municipal vehicle without authorization	100.00	75.00	125.00
3.9(b)	Place containers to interfere with traffic	100.00	75.00	125.00
3.9(e)	Fail to remove containers from curb side	100.00	75.00	125.00
5.2	Remove containers when vacating residence	200.00	150.00	250.00
5.3	Fill container such that lid cannot be closed	100.00	75.00	125.00
5.4	Place/allow water to accumulate in containers	100.00	75.00	125.00
5.5	Place improper waste in containers	100.00	75.00	125.00
6.1	Fail to maintain/clean containers	100.00	75.00	125.00
9.1	Place recyclable material in garbage	100.00	75.00	125.00
10.1	Misuse Blue Box/Bag	100.00	75.00	125.00
13.1	Place other than garbage in container	100.00	75.00	125.00
14.1	Place other than kitchen scraps in kitchen scraps container	100.00	75.00	125.00
15.4	Deposit yard waste in garbage or kitchen scraps container	100.00	75.00	125.00
17.1	Place waste/litter on municipal property	200.00	150.00	250.00

Schedule "H"

Smoke Alarm Bylaw, 2013, No. 2800

Section	Description	Penalty	Early Payment Reduced Penalty	Late Payment Penalty
6	Fail to install smoke alarm/install contrary to conditions	300.00	225.00	375.00
7(a)	Fail to connect smoke alarm to electrical circuit	300.00	225.00	375.00
7(b)	Install only battery powered smoke alarm in dwelling	300.00	225.00	375.00
7(d)	Battery powered smoke alarm without alarm pause button	300.00	225.00	375.00
7 (e)	Improper electrical circuit smoke alarm	300.00	225.00	375.00
8(a)	Fail to test smoke alarm in dwelling at least once annually	300.00	225.00	375.00
8(b)	Fail to install new batteries at least once every 12 months	300.00	225.00	375.00
8(c)	Fail to repair/replace malfunctioning smoke alarm	300.00	225.00	375.00
9	Obstruct inspector	400.00	300.00	500.00

Schedule "I"

Streets and Traffic Regulation Bylaw, 2005, No. 2607

Section	Description	Penalty	Early Payment Reduced Penalty	Late Payment Penalty
11	Fail to enter traffic in safety	100.00	75.00	125.00
15	No stopping zone	40.00	30.00	50.00
16	Drive truck with GVW over 10000 kg where prohibited	200.00	150.00	250.00
17	No parking zone	40.00	30.00	50.00
18	Limited time parking zone	40.00	30.00	50.00
19	Loading zone	40.00	30.00	50.00
20	Taxi zone	40.00	30.00	50.00
21	Taxi parked/stopped in other than taxi zone	40.00	30.00	50.00
22	Bus zone	40.00	30.00	50.00
23	Safety zone	40.00	30.00	50.00
24	Angle parking	40.00	30.00	50.00
25	Reserved parking areas	40.00	30.00	50.00
26	Special parking	40.00	30.00	50.00
27	Standing while loading/unloading	40.00	30.00	50.00
28	Passenger zones	40.00	30.00	50.00
29	Residential parking only zone	40.00	30.00	50.00
30	Residential parking permit zone	40.00	30.00	50.00
31	Handicap parking	60.00	45.00	75.00
32	Abandoned vehicle	40.00	30.00	50.00
34	Restricted parking of commercial vehicles	40.00	30.00	50.00
35	Restricted parking of construction equipment	40.00	30.00	50.00
36	Park closer than 1 metre to another parked vehicle	40.00	30.00	50.00
37	Trailer parking	40.00	30.00	50.00
38	Miscellaneous stopping, standing, & parking prohibitions	40.00	30.00	50.00
39	Curb parking	40.00	30.00	50.00
40	Yellow curb	40.00	30.00	50.00
41	Recreational vehicles	40.00	30.00	50.00
42	Bus parking	40.00	30.00	50.00
43	Interrupt funeral procession	75.00	56.25	93.75
44	Sound horn improperly	60.00	45.00	75.00
45	Take part in a procession without permit	60.00	45.00	75.00

Section	Description	Penalty	Early Payment Reduced Penalty	Late Payment Penalty
46	Obstruct sidewalk with goods, wares, merchandise or other articles of trade	60.00	45.00	75.00
47	Erect unauthorized structure	60.00	45.00	75.00
48	Chattels on street	60.00	45.00	75.00
49(1)	Cause any street to be fouled, encumbered, obstructed or damaged	100.00	75.00	125.00
49(2)	Deposit any rubbish or litter on any street or public place	200.00	150.00	250.00
50	Street squatting	100.00	75.00	125.00
51	Sleeping in vehicle	60.00	45.00	75.00
52	Permit water on street	60.00	45.00	75.00
53	Fail to remove snow, ice, dirt, litter or rubbish	60.00	45.00	75.00
54	Obstruct street with wood	60.00	45.00	75.00
55	Paint, draw upon or disfigure property	60.00	45.00	75.00
56	Unauthorized street excavation	300.00	225.00	375.00
58	Drive in park	150.00	112.50	187.50
59	Cause damage to any growing thing on any boulevard	100.00	75.00	125.00
60(1)	Tree, shrub, bush or hedge too close to street line	60.00	45.00	75.00
60(2)	Failure to trim threes, shrubs	60.00	45.00	75.00
61(1)	Fail to mark private lane	50.00	37.50	62.50
61(2)	Fail to maintain private lane	50.00	37.50	62.50
62	Discharge weapon	100.00	75.00	125.00
63	Display false sign	100.00	75.00	125.00
64	Fail to obey traffic control device	75.00	56.25	93.75
65	Fail to obey direction of police officer	100.00	75.00	125.00
66	Engage in any sport, amusement, exercise, game or occupation on a street	50.00	37.50	62.50
67	Ride coasting device on a street	60.00	45.00	75.00
68(2)	Soliciting in a manner which causes an obstruction	100.00	75.00	125.00
69	Fighting in a street or public place	200.00	150.00	250.00
70	Tamper with traffic control device	150.00	112.50	187.50
106	Fail to obey police traffic direction	100.00	75.00	125.00
107	Disobey traffic control device	75.00	56.25	93.75
108(a)(b)(c)	Disobey stop sign	100.00	75.00	125.00
109(1)(a)(ii)	Fail to yield to pedestrian – green light	100.00	75.00	125.00
109(1)(a)(iii)	Fail to yield to vehicle – green light	100.00	75.00	125.00
110(1)(a)	Fail to stop for yellow light at intersection	100.00	75.00	125.00
110(1)(b)/ 110(2)(b)	Pedestrian enter road – yellow light	60.00	45.00	75.00

