



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

Agenda - Final Council

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

Monday, April 26, 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) [24-372](#) Late correspondence

Attachments: [Late correspondence for items No. 6.7, 6.12, 10.10](#)

3. APPROVAL OF THE AGENDA

4. PRESENTATIONS

1) [21-134](#) Kristi Fairholm Mader, Co-Founding Director, Scale Collaborative & Colleen Evans, Campbell River City Councillor, Re: Coastal Communities Social Procurement Initiative (CCSPI)

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

[Attachment No. 2: 2021 Flyer](#)

[Attachment No. 3: Info Sheet - Procurement, Resilient Economies, and COVID-19](#)

[Attachment No. 4: PowerPoint Presentation](#)

5. 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.

6. STAFF REPORTS***Community Safety Services***

1) [21-109](#) Building Regulation Bylaw - Amendment No. 1, Staff Report No. CSS-21-006

Recommendation:

That Council give first, second and third readings to Building Regulation Bylaw, 2017, No. 2899, Amendment Bylaw [No. 1], 2021, No. 3019.

Attachments: [Attachment No. 1: Building Regulation Amendment Bylaw No. 3019](#)

Finance

2) [21-220](#) 2021 Financial Plan and Tax Rates Bylaws, Staff Report No. FIN-21-008

Recommendation:

That Council give first, second and third readings to Financial Plan Bylaw, 2021, No. 3016 and Tax Rates Bylaw, 2021, No. 3017

Attachments: [Attachment No. 1: Bylaw 3016 - 2021-2025 Financial Plan.pdf](#)
[Attachment No. 2: Bylaw 3016 - Schedule A Policies and Objectives.pdf](#)
[Attachment No. 3: Bylaw 3016 - Schedule B Financial Plan.pdf](#)
[Attachment No. 4: Bylaw 3017 - 2021 Tax Rates.pdf](#)
[Attachment No. 5: Bylaw 3017 - Schedule A Tax Rates.pdf](#)

Engineering and Public Works

3) [21-228](#) Parking Restriction Rankin Road, Staff Report No. EPW-21-010

Recommendation:

That Council approves the implementation of Traffic Order 1323 for "Residential Parking Only" on both sides of Rankin Road commencing at the intersection with Treebank Road West and extending north to the terminus, as set out in Staff Report EPW-21-010.

Attachments: [Attachment 1: Traffic Order No. 1323](#)
[Attachment 2: Guide to Parking Restrictions](#)
[Attachment 3: Petition](#)

4) [21-229](#) Parking Restriction Treebank Road West, Staff Report No. EPW-21-011

Recommendation:

That Council approves the implementation of Traffic Order 1322 for “Residential Parking Only” on both sides of Treebank Road West commencing at the intersection with Rankin Road and extending east to the terminus, as set out in Staff Report EPW-21-011.

Attachments: [Attachment 1: Traffic Order No. 1322](#)
[Attachment 2: Guide to Parking Restrictions](#)
[Attachment 3: Petition](#)

5) [21-230](#) Parking Restriction, Canteen Road, Staff Report No. EPW-21-012

Recommendation:

That Council approve/rescind the Parking Restriction Traffic Orders detailed in Staff Report EPW-21-012 for the following:

- Approve Traffic Order 1325 for “No Parking” on the west side of Canteen Road commencing at a point 9m north of Esquimalt Road and extending 40m north and commencing at a point 69.5m north of Esquimalt Road and extending 43.15m north;
- Approve Traffic Order 1326 for “No Parking” on the east side of Canteen Road commencing at a point 9m north of Esquimalt Road and extending 76.8m north; and
- Rescind Traffic Order 158 for “No Parking” on the west side of Canteen Road commencing at Esquimalt Road and extending 112.65m north.

Attachments: [Attachment 1 - Detailed Design](#)
[Attachment 2 - Traffic Orders](#)

Parks and Recreation

6) [21-202](#) Hither Green Park Playground Contract Award and Park Development, Staff Report No. P&R-21-001

Recommendation:

That Council award Suttle Recreation Inc. a contract valued at \$158,922 (excluding GST) for the supply and installation of a playground for Hither Green Park

Attachments: [Attachment No. 1: Suttle Recreation Inc. Playground Design](#)

Development Services

7) [21-242](#) Development Permit Application - 1048 Tillicum Road, Staff Report No. DEV-21-031

Recommendation:

That Council resolve that Development Permit No. DP000161, attached as “Appendix A” of staff report DEV-21-031, authorizing the form and character of the proposed development of a 5-unit townhouse (in a duplex and triplex configuration), as sited on

the survey plan prepared by Glen Mitchell, BCLS, representing Glen Mitchell Land Surveying Inc., stamped "Received March 16, 2021", consistent with the architectural plans provided by Zebra Design, stamped "Received April 20, 2021", and with the landscape plan by Greenspace Designs - Sustainable Landscape Design, stamped "Received April 20, 2021", be approved, and staff be directed to issue the permit, and register the notice on the title of 1048 Tillicum Road [PID 005-010-390; Lot D, Section 10, Esquimalt District, Plan 11683].

Attachments: [Appendix A - DP000161 - 1048 Tillicum Road](#)
[Appendix B - Airphoto OCP Maps](#)
[Appendix C - DPA No 1 6 7 8 Matrices](#)
[Appendix D - Bylaw No. 2994 - 1048 Tillicum Road - CD-132](#)
[Appendix E - Applicant Presentation to Council](#)

8) [21-227](#) Rezoning Application - 851 Lampson Street, Staff Report No. DEV-21-030

Recommendation:

That Council resolves that Zoning Bylaw, 1992, No. 2050, Amendment Bylaw No. 3007, attached as Appendix A to Staff Report No