



**CORPORATION OF THE
TOWNSHIP OF ESQUIMALT**
Agenda - Final
Council

Municipal Hall
1229 Esquimalt Road
Esquimalt, B.C. V9A 3P1

Monday, July 12, 2021

7:00 PM

Esquimalt Council Chambers

Ministerial Order No. M192 – June 17, 2020

Division 2 – Open meetings – municipalities 3. (2) A council or body is not required to allow members of the public to attend a meeting if, despite the best efforts of the council or body, the attendance of members of the public cannot be accommodated at a meeting that would otherwise be held in accordance with the applicable requirements or recommendations under the Public Health Act.

During Phase 3 of the BC Restart Plan, from July 1st until the start of Phase 4 expected in early September, no more than 40 people will be permitted in the Council Chambers, which includes Mayor and Council, staff, presenters, and approximately 20 members of the public. Due to the limited seating available, if you wish to attend a meeting, we recommend that you call the Corporate Officer at 250-414-7135 or email corporate.services@esquimalt.ca to reserve a seat. Anyone arriving at Municipal Hall without a reserved seat will not be permitted into the building once the maximum number of in-person seats have been taken. It is recommended and encouraged that anyone attending a meeting in-person wear a face mask while in Municipal Hall.

In addition to limited in-person attendance, there are several options available to submit input to Council, as follows:

1. To provide written comments to Council, please submit your correspondence via email to corporate.services@esquimalt.ca by 12:00 p.m. (noon) on the day of the meeting.

2. To provide comments to Council electronically via telephone during a meeting, please contact the Corporate Officer for scheduling at 250-414-7135 by 4:30 p.m. on the day of the meeting.

1. CALL TO ORDER

2. LATE ITEMS

1) [24-379](#) Late correspondence

Attachments: [Late correspondence for item No. 5](#)

3. APPROVAL OF THE AGENDA

4. MINUTES

- 1) [21-400](#) Minutes of the Special Council meeting held June 28, 2021
Attachments: [Minutes of the Special Council meeting held June 28, 2021](#)
- 2) [21-399](#) Minutes of the Regular Council meeting held June 28, 2021
Attachments: [Minutes of the Regular Council meeting, June 28, 2021](#)

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.

Written Submissions:

If you wish to provide written comments to Council please email them to corporate.services@esquimalt.ca, by 12:00 p.m. (noon) on the day of the meeting.

Sign Up to Speak:

If you wish to provide comments to Council electronically via telephone during the Public Hearing, please contact the Corporate Officer for further details and scheduling at 250-414-7135 by 4:30 p.m. on the day of the meeting.

Participation during Public Hearing:

If you wish to respond to comments made during the Public Hearing you may text or leave a voicemail at 250-883-6426, please include your name and the contact number for us to call you back.

Once we receive your details we will add your name to our speakers list and will contact everyone in the order the requests were received. There will be a three minute pause prior to the closing of the Public Hearing to ensure everyone received an opportunity to provide comments. Once the Public Hearing has closed there will be no further opportunities to provide public input on this agenda item.

- 1) [21-384](#) Public Hearing Notice – 669 Constance Avenue (Covenant Modification)

Attachments: [Attachment No. 1: Public Hearing Notice](#)

2) Background Information - Available for Viewing Separately

3) Director of Development Services - Overview of Application

- 2) [21-369](#) Housing Agreement Bylaw Amendment and Covenant Modification – 669 Constance Avenue, Staff Report No. DEV-21-055

Attachments: [Appendix A - Housing Agreement Bylaw, 2021, No. 3032](#)
[Appendix B - S.219 Covenant](#)
[Appendix C - Applicant's Presentation](#)

- 4) **Applicant or Authorized Representative - Overview of Application**
- 5) **Public Input**
- 6) **Adjournment of Hearing**
- 7) **Consideration of Staff Recommendation**

1. That Council resolves that Housing Agreement Bylaw, 2018, No. 2937, Amendment Bylaw [No. 1], 2021, No. 3032, for 669 Constance Avenue, attached to Staff Report No. DEV-21-055 as Appendix A, be given third reading and adoption; and,
2. That Council approves the amendments to Section 219 Covenant CA6919940, attached as Appendix B to Staff Report No. DEV-21-055, and authorizes the Mayor and Chief Administrative Officer to execute the necessary documents and the Corporate Officer to register a Notice of the Housing Agreement and Covenant Modifications document on the title of Lot 1 Suburban Lots 43 and 44 Esquimalt District Plan EPP76107.

6. **PUBLIC INPUT ON ANY ITEMS LISTED ON THE AGENDA**
Address Council on any item included on this Agenda, including Staff Reports and Communications (excluding items which are or have been the subject of a Public Hearing). Limit 2 minutes per speaker.

7. STAFF REPORTS

Community Safety Services

- 1) [21-380](#) Public Safety Building - Building Regulation Bylaw Exemption, Staff Report No. CSS-21-013

Recommendation:

That Council pass a resolution that directs staff waive enforcement of the sections of the Building Regulation Bylaw, 2017, No. 2899, that require copies of recent surveys to accompany Building Permit Applications for the temporary Police and Fire facilities.