Section	Description	Penalty	Early Payment Reduced Penalty	Late Payment Penalty
110(1)(c)	Pedestrian failing to proceed to sidewalk	60.00	45.00	75.00
110(2)	Fail to stop for yellow light – no intersection	60.00	45.00	75.00
111(1)	Fail to stop for red light at intersection	100.00	75.00	125.00
111(3)	Fail to yield – right turn – red light	100.00	75.00	125.00
111(4)(a)	Pedestrian entering road – red light	100.00	75.00	125.00
111(4)(b)	Fail to yield – left turn – red light	100.00	75.00	125.00
111(4)(c)	Pedestrian failing to proceed to sidewalk	60.00	45.00	75.00
111(5)(a)	Fail to stop for red light – no intersection	100.00	75.00	125.00
112(1)(a)	Fail to yield on green arrow	100.00	75.00	125.00
112(1)(b)	Pedestrian enter road without permission – green arrow	60.00	45.00	75.00
112(2)(a)(i)	Fail to stop – yellow arrow – marked crosswalk	100.00	75.00	125.00
112(2)(a)(ii)	Fail to stop – yellow arrow – intersection	100.00	75.00	125.00
112(2)(b)	Fail to yield – yellow arrow – pedestrian	100.00	75.00	125.00
112(2)(c)	Pedestrian enter roadway – yellow arrow	60.00	45.00	75.00
112(2)(d)	Pedestrian failing to proceed to sidewalk	60.00	45.00	75.00
113(1)(a)	Fail to stop for red flashing light at intersection	100.00	75.00	125.00
113(2)(a)	Fail to stop for red flashing light – no intersection	100.00	75.00	125.00
113(3)(a)	Fail to yield to pedestrian – yellow flashing light at intersection	100.00	75.00	125.00
113(4)(a)	Fail to yield to pedestrian – yellow flashing light – no intersection	100.00	75.00	125.00
113(5)(a)	Fail to yield to pedestrian at green flashing light	100.00	75.00	125.00
114	Stunting	100.00	75.00	125.00
115(a)	Unsafe lane change	60.00	45.00	75.00
115(b)	Lane change – solid line	60.00	45.00	75.00
115(c)	Change lanes without signal	60.00	45.00	75.00
115(d)	Left turn from wrong lane	60.00	45.00	75.00
115(e)	Right turn from wrong lane	60.00	45.00	75.00
115(f)	Illegal pass on laned roadway	60.00	45.00	75.00
116(1)(a)	Cross solid double line	60.00	45.00	75.00
116(1)(b)(i)	Fail to keep right of double broken/solid line	60.00	45.00	75.00

Section	Description	Penalty	Early Payment Reduced Penalty	Late Payment Penalty
116(1)(b)(ii)	Failing to keep right of double solid/broken line	60.00	45.00	75.00
116(1)(c)	Fail to keep right of single broken/solid line	60.00	45.00	75.00
118	Drive over newly painted lines	60.00	45.00	75.00
119(1)(a)	Fail to pass at safe distance	60.00	45.00	75.00
119(1)(b)	Fail to complete pass safely	60.00	45.00	75.00
119(2)(a)	Fail to yield to passing vehicle	60.00	45.00	75.00
119(2)(b)	Increase speed while being passed	100.00	75.00	125.00
120(1)	Pass on right	60.00	45.00	75.00
120(2)(a)	Unsafe pass on right	100.00	75.00	125.00
120(2)(b)	Pass on right off roadway	60.00	45.00	75.00
121	Unsafe pass on left	100.00	75.00	125.00
122	Pass without clear view	60.00	45.00	75.00
123(a)	Drive over highway divider	60.00	45.00	75.00
123(b)	Fail to keep right on divided highway	60.00	45.00	75.00
124(a)	Unsafe U turn	100.00	75.00	125.00
124(b)(i)	U turn on curve	60.00	45.00	75.00
124(b)(ii)	U turn on crest of grade	60.00	45.00	75.00
124(b)(iii)	Prohibited U turn	100.00	75.00	125.00
124(b)(iv)	U turn – intersection	100.00	75.00	125.00
125(1)	No signal on U turn	60.00	45.00	75.00
125(2)	Inadequate signal on turn	60.00	45.00	75.00
125(3)	Fail to signal stop or decrease in speed	60.00	45.00	75.00
126(1)	Fail to give proper signal	60.00	45.00	75.00
126(2)	Drive vehicle without signal device	60.00	45.00	75.00
127(1)	Fail to give proper signal	60.00	45.00	75.00
127(2)	No proper signalling equipment (right hand drive)	60.00	45.00	75.00
128	Drive over fire hose	100.00	75.00	125.00
129	Drive on sidewalk	100.00	75.00	125.00
130(2)(a)	Ride cycle on crosswalk	60.00	45.00	75.00
130(2)(b)	Fail to ride cycle on right	60.00	45.00	75.00
130(2)(c)	Ride cycle abreast of another cycle	60.00	45.00	75.00
130(2)(d)	Ride cycle – no hands on handle bars	60.00	45.00	75.00
130(2)(e)	Ride cycle off regular seat	60.00	45.00	75.00
130(2)(f)	Ride cycle with more persons than cycle equipped/designed for	60.00	45.00	75.00
130(2)(g)	Ride cycle where prohibited	60.00	45.00	75.00
130(4)	Illegal left turn – cycle	60.00	45.00	75.00
130(5)	Ride cycle/conveyance while holding onto vehicle by hand	60.00	45.00	75.00
130(6)(a)&(b)	Careless cycling	60.00	45.00	75.00
130(6)(a)&(b)	Cycling without reasonable consideration	60.00	45.00	75.00
131(1)	Operate motorcycle not on seat	60.00	45.00	75.00

