



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

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

Monday, June 28, 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.

Ministerial Order No. M116 – April 21, 2020

If you would like 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.

If you would like to provide comments to Council electronically via telephone during the meeting, 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.

1. CALL TO ORDER

2. LATE ITEMS

- 1) [24-376](#) Late correspondence

Attachments: [Late correspondence for items No. 9.7, 9.8](#)

3. APPROVAL OF THE AGENDA

4. MINUTES

- 1) [21-355](#) Minutes of the Special Council meeting held June 14, 2021

Attachments: [Minutes of the Special Council meeting, June 14, 2021](#)

- 2) [21-356](#) Minutes of the Regular Council meeting held June 14, 2021

Attachments: [Minutes of the Regular Council meeting, June 14, 2021](#)

- 3) [21-357](#) Minutes of the Special Council meeting held June 21, 2021

Attachments: [Minutes of the Special Council meeting, June 21, 2021](#)

5. PRESENTATIONS

- 1) [21-354](#) Tsugio Kurushima, Dillon Takata, Jordan Stanger-Ross, and Yasmin Railton, Victoria Nikkei Cultural Society and University of Victoria, Re: Historical displays at the Esquimalt Gorge Park Pavilion

Attachments: [Attachment No. 1: Presentation Application](#)
[Attachment No. 2: PowerPoint Presentation](#)

- 2) [21-358](#) Heidi Hartman, Regional Director of Operations and Malcolm McNaughton, Regional Director of Development, BC Housing, Re: Housing

Attachments: [Attachment No. 1: Presentation Application](#)
[Attachment No. 2: PowerPoint Presentation](#)

6. ELECTRONIC 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***Finance***

- 1) [21-310](#) 2020 Statement of Financial Information, Staff Report FIN-21-013

Recommendation:

That Council receive and approve the 2020 Statement of Financial Information as attached to Staff Report FIN-21-013.

Attachments: [2020 Statement of Financial Information](#)

Engineering and Public Works

- 2) [21-333](#) Parking Restriction on Treebank Road West, Staff Report No. EPW-21-014

Recommendation:

That Council approves the implementation of Traffic Order 1333 for “Residential Parking Only” on both sides of Treebank Road West commencing 9m from the intersection of Aral Road and continuing east to within 9m of the intersection of Rankin Road, as set out in Staff Report EPW-21-014.

Attachments: [Attachment 1 - TO 1333](#)
[Attachment 2 - Guide](#)
[Attachment 3 - Petition](#)

- 3) [21-334](#) Residential Parking Restriction, Bewdley Avenue, Staff Report No. EPW-21-015

Recommendation:

That Council approves the implementation of Traffic Order 1334 for “Residential Parking Only” on both sides of Bewdley Avenue commencing 9m from the intersection of Lampson Street and extending east to its terminus, as set out in Staff Report EPW-21-015.

Attachments: [Attachment 1 - TO 1334](#)

[Attachment 2 - Guide](#)

[Attachment 3 - Petition](#)

- 4) [21-325](#) Traffic Orders for Esquimalt Town Square Parking Restrictions, Staff Report No. EPW-21-013

Recommendation:

That Council approve/rescind the parking restriction Traffic Orders detailed in Staff Report EPW-21-013 for the following:

- Approve Traffic Order 1327 for “No Parking” on the north side of Carlisle Avenue commencing at the intersection of Fraser Street and continuing west for 89m;
- Rescind Traffic Order 263 for “No Parking” on the north side of Carlisle Avenue between Fraser Street and Comerford Street;
- Approve Traffic Order 1328 for “One Hour Parking Only Monday - Friday 7:00am - 5:00pm” on the north side of Carlisle Avenue commencing 9m from the intersection of Park Place and continuing east for 17m;
- Approve Traffic Order 1329 for “One Hour Parking Only Monday - Friday 7:00am - 5:00pm” on the east side of Park Place commencing 9m from the intersection of Carlisle Avenue and continuing north for 12m;
- Rescind Traffic Order 1192 for “No Parking” on the east side of Park Place;
- Approve Traffic Order 1330 for “One Hour Parking Only Monday - Friday 7:00am - 5:00pm” on the east side of Park Place commencing 53.5m from the intersection of Carlisle Avenue and continuing north for 33.5m;
- Approve Traffic Order 1331 for “No Parking” on the east side of Park Place commencing 21m from the intersection of Carlisle Avenue and continuing north for 30.5m;
- Approve Traffic Order 1332 for “No Parking” on the south side of Esquimalt Road commencing at the intersection of Park Place and continuing east for 45m;
- Rescind Traffic Order 813 for one “Handicapped Persons Only” parking space on the south side of Esquimalt Road; and
- Rescind Traffic Order 1065 for “One Hour Parking Only” on the south side of Esquimalt Road.