Engineering and Public Works

- 2) [21-387](#) Application for BC Active Transportation Grant Funding for Constance Avenue Linear Infrastructure, Staff Report EPW-21-019

Recommendation:

That Council:

1. Authorizes staff to submit an application for a BC Active Transportation Infrastructure Grant for up to 60% of the project cost of \$362,000 for a new sidewalk and accessible ramp on Constance Street south of Lyall;
2. Confirms the Township's share of funding of up to \$145,000 is committed in the

- 2021 - 2025 Financial Plan; and
3. Confirms the project is “shovel ready”; as detailed in Staff Report EPW-21-019.

Attachments: [Attachment 1 - Guide](#)

Fire

- 3) [21-390](#) Self-Contained Breathing Apparatus Contract Award, Staff Report No. FIRE-21-005

Recommendation:

That Council award the Contract for purchase to Guillevin Fire Safety and Industrial for new SCOTT Self Contained Breathing Apparatus based on the tender cost of \$ 208,677.58 Canadian Dollars (including PST).

Development Services

- 4) [21-368](#) Rezoning Application – 1131 Wychbury Avenue, Staff Report No. DEV-21-054

Recommendation:

1. That Council resolves that Zoning Bylaw, 1992, No. 2050, Amendment Bylaw No. 3035 attached as Appendix ‘A’ to Staff Report DEV-21-054, which would amend Zoning Bylaw, 1992, No. 2050, by changing the zoning designation of 1131 Wychbury Avenue [PID 005-910-951, Lot 12, Block 1, Section 11, Esquimalt District, Plan 5725], shown cross-hatched on Schedule ‘A’ of Bylaw No. 3035, from Two Family DADU Residential [RD-4] to Comprehensive Development District No. 140 [CD. No. 140], be given first and second reading; and

2. That Council authorizes the Corporate Officer to schedule a Public Hearing for Zoning Bylaw, 1992, No. 2050, Amendment Bylaw No. 3035, mail notices and advertise for same in the local newspaper.

Attachments: [Appendix A - 1131 Wychbury Ave - Zoning Amendment Bylaw No. 3035 - CD-140](#)
[Appendix B - Site Plan, Airphoto, OCP, Zoning, Maps RS-1 Zone](#)
[Appendix C - Drawings, LP, Plans, BCLS](#)
[Appendix D - Applicant Narrative](#)
[Appendix E - Green Building Checklist](#)
[Appendix F - Applicant Presentation](#)
[Appendix G - Staff Presentation to Council](#)

- 5) [21-370](#) Housing Agreement Bylaw Amendment - 612 Constance Ave, Staff Report No. DEV-21-056

Recommendation:

That Council resolves that Housing Agreement Bylaw, 2019, No. 2981, Amendment Bylaw [No. 1], 2021, No. 3023 for 612 Constance Avenue, attached to Staff Report DEV-21-056 as Appendix A, be adopted.

Attachments: [Appendix A - Housing Agreement Bylaw, 2019, No. 2981, Amendment Bylaw \[No. 1\], 2021, No. 3023](#)

- 6) [21-385](#) Parkland Dedication - 916 and 920 Old Esquimalt Road, Staff Report DEV-21-057

Recommendation:

That Council authorize staff to obtain an appraisal of the parcels of land located at 916 Old Esquimalt Road [PID 003-446-093; Lot C, Section 11, Esquimalt District, Plan 21636] and 920 Old Esquimalt Road [PID 003-446-395; Lot D, Section 11, Esquimalt District, Plan 21636] to determine their “average market value” for the purposes of calculating the amount of the five percent cash-in-lieu of parkland dedication pursuant to Section 510 of the Local Government Act.

Attachments: [Appendix A - Section 510 of the Local Government Act](#)
[Appendix B - Subject Property Map - Aerial Photo - Present Land Use Designation](#)
[Appendix C - Preliminary Strata Plan EPS6543](#)

8. REPORTS FROM COMMITTEES

- 1) [21-391](#) Draft Minutes of the APC Design Review Committee, May 12, 2021
Attachments: [2021 05 12 APC Design Review Committee Minutes - Draft](#)
- 2) [21-393](#) Draft Minutes of the Advisory Planning Commission, May 18, 2021
Attachments: [2021 05 18 Advisory Planning Commission Minutes - Draft](#)
- 3) [21-398](#) Minutes of the APC Design Review Committee, June 9, 2021
Attachments: [2021 06 09 APC Design Review Committee Minutes - Draft](#)

9. COMMUNICATIONS

For Consideration

- 1) [21-396](#) Email from Andy Telfer, Executive Director, WITS Program Foundation, dated July 8, 2021, Re: Support for Reimagining the Trackside Art Gallery
Attachments: [Email - WITS Program Foundation](#)
- 2) [21-397](#) Email from Rob Fisher, Scale Collaborative, dated July 7, 2021, Re: Social Procurement BCSPi Follow Up
Attachments: [Email - Social Procurement BCSPi](#)

10. NOTICE OF MOTION

- 1) [21-382](#) Acknowledging Lekwungen traditional territories sites of cultural importance in Esquimalt and representing First Nations history and culture through art, Mayor Desjardins - For Consideration
Attachments: [Attachment No. 1: Notice of Motion](#)

- 2) [21-386](#) Development Capacity Assessment, Councillor Armour - For Introduction

Attachments: [Attachment No. 1: Notice of Motion](#)

11. RISE AND REPORT

12. PUBLIC COMMENT PERIOD

Address Council on any topic that impacts Esquimalt (excluding items which are or have been the subject of a Public Hearing). Limit 2 minutes per speaker.

13. ADJOURNMENT