Section	Description	Penalty	Early Payment Reduced Penalty	Late Payment Penalty
131(2)(a)	Passenger unlawfully on motorcycle	60.00	45.00	75.00
131(2)(b)	Motorcycle passenger not lawfully seated	60.00	45.00	75.00
131(3)	Permit unlawfully seated motorcycle passenger	60.00	45.00	75.00
131(4)	Operate motorcycle over two abreast	60.00	45.00	75.00
132(1)	Ride skateboard on sidewalk	40.00	30.00	50.00
132(2)	Ride skateboard where prohibited	40.00	30.00	50.00
133(2)(a)	Ride bicycle on a sidewalk	40.00	30.00	50.00
133(2)(b)	Ride bicycle where prohibited	40.00	30.00	50.00
133(4)	Fail to wear bicycle helmet	50.00	37.50	62.50
133(5)	Parent permit child under 16 to ride a bicycle without a helmet	50.00	37.50	62.50
134(2)	Obstruct street/sidewalk without permit	100.00	75.00	125.00

Schedule "J"

Commercial Vehicle Licencing Bylaw, 2002, No. 2494

Section	Description	Penalty	Early Payment Penalty	Late Payment Penalty
17(1)	Failure to obtain licence	60.00	45.00	75.00
17(2)	Display licence on unauthorized vehicle	100.00	75.00	125.00

Schedule "K"

Fireworks Bylaw, 2007, No. 2663

Section	Description	Penalty	Early Payment Penalty	Late Payment Penalty
4.3(a)	Possess/fire/discharge fireworks not specified in Permit	200.00	150.00	250.00
4.3(b)	Possess/fire/discharge fireworks contrary to Permit	200.00	150.00	250.00
4.3(c)	Unauthorized person possessing/firing/discharging fireworks	200.00	150.00	250.00
4.3(d)	Fail to present permit for inspection	100.00	75.00	125.00
3.1	Offer for sale/sell/give/trade fireworks without Permit	500.00		
3.2	Possess fireworks without a Permit	200.00	150.00	250.00
3.3	Fire/discharge fireworks without a Permit	200.00	150.00	250.00
4.6(1)	Fail to surrender fireworks to a Peace Officer	200.00	150.00	250.00

Schedule "L"

Pesticide Use Reduction Bylaw, 2008, No. 2686

Section	Description	Penalty	Early Payment Penalty	Late Payment Penalty
6.3.1	First Offence	Warning		
6.3.2	Second Offence	100.00	75.00	125.00
6.3.3	Third or subsequent offence	250.00	187.50	312.50

Schedule "M"

Maintenance of Property and Nuisance Regulation Bylaw, 2014, No. 2826

Section	Description	Penalty	Early Payment Penalty	Late Payment Penalty
8(1)	Owner/Occupier permit accumulation	200.00	150.00	250.00
8(2)	Owner/Occupier permit to become or remain unsightly	200.00	150.00	250.00
8(3)	Owner/Occupier permit or cause health, fire or other hazard	200.00	150.00	250.00
8(4)	Have dilapidated/collapsed building	200.00	150.00	250.00
8(5)	Place/permit graffiti	200.00	150.00	250.00
10(1)	Permit weeds to accumulate	150.00	112.50	187.50
10(2)	Overgrown lawn	150.00	112.50	187.50
10(3)	Overgrown plant growth creating hazard/damage	200.00	150.00	250.00
11(1)	Have derelict vehicle/boats/trailer on land	200.00	150.00	250.00
12(1)	Fail to maintain walkways etc/deposit items in the street – Private land	150.00	112.50	187.50
12(2)	Fail to maintain outdoor lighting	150.00	112.50	187.50
12(3)	Fail to maintain/repair fence	150.00	112.50	187.50
13	Fail to maintain walkways etc/deposit items in the street – Township sidewalks	150.00	112.50	187.50
14	Fail to maintain boulevard	150.00	112.50	187.50
15	Allow infestation of rodents/insects	200.00	150.00	250.00
16(1)	Fail to control drainage water	200.00	150.00	250.00
16(2)	Permit water to accumulate or drain onto other property	200.00	150.00	250.00
16(3)	Permit excavation/basement of demolished building to fill with water	200.00	150.00	250.00
17	Fail conduct construction in an orderly way	200.00	150.00	250.00
18	Fail to remove demolition debris within two weeks	200.00	150.00	250.00
19	Fail to fill excavation/basement within 24 hours of notification	300.00	225.00	375.00
20(1)	Fail to secure vacant building	150.00	112.50	187.50
20(2)	Fail to secure vacant building within 24 hours of notification	250.00	187.50	312.50
21	Fail to maintain accessory building	200.00	150.00	250.00
22	Fail to maintain retaining walls	150.00	112.50	187.50
23	Fail to maintain structural integrity of building	300.00	225.00	375.00
24	Fail to maintain foundation	200.00	150.00	250.00
25(1)	Fail to maintain doors/windows/skylights	150.00	112.50	187.50
25(2)	Fail to maintain other openings	150.00	112.50	187.50

Section	Description	Penalty	Early Payment Penalty	Late Payment Penalty
25(3)	Fail to maintain latch/locks on doors/windows	150.00	112.50	187.50
25(4)	Fail to maintain garage doors	150.00	112.50	187.50
26(1)	Fail to maintain roof	150.00	112.50	187.50
26(2)	Fail to maintain eavestrough/downspout	150.00	112.50	187.50
26(3)	Fail to ensure no soil erosion	150.00	112.50	187.50
27(1)	Fail to maintain stairs/porches/landings	150.00	112.50	187.50
27(2)	Fail to ensure handrails conform to code	150.00	112.50	187.50
28(1)	Fail to maintain exterior walls	150.00	112.50	187.50
28(2)	Fail to maintain exterior finishes	150.00	112.50	187.50
28(3)	Fail to remove graffiti	150.00	112.50	187.50
28(4)	Fail to maintain canopy/awning/etc	150.00	112.50	187.50
28(5)	Fail to maintain exterior walls and attachments	150.00	112.50	187.50
29	Fail to attach suitable numbers to building	150.00	112.50	187.50
30	Littering	200.00	150.00	250.00
31(1)	Feeding Wildlife	150.00	112.50	187.50
31(2)	Fallen fruit attracting wildlife	150.00	112.50	187.50
32	Emit odour/vibration/illumination/dust which disturbs others	200.00	150.00	250.00
33(1)(a)	Person make noise that disturbs	200.00	150.00	250.00
33(1)(b)	Owner/Occupier make noise that disturbs	200.00	150.00	250.00
33(1)(c)	Owner/Occupier permit audio advertising	200.00	150.00	250.00
37(3)	Obstruct bylaw officer	300.00	225.00	375.00

CORPORATION OF THE TOWNSHIP OF ESQUIMALT

BYLAW NO. 2842

A Bylaw to amend Bylaw No. 2839, cited as the
"Bylaw Notice Enforcement Bylaw, 2014, No. 2839"

The Council of the Corporation of the Township of Esquimalt, in open meeting assembled,
enacts as follows:

1. This Bylaw may be cited as the "Bylaw Notice Enforcement Bylaw, 2014, No. 2839,
Amendment Bylaw [No. 1], 2014, No. 2842."
2. That Bylaw No. 2839, cited as the "Bylaw Notice Enforcement Bylaw, 2014, No. 2839"
be amended as follows:
 - (1) To add a new Schedule "N" as attached hereto.