Attachments: [Attachment 1 - ETS Landscape Drawing](#)

[Attachment 2 - Traffic Orders](#)

Development Services

- 5) [21-348](#) Rezoning Application – 1338, 1340, 1344 & 1350 Saunders Street, Staff Report No. DEV-21-049

Recommendation:

1. That Council resolves that Zoning Bylaw, 1992, No. 2050, Amendment Bylaw No. 3034, attached to Staff Report No. DEV-21-049 as Appendix A, which would amend Zoning Bylaw, 1992, No. 2050 by changing the zoning designation of 1338 Saunders Street [PID 006-374-816 Lot 25, Suburban Lot 45, Esquimalt District, Plan 2854] + [PID 006-374-786 Lot 24, Suburban Lot 45, Esquimalt District, Plan 2854], 1340 Saunders Street [PID 006-374-719 Lot 23, Suburban Lot 45, Esquimalt District, Plan 2854] + [PID 006-374-662 Lot 22, Suburban Lot 45, Esquimalt District, Plan 2854], 1344 Saunders Street [PID 005-479-258 Lot 21, Suburban Lot 45, Esquimalt District, Plan 2854] + [PID 005-479-240 Lot 20, Suburban Lot 45, Esquimalt District, Plan 2854], and 1350 Saunders Street [PID 004-543-483 Lot A, Suburban Lot 45, Esquimalt District, Plan 13158], all shown cross hatched on Schedule 'A' of Bylaw No. 3034, from RM-1 [Multiple Family Residential] to CD No. 139 [Comprehensive Development District No. 139] 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. 3034, mail notices and advertise for same in the local newspaper; and
3. That, as the applicant wishes to assure Council that uses and development will be restricted and amenities provided as identified in Staff Report No. DEV-21-049, the applicant has voluntarily agreed to register a Section 219 Covenant on the titles of 1338 Saunders Street [PID 006-374-816 Lot 25, Suburban Lot 45, Esquimalt District, Plan 2854] + [PID 006-374-786 Lot 24, Suburban Lot 45, Esquimalt District, Plan 2854], 1340 Saunders Street [PID 006-374-719 Lot 23, Suburban Lot 45, Esquimalt District, Plan 2854] + [PID 006-374-662 Lot 22, Suburban Lot 45, Esquimalt District, Plan 2854], 1344 Saunders Street [PID 005-479-258 Lot 21, Suburban Lot 45, Esquimalt District, Plan 2854] + [PID 005-479-240 Lot 20, Suburban Lot 45, Esquimalt District, Plan 2854], and 1350 Saunders Street [PID 004-543-483 Lot A, Suburban Lot 45, Esquimalt District, Plan 13158] in favour of the Township of Esquimalt providing the lands shall not be subdivided, built upon or used (as appropriate to the requirement, as drafted by the Township's solicitor at the applicant's expense) in the absence of all of the following:
 - Lot consolidation of 1338 Saunders Street, 1340 Saunders Street, 1344 Saunders Street, and 1350 Saunders Street prior to development as the proposed CD No.139 Zone does not work unless the parcels are consolidated
 - Provision of 6 affordable rental housing units
 - Undergrounding of the electric power lines along Saunders Street adjacent to the subject property
 - The building be constructed to include a minimum of five 3-bedroom dwelling units
 - 3 visitor parking spaces will be provided and remain
 - All the parking stalls wired for, and including 1 Level 2 (240V, AC plug with a dedicated 40-ampere circuit) electric vehicle charging stations

- Membership for a shared vehicle service for all the units
- Provision of one-year BC Transit bus passes for the Victoria Regional Transit System to all the residents

Council direct staff and legal counsel for the Township to coordinate with the property owner to ensure a Section 219 Covenant addressing the aforementioned issues is registered against the property title, in priority to all financial encumbrances, prior to returning Amendment Bylaw No. 3034 to Council for consideration of adoption.

Attachments: [Appendix A - Zoning Bylaw, 1992, No. 2050, Amendment Bylaw No. 3034](#)
[Appendix B - Aerial Map](#)
[Appendix C - Architectural Drawings, Landscape Plan, and Surveyor's Site Plan](#)
[Appendix D - Green Building Checklist](#)
[Appendix E - Developer's Public Consultation Summary](#)
[Appendix F - Applicant's Presentation](#)
[Appendix G - Staff's Presentation](#)

- 6) [21-349](#) Housing Agreement Bylaw Amendment and Covenant Modification - 669 Constance Ave, Staff Report No. DEV-21-050

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-21-050 as Appendix A, be given first and second reading; and,
2. That Council authorizes the Corporate Officer to schedule a Public Hearing for the proposed amendments to Section 219 Covenant CA6919940, attached as Appendix B of Staff Report No. DEV-21-050, mail notices and advertise for same in the local newspaper.