READ a first time on the day of , 2014.

READ a second time on the day of , 2014.

READ a third time on the day of , 2014.

ADOPTED on the day of , 2014.

BARBARA DESJARDINS
MAYOR

ANJA NURVO
CORPORATE OFFICER

Schedule "N"

Animal Control Bylaw, 2014, No. 2841

Section	Description	Penalty	Early Payment Penalty	Late Payment Penalty
8	Abandon Animal	300.00	225.00	375.00
9(1)-(4)	Failure to care for animal	100.00	75.00	125.00
10(1)-(3)	Failure to provide shelter for animal	100.00	75.00	125.00
11	Failure to clean animal pen	100.00	75.00	125.00
12	Accumulation of excrement	100.00	75.00	125.00
13	Tie to a fixed object by the neck for extended period of time	60.00	45.00	75.00
14	Animal confined in enclosed space w/o adequate ventilation/water/shade	100.00	75.00	125.00
15	Transport outside passenger compartment without adequate restraint	100.00	75.00	125.00
16 (1)	Allow dog to run next to moving MV	100.00	75.00	125.00
16(2)	Improperly exercise dog with bicycle	100.00	75.00	125.00
17	Use of leg hold trap or killing snare	200.00	150.00	250.00
18	Improperly have animal with infectious disease	100.00	75.00	125.00
19	Dog at large on private lands	100.00	75.00	125.00
20(1)	Unleashed Dog	60.00	45.00	75.00
20(3)	Dog in prohibited area	60.00	45.00	75.00
21(1)	Reptile in public not secured	60.00	45.00	75.00
21(2)	Other animal in public – not under effective control	60.00	45.00	75.00
21(3)	Cat or Rabbit in off-leash area	60.00	45.00	75.00
22	Possess more than 5 cats	100.00	75.00	125.00
23	Allow cat to be at large	60.00	45.00	75.00
24	Allow animal to damage foliage	60.00	45.00	75.00
25	Allow animal to chase/harass person or animal	100.00	75.00	125.00
26(1)	Possess more than 4 dogs	100.00	75.00	125.00
26(2)	Possess more than 1 dog in apartment	100.00	75.00	125.00
26(3)	Operate a kennel	100.00	75.00	125.00
27(1)	Fail to confine female dog in heat	60.00	45.00	75.00
29	Keep a farm animal	100.00	75.00	125.00
30	Keep poultry in Township	100.00	75.00	125.00
31	Keep urban hen contrary to conditions	100.00	75.00	125.00
32	Keep more than 10 birds	100.00	75.00	125.00
34	Possess more than 10 rabbits/rodents	100.00	75.00	125.00
35	Allow rabbit/rodent at large	60.00	45.00	75.00
37(1)	Keep rabbit in non secure cage	100.00	75.00	125.00
37(2)	Rabbit/rodent off leash/out of cage	60.00	45.00	75.00
39	Have more than 3 beehives	100.00	75.00	125.00

Section	Description	Penalty	Early Payment Reduced Penalty	Late Payment Penalty
40	Keep beehives contrary to conditions	100.00	75.00	125.00
42(1)	Dangerous dog not leashed and muzzled in public	250.00	187.50	312.50
42(2)	Dangerous dog on private lands contrary to conditions	250.00	187.50	312.50
43(1)	Failure to display dangerous dog sign	100.00	75.00	125.00
43(2)	Display dangerous dog sign contrary to conditions	100.00	75.00	125.00
43(3)	Deface or remove sign dangerous dog sign	100.00	75.00	125.00
44	Fail to comply with duties of owner of dangerous dog	100.00	75.00	125.00
45	Failure to licence dog	60.00	45.00	75.00
46(2)	Failure to attach dog licence to collar or harness	60.00	45.00	75.00
46(4)	Unauthorized removal of dog tag	60.00	45.00	75.00
49	Noisy dog causing a nuisance	100.00	75.00	125.00
50(1)	Fail to remove dog waste	100.00	75.00	125.00
50(2)	Fail to remove animal hair or debris	60.00	45.00	75.00
51	Intentionally feed wildlife	60.00	45.00	75.00
52	Pet store sell/give unsprayed/neutered rabbit	100.00	75.00	125.00
53	Pet store operator fail to maintain records	100.00	75.00	125.00
54	Pet store operator fail to provide records	100.00	75.00	125.00
62(1)	Break into pound	250.00	187.50	312.50
62(2)	Enter pound without permission	250.00	187.50	312.50
62(3)	Take/release animal w/o consent	250.00	187.50	312.50
64(1)	Obstruct Animal Control officer	250.00	187.50	312.50
65(1)	Person in control of premises fail to provide required information to officer	200.00	150.00	250.00
65(2)	Person in custody of an animal fail to provide required information to officer	200.00	150.00	250.00



UNITY AND STRENGTH FOR WORKERS

June 16, 2014

CORPORATION OF THE TOWNSHIP OF ESQUIMALT	
For Information:	
<input type="checkbox"/> CAO	<input type="checkbox"/> Mayor/Council
RECEIVED: JUN 19 2014	
Referred to:	
<input type="checkbox"/> For Action	<input type="checkbox"/> For Response
<input type="checkbox"/> For Report	<input checked="" type="checkbox"/> Council Agenda
	<input type="checkbox"/> IC

District 3

Western Provinces and Territories

Stephen Hunt
District Director

Dear Mayor and Councillors,

In 2004, the House of Commons came together in historic fashion to unanimously pass the Westray Act. The legislation came in response to the horrific Westray coalmine explosion in Nova Scotia that killed 26 miners on May 9, 1992, and after a strong lobby campaign by the United Steelworkers to demand "No More Westrays".

The legislation was intended to hold corporate executives, directors and managers criminally responsible for workplace deaths. Ten years later, approximately 10,000 Canadians have been killed on the job, yet not one corporate executive has faced a single day in jail.

In response to this shameful record, our union has launched a campaign to "Stop The Killing and Enforce The Law", which asks provincial, territorial and federal governments to work together to ensure that workplace deaths are taken seriously and that, where warranted, the Westray Law is enforced.

As part of this campaign, we are asking City Councils to pass resolutions expressing their support for proactive action to protect workers. Though not an area of municipal responsibility, we recognize you as community leaders and this is a community issue. There is no place in Canada that has not been touched by workplace deaths, and your voices are needed to encourage senior levels of government to take steps to enforce the Westray Law.

Already communities across Canada have endorsed the enclosed resolution, including Toronto, Sudbury, St. Sault Marie, Hamilton in Ontario, Nanaimo, Burnaby, Lake Cowichan, New Westminster, Port Alberni, Mission in British Columbia, and Flin Flon in Manitoba.

I respectfully request that your council consider adding its voice by passing this resolution, and sending it to your provincial municipal association. In doing so, you will be sending a message to senior levels of government that it is time to work together to Stop the Killing, and Enforce the Law.

We would be pleased to have a representative from our union make a presentation to your council to provide additional information. Please contact Health & Safety Coordinator Ron Corbeil at 604-683-1117 or rcorbeil@usw.ca to schedule.

Thank you for your consideration.

Sincerely,

Stephen Hunt
Director

SH/BW/dl
encl.

copy: Scott Lunny, Assistant to the Director
Ron Corbeil, USW D3 Health & Safety Coordinator
USW Staff Reps

our ref: 1920-100 Westray

United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union

300 - 3920 Norland Avenue, Burnaby, BC V5G 4K7 • 604-683-1117 • 604-688-6416 [Fax] • www.usw.ca



SAMPLE RESOLUTION

Enforce the Westray Amendments to Canada's Criminal Code

WHEREAS it has been more than two decades since the Westray mine disaster in Nova Scotia and a decade since amendments were made to the Criminal Code of Canada to hold corporations, their directors and executives criminally accountable for the health and safety of workers; and

WHEREAS police and prosecutors are not utilizing the Westray amendments, and not investigating workplace fatalities through the lens of criminal accountability; and

WHEREAS more than 1,000 workers a year are killed at work

THEREFORE BE IT RESOLVED that this Council support a campaign to urge our federal/provincial/territorial government to ensure that:

- Crown attorneys are educated, trained and directed to apply the Westray amendments;

- Dedicated prosecutors are given the responsibility for health and safety fatalities;

- Police are educated, trained and directed to apply the Westray amendments;

- There is greater coordination among regulators, police and Crown attorneys so that health and safety regulators are trained to reach out to police when there is a possibility that Westray amendment charges are warranted.



CREST

EMERGENCY SERVICE
COMMUNICATIONS

CORPORATION OF THE TOWNSHIP OF ESQUIMALT		
For Information:		
<input type="checkbox"/> CAO	<input type="checkbox"/> Mayor/Council	
<input type="checkbox"/>		
RECEIVED: JUL 10 2014		
Referred: _____		
<input type="checkbox"/> For Action	<input type="checkbox"/> For Response	<input type="checkbox"/> COTW
<input type="checkbox"/> For Report	<input checked="" type="checkbox"/> Council Agenda	<input type="checkbox"/> IC

June 26, 2014

Town of Esquimalt
1229 Esquimalt Rd
Esquimalt, BC
V9A 3P1

Dear Mayor and Council:

I am writing to you as a shareholder of CREST to make you aware of the Technology Plan we are working on, and the process for its review and approval.

CREST was established in 2001 to create a common emergency radio system that would replace the 30 different systems being used by emergency service providers in the region at that time. Starting with 36 user agencies, today we have 50 users groups on the CREST system that have the ability to communicate directly and coordinate effectively.

The Technology Plan is a roadmap for continuing to make system enhancements that further improve reliability and coverage for the 2,000 plus men and women who rely on their CREST radios. Components of the communications platform, and radios, are in many instances over a decade old and in need of ever greening. The plan builds on the current infrastructure while taking advantage of new technologies, and 700 MHz spectrum that has become available.

As a technology-based system, CREST needs to evolve with new technologies as they become available and reliable. We believe the plan we're proposing does that at a reasonable cost. All users will benefit through increased capacity, better coverage and audio quality.

We are currently working with system users to garner their input and support to ensure we meet the unique needs of all public safety groups. Both the Technology Plan and the associated funding to support it was approved by the CREST Board of Directors on May 21st and the next step is to bring it forward for shareholders for funding approval at our EGM scheduled for September 17th.

The proposed plan is consistent with our strategic priority for efficient and effective technology. In implementing it, we are planning for the future within a funding framework for infrastructure of less than 2% increases per year over five years. Radio replacement is the responsibility of each user group and that cost will be estimated and provided to each shareholder prior to the September EGM.

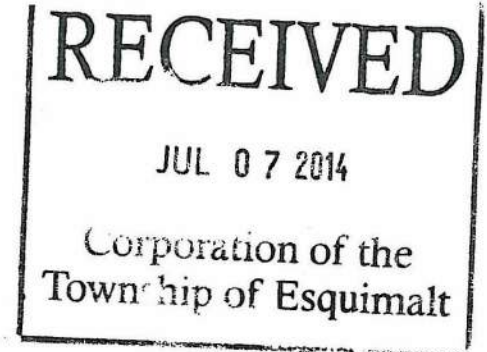
If you would like more information on the Technology Plan or on anything else relating to CREST, please contact General Manager Gord Horth at 250-391-6552 or ghorth@crest.ca. We would be happy to meet with you or make a presentation.

Sincerely,

A handwritten signature in blue ink, appearing to read "Gordie Logan", followed by a long horizontal line.