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

- 7) [21-345](#) OCP Amendment and Rezoning Application (for adoption) - 842 Carrie Street, Staff Report No. DEV-21-048

Recommendation:

1. That Council resolves that Official Community Plan Bylaw, 2018, No. 2922, Amendment Bylaw No. 3005 attached as Appendix 'A' of Staff Report DEV-21-048, which would amend the 'Proposed Land Use Designations' map, thereby changing the designation of 842 Carrie Street [PID 000-385-336, Lot 14, Section 10, Esquimalt District, Plan 276] shown cross-hatched on Schedule 'A' of Bylaw No. 3005, from 'DPA No. 6 - Multi-Family Residential' to 'DPA No. 3 - Enhanced Design Control Residential' be adopted; and
2. That Council resolves that Zoning Bylaw, 1992, No. 2050, Amendment Bylaw No. 3006 attached as Appendix 'B' to Staff Report DEV-21-048, which would amend Zoning

Bylaw, 1992, No. 2050, by changing the zoning designation of 842 Carrie Street [PID 000-385-336, Lot 14, Section 10, Esquimalt District, Plan 276], shown cross-hatched on Schedule 'A' of Bylaw No. 3006, from Single Family Residential [RS-1] to Comprehensive Development District No. 133 [CD. No. 133], be adopted.

Attachments: [Appendix A - Bylaw 3005 - OCP Amendment Bylaw Amendment \(842 Carrie Street\)](#)
[Appendix B - Bylaw 3006 - Zoning Bylaw Amendment \(842 Carrie St\) CD133](#)
[Appendix C - Section 219 Covenant CA9047501](#)

- 8) [21-353](#) Request from Esquimalt Community Arts Hub to have the 2021 Esquimalt Mural Festival be considered a "community beautification program", Staff Report No. DEV-21-053

Recommendation:

That Council resolve that the 2021 Esquimalt Mural Festival be considered a "community beautification program" for the purposes of Section 5.7 of the Sign Regulation Bylaw, 1996, No. 2252, as amended, subject to the following conditions:

- 1) All murals selected by the organizing committee are to be forwarded to the Corporation of the Township of Esquimalt (Township) for final approval by Council of the Township (Council). Any proposed alterations to the mural after final approval by Council must also be approved by Council.
- 2) All property owners that have a mural installed on their property must enter into a maintenance agreement with the Township to ensure that the mural will be properly maintained while installed on the property. Such agreement must be registered on the title of the subject property prior to the commencement of the installation of the mural. The agreement will also contain requirements for the provision of security if the landowner does not maintain or remove a mural.
- 3) The property owner must enter into an indemnity agreement with the Township indemnifying the Township from all liability.
- 4) Other than murals painted directly onto the exterior wall of a building, all murals must be installed under the direction of a qualified engineer licensed to practice in British Columbia.
- 5) That this resolution only applies to the 2021 Esquimalt Mural Festival.
- 6) Any other condition that Council considers appropriate.

Furthermore, Council approves the payment of legal fees incurred to review legal documents, from the Contingency budget for up to \$5,000.00.

Attachments: [Appendix A - 2021 Mural Festival Request for Exemption](#)
[Appendix B - Photos of the Trackside Gallery and Environs](#)
[Appendix C - Existing Public Art Policy](#)
[Appendix D - Email from Laura-Beth Keane Re: Letters of Support for the Mural Festival](#)

8. REPORTS FROM COMMITTEES

- 1) [21-360](#) Memorandum - Brian Cant, Chair, Environmental Advisory Committee (EAC), Re: COTW Presentation March 8, 2021

Attachments: [Memo - EAC](#)

9. COMMUNICATIONS***For Council's Consideration***

- 1) [21-359](#) Email from Jake McFadden, Executive Assistant, City of Victoria, dated June 10, 2021, Re: Deconstruction Bylaw

Attachments: [Email - Deconstruction Bylaw](#)

- 2) [21-365](#) Email from Marnie Essery, Chair, Intermunicipal Advisory Committee on Disability Issues, dated June 18, 2021, Re: Esquimalt Citizen Representative

Attachments: [Email - Esquimalt Citizen Representative to Intermunicipal Advisory Committee on Disability Issues](#)

For Council's Information

- 3) [21-361](#) Email from Christie Eng, dated June 13, 2021, Re: Support for Notice of Motion to Study the Benefits of Higher Fences

Attachments: [Email - Support for NOM](#)

- 4) [21-362](#) Email from Sarena Talbot, dated June 13, 2021, Re: Support for Notice of Motion Regarding Deer Fences

Attachments: [Email - Support for NOM](#)

- 5) [21-363](#) Email from Marie Fidoe, dated June 14, 2021, Re: Support for Notice of Motion Regarding Fence Height Bylaw

Attachments: [Email - Support for NOM](#)

- 6) [21-366](#) Email from Susan Gage, Esquimalt United Church Mural Team, dated June 13, 2021, Re: Mural Festival Bylaw Exemption

Attachments: [Email - Mural Festival Bylaw Exemption](#)

10. NOTICE OF MOTION

- 1) [21-344](#) Regulation for Fences in Esquimalt, Councillor Meagan Brame - For Consideration

Attachments: [NOM - Regulation for Fences in Esquimalt](#)

11. RISE AND REPORT

- 1) [21-364](#) Appointment to Design Review Committee, AIBC Appointed Position

Attachments: [Attachment No. 1: Rise and Report](#)

12. ELECTRONIC 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