Gordie Logan
Chair of the Board

Cc: Laurie Hurst



July 2, 2014

MC 0400-50

Township of Esquimalt

To Municipal Clerk

Presentation on the Proposed McLoughlin Point Wastewater Treatment Facility

On April 7, 2014 the Council of the Township of Esquimalt rejected the application from the Capital Regional District to rezone the McLoughlin Point Property for the core area wastewater treatment plant. This decision was based in part on submissions from members of the public, who raised a number of concerns about the McLoughlin facility. The senior management team of the Seatterra Program would like to present to Esquimalt Council the facts on the public concerns that led to the rejection of the rezoning application. We believe that the Seatterra Program has addressed most of the concerns raised at the public hearings. The presentation would include such topics as the architectural design, 'super bugs', contaminants of emerging concern, treatment technology, tsunami protection and project costs.

We are requesting an allocation of approximately 20 minutes on the council agenda of August 25, 2014 for the presentation, followed by questions from members of council.

Thank you.


Albert Sweetnam, P. Eng
Program Director
Seatterra Program

cc: Mayor Barbara Desjardins

CORPORATION OF THE TOWNSHIP OF ESQUIMALT		
For Information:		
<input checked="" type="checkbox"/> CAO	<input checked="" type="checkbox"/> Mayor/Council	
<input type="checkbox"/> Bill		
RECEIVED: JUL 07 2014		
Referred:		
<input type="checkbox"/> For Action	<input type="checkbox"/> For Response	<input type="checkbox"/> COTW
<input type="checkbox"/> For Report	<input checked="" type="checkbox"/> Council Agenda	<input type="checkbox"/> IC

By email

7 July 2014

Mayor Barb Desjardins & Council
Township of Esquimalt
1229 Esquimalt Road
Esquimalt, BC V9A 3P1

Dear Mayor Desjardins & Township of Esquimalt Council

Re: Request for Nominees for the Board of Directors of the GVHA

Greater Victoria Harbour Authority (GVHA) has established three-year director terms with approximately one-third of the terms expiring at the end of each calendar year. The purpose of staggered three-year terms is to allow for a more orderly transition of directors' terms and greater continuity within the Board. Your nominee's term along with the terms of directors from three other Member Agencies will expire this December and we are now seeking your nominations for new terms to commence January 1, 2015.

Following a detailed review of anticipated skill gaps within the Board of Directors, GVHA's Nominations Sub-Committee is looking for individuals who would bring significant strength in the following areas:

1. Significant experience in government relations and public engagement
2. Cruise industry experience at the executive level and an understanding of its relationship with destination tourism
3. Commercial real estate expertise preferably including significant knowledge or experience in urban planning and design
4. Commercial marine experience and an understanding of the harbour-related business sector

As a GVHA Member Agency, you are encouraged to nominate individuals who possess one or more of these identified areas of expertise. The Sub-Committee kindly requests a letter of interest and resume from interested nominees by September 30, 2014 in order to arrange for introductory meetings with the Sub-Committee in October. The Sub-Committee will provide a recommendation for appointments to the Board on November 21, 2014 with the individuals taking office effective January 1, 2015. The ideal candidate should understand and embrace the Vision and Mandate of GVHA, have governance experience and a firm understanding of local community interests and issues. Also, as provided for in GVHA's constitution, Director's may be private citizens or elected officials.

In order to assist you in this important process, we have included the following:

- Attachment #1 – Responses to a number of the questions we have received in the past, and

CORPORATION OF THE TOWNSHIP OF ESQUIMALT		
For Information:		
<input type="checkbox"/> CAO	<input type="checkbox"/> Mayor/Council	
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RECEIVED: JUL 08 2014		
Referred:		
<input type="checkbox"/> For Action	<input type="checkbox"/> For Response	<input type="checkbox"/> COTW
<input type="checkbox"/> For Report	<input checked="" type="checkbox"/> Council Agenda	<input type="checkbox"/> IC

- Attachment #2 – 2014 Skills and Experience Matrix used to determine our current requirements

Thank you, in advance, for your assistance and support in resourcing the GVHA Board with the required skills and experience to carry out its responsibility of guiding GVHA forward. Please note, I wish to confirm that the upcoming appointments are for 3-year terms beginning January 1, 2015 to December 31, 2017.

Yours very truly,

A handwritten signature in black ink, appearing to read 'Dave Cowen', with a large, stylized initial 'D'.

Dave Cowen,
Chair Nominations Sub-Committee

Cc Councillor David Schinbein, Member Representative

Questions and Answers Regarding GVHA's Board of Directors

1. *What is the role of the Board of Directors?*

The Board's primary responsibilities include:

- **Strategy** – working with management in determining GVHA's strategy and then approving GVHA's strategic plan
- **Risk** – overseeing GVHA's risk management framework and approving GVHA's risk appetite
- **Leadership** – hiring, compensating and evaluating GVHA's President & Chief Executive Officer
- **Oversight** – overseeing GVHA's performance relative to its annual operating and capital expenditure plans
- **Accountability** – collaborating with and reporting back to GVHA's Member Agencies and the community on GVHA's activities and results

The Board delegates much of its authority to the President and Chief Executive Officer who is responsible to the Board for GVHA's day to day operations and for achieving annual and longer-term Board-approved goals and objectives.

2. *What is the composition of the GVHA Board?*

The Board consists of up to 13 directors, 9 nominated by Member Agencies and four independent community directors, all appointed by the Board. GVHA's Member Agencies are as follows:

• Capital Regional District	• Songhees Nation	• Esquimalt Nation
• Vic/Esq Harbour Society (2 nominees)	• City of Victoria	• Greater Victoria Chamber of Commerce
	• Tourism Victoria	• Township of Esquimalt

3. *What is the difference between a Member's nominated Director and a Member Representative?*

Once a nominee becomes a Director of GVHA, they owe a duty of loyalty and fiduciary responsibility to GVHA in all matters relating to GVHA. Member Agencies appoint Member Representatives to represent their interests and to hold the GVHA Board of Directors accountable at General Meetings. Here's a high level summary of roles and responsibilities:

- a. **Member Agency** – refers to the eight organizations that hold control of GVHA, nominate directors, and appoint individual Member Representatives to act in their interests
- b. **GVHA Director** – an individual nominated by a Member Agency or self-nominated as an independent community director, and together constitute the Board of Directors responsible and accountable for GVHA
- c. **Member Representative** – an individual appointed by a Member Agency who represents the Member's interests and is the primary information conduit between GVHA and the respective Member Agency. Member Representatives are invited to attend Quarterly Public Board Meetings and represent Member Agencies at General Meetings.

4. Who is currently serving on the Board?

Member Agency Nominee or Independent Director	Director Name	Director Since	Current Term Ends
Esquimalt Nation	Chief Andy Thomas	2002	n/a
Capital Regional District	Graham Hill	2012	2014
City of Victoria	Shellie Gudgeon	2012	2014
Township of Esquimalt	Barbara Desjardins	2008	2014
Vic/Esq Harbour Society	Paul Ridout *	2011	2014
Songhees Nation	Christina Clarke	2012	2015
Independent	Douglas Crowder	2012	2015
Independent	Bill Wellburn **	2012	2015
Tourism Victoria	David Cowen	2010	2016
Chamber of Commerce	David Marshall	2013	2016
Vic/Esq Harbour Society	Peter Hartman	2013	2016
Independent	Vacant		
Independent	Vacant		
* previously served 2002 to 2006 as a nominee of the Vic/Esq Harbour Society			
** previously served 2006 to 2012 as nominee of the Provincial Capital Commission			

5. Do our nominees have to be a director, officer, elected official or otherwise directly associated with a Member Agency?

No, we invite qualified nominees from diverse backgrounds. Member agencies are free to nominate anyone they believe are well-suited to serve the interests GVHA. Each nominee will be evaluated on his or her own merit according to the needs of the Board at the time as outlined in the Board skills and competency matrix.

6. How are nominees evaluated/adjudicated by GVHA?

The Board maintains a skills and experience matrix that sets out the overall needs of an ideal Board to govern GVHA.

The Board aims to recruit qualified directors who demonstrate: outstanding personal conduct, deep commitment to our organizational vision, previous Board and leadership experience, sound business judgment, independent analytical thinking and strong interpersonal skills. Specific skills and experience are determined by the Governance and Nominating Committee in order to maintain a high performing, well-balanced Board that meets the needs of our Member Agencies and community stakeholders and to fill vacancies as they arise in the normal course of Board business.

7. Who determines the skills and experience required on the Board?

The Governance and Nominating Committee proposes to the Board of Directors the skills and experience currently required among all Directors to provide effective oversight, constructive engagement with management and advance GVHA's current strategic plan. The Board provides input and reviews and approves the Skills and Experience Matrix on an annual basis.

8. *Why are independent Directors appointed by the Board?*

As per its Member Agency approved Bylaws, the GVHA Board of Directors may appoint up to four additional directors to the Board. These positions are used to fill identified skills and competencies that are required on the Board which may not be present. The Governance and Nominating Committee advertises throughout Greater Victoria for individuals with the needed skills and competencies, conducts introductory meetings with interested candidates and nominates individuals for election to the Board whose profile best fill the skills and experience gaps in the Board Competency Matrix.

9. *How long is a director's term?*

A Director may serve a term of up to three years and a total of three consecutive terms to a maximum of nine consecutive years. Directors are appointed to three-year terms in recognition that a thorough orientation to GVHA's business affairs takes in excess of one year and a Director's contribution to the governance of GVHA increases substantially as knowledge and insights are gained.

10. *How much time is required?*

The Board has four scheduled quarterly meetings that begin with a public meeting on Thursday evenings followed by an in-camera meeting for most of the next day. Nominees can expect that two to four special Board meetings may be called during the year to deal with emerging issues plus an annual all-day strategic planning session. Directors serve on up to two of the Board's five standing committees, each of which meets four to six times per year. Directors are also requested to attend various GVHA related functions during the year like open houses and community celebrations. It is reasonable to expect that the total time for Board and committee meetings, preparation for meetings and attendance at GVHA related functions will average approximately 20 hours per month.

11. *Are directors paid?*

Yes, Directors are paid in accordance with GVHA's Director Compensation Philosophy and pursuant to a Special Resolution approved by the Member Agencies. Directors receive an annual retainer of \$4,000 and a meeting fee of \$400. Additional annual retainers are paid to Committee Chairs in the amount of \$2,500 and to the Board Chair in the amount of \$10,000.

12. *Given GVHA's stakeholder governance structure, how does it handle conflicts of interests?*

The Board operates with a Conflict of Interests Policy and annually Directors are required to formally acknowledge the Policy. We encourage Nominating Agencies to be cognizant of any personal interests a nominee may own or control which may result in a conflict of interests and how that conflict, although properly dealt with by the parties, might be perceived by the public.

GVHA Board Skills & Experience Matrix 2014

The following attributes and background experience are expected from all GVHA directors:

- Analytical, independent thinking and sound business judgment
- Active participation and strong interpersonal skills
- Previous board experience with an organization of similar size and complexity to GVHA
- Outstanding personal conduct and a deep commitment to GVHA's Vision

In addition the Board, through directors collectively, should possess the following skills to successfully guide GVHA's strategy and to effectively oversee the CEO's management of GVHA's affairs. Please indicate in the right column **up to four areas where, if called upon, you could lead an education session for the Board**. Your responses will be used by the Governance & Nominating Committee to update the Board Skills and Experience Matrix and identify gaps to assist in determining the candidate profile for existing and upcoming vacancies on the Board.

1.	Cruise & Tourism – Experience at the senior management or executive level with the cruise industry including understanding the logistics and needs of cruise lines and their co-dependency and relationships with destination tourism.
2.	Commercial Marine Sector – Knowledge of the needs of the deep sea shipping industry including port management and operations, stevedoring, ship operation and support activity.
3.	Harbour Related Businesses – Owner or management experience in the operation of a moorage facility or a business that requires water access.
4.	Terminals & Transportation – Experience in and understanding of the operation of terminals that handle the transportation of people and goods by way of a connection between the sea and land, and by floatplane and helicopter.
5.	Commercial Real Estate – Experience in corporate real estate services, client advisory services, office leasing and sales, industrial leasing and sales, retail leasing, finance and mortgages, and real estate administration.
6.	Urban Planning & Design – Experience in successful land-use, community and/or harbour planning and development
7.	Knowledge of Victoria Harbour & Related Issues – Current and historical knowledge of issues related to the harbour, the community and the region, including significant experience around effective engagement and consultation processes with stakeholders.
8.	First Nations – Understanding First Nations' economic and social relationships with the community, including the history, culture and governance of the Esquimalt and Songhees First Nations.
9.	Environment – Expertise in understanding how a company can minimize environmental impact and use its resources to educate and inform employees, customers, suppliers and other stakeholders on environmental responsibility.
10.	Government Relations – Experience in and understanding of the mechanics and decision making of government bodies including interacting with politicians and officials.
11.	Strategy – Expertise in developing strategic direction and/or business development for an organization similar in size and complexity to GVHA
12.	Communications & Public Relations – Experience in media or public relations, and the operation of social media.
13.	Human Resources & Compensation – Experience as an HR professional or responsibility for HR issues within an organization of similar size and complexity to GVHA.
14.	Business Management – Leadership experience as an owner or senior manager in a business of similar size and complexity to the GVHA.
15.	Risk Management – Expertise in Enterprise Risk Management, including developing and maintaining a risk register, assessing the likelihood and impact of risks, and the role of risk appetite in guiding strategy, decision-making and day to day operations.
16.	Accounting & Finance – Designated accountant with significant professional experience.
17.	Legal Experience – High level of legal understanding from an experienced, practical perspective in matters relating to business, marine and real estate.
18.	Board Leadership – Significant leadership experience on other business boards and with a current understanding of leading governance practices.

Anja Nurvo

From: Laurie Hurst
Sent: July 8, 2014 10:36 AM
To: Anja Nurvo
Subject: Fwd: Sculpture Splash

From: Morlene Tomlinson [morlene.tomlinson@gmail.com]

Sent: July 8, 2014 7:32 AM

To: Bill Percival

Cc: Ian Irvine; Scott Hartman; Mayorandcouncil@esquimalt.ca; ela-design; Frances Litman; Gwen Thompson_Robinow; Morlene Tomlinson; Ryan Family; English Inn Marketing

Subject: Re: Sculpture Splash

Thanks Bill.

I appeal to our Town Council and staff to support our efforts to enhance Esquimalt's commitment to Arts and Culture, including its positive impact on local business, by allocating funds pursuant to the Township's existing public art policy for the purpose of purchasing a piece of public art as part of Sculpture Splash, An Art Extravaganza by the Sea. Plans continue to come together as we prepare for this amazing event in September. A public art purchase will demonstrate local government commitment and help attract sculptors from our local area, Vancouver Island, Vancouver and beyond. We need your support to help ensure our success.

The following is a description of the Awards we intend to offer:

Sculpture Splash Awards

Four major awards are anticipated for 2014:

- "Make a Splash" Award - for the sculpture that best represents community pride and commitment.
- "Our West Coast Future" Award - given for a sculpture that best represents art as a promoter of social commitment to environmental awareness and sustainability.
- "Shoaling Waters" Award- given for the sculpture promotes our community's rich heritage and its unique bond to nature.
- "People's Choice" Award will be given based on feedback from art lovers who attend our event. (the winner will be announced and award given after the close of the event).

The Lieutenant Governor has been approached to present the Our West Coast Future Award at a sunset champagne gala being planned for September 19th. This event is being produced in partnership with the English Inn. The Inn has offered a weekend accommodation package for out of town sculptors and is also our host venue for an orientation breakfast being organized for sculptors the morning of September 19th.

Those of you who attended last year's Esquimalt Arts Festival and the first two Memorial Park Music Fest concerts are aware of our community's high level of support for local events of this kind. Tonight, please join us for concert #3, Capital City Syncopators, which promises to continue bringing life and vibrance to our downtown core. (LaBelle Patate reported a 25% increase in business on our opening day, June 24th). Our attendance levels have been amazing, well beyond expectations and word continues to spread!

Morlene

CORPORATION OF THE TOWNSHIP OF ESQUIMALT

For Information:

☐ CAO

☐ Mayor/Council

RECEIVED: JUL 08 2014

Referred:

☐ For Action

☐ For Response

☐ COTW

☐ For Report

☒ Council Agenda

☐ IC

On Tue, Jul 8, 2014 at 6:57 AM, Bill Percival <bill@westwindperformance.com> wrote:
Hi Morlene

There is a line item in the financials that Karen Hay reported out on relating to the Public Art policy. I am travelling so have no access to the particulars but this is my understanding as well.

Regards
Bill

On Jul 3, 2014, at 3:38 PM, Morlene Tomlinson <morlene.tomlinson@gmail.com> wrote:

thanks for this information, Ian. My understanding from my time on the Arts, Culture and Special Events Advisory Committee was that was already a STOB dedicated to the Public Art Policy. Is this correct? And, if so, is there any money there? Supposedly the current policy requires any new development to submit a contribution to this fund.

Bill, RJ was this your understanding as well?

The revised Public Art Policy, which has yet to be ratified, contains the same provision.

Thanks,
Morlene

On Thu, Jul 3, 2014 at 11:47 AM, Ian Irvine <ian.irvine@esquimalt.ca> wrote:

Morlene,

A request for funding relating to the purchase of art work was included as part of your initial local grant submission which was reviewed by the Local Grant Committee. Based on the information in your application, Council awarded an initial amount of \$5,000 to Sculpture Splash.

If you are looking for additional funding, you would be required to submit a second request for local grant funding. As per the Local Grant Policy, 10% of the budgeted funds are available for allocation by Council. The purpose of this is to consider funding requests received after the initial allocation and any funding granted would be limited to the balance remaining in the account at that time.

I would need a second application from the Township Community Arts Council relating specifically to your request of a sculpture purchase by the Township. Once I receive an application I will begin drafting a staff report for presentation to Council. The last Council meeting before the summer recess would be July 14 and in order to be included on the agenda, my report would need to be submitted by Wednesday, July 9

Regards,

Ian

Ian Irvine
Director of Financial Services
Financial Services
Township of Esquimalt
Phone: 1-250-414-7141
www.esquimalt.ca

From: Morlene Tomlinson [<mailto:morlene.tomlinson@gmail.com>]
Sent: July 2, 2014 4:06 PM
To: Ian Irvine
Cc: Barb Desjardins; Scott Hartman
Subject: Sculpture Splash

Hello, Ian. With the first two Memorial Park Music Fest concerts under our belt, I am turning attention to Sculpture Splash.

My question relates to Public Art Policy funding availability. I would like to propose an award from the Township of Esquimalt in the form of a purchase of a piece of sculpture from our festival. This needs to be done asap to attract a broader range of artists and allow for a good selection process.

I am not sure this funding resides, how much money is there or how we go about releasing some of it for the artistic benefit of Township residents?

Would you please advise?

Many thanks,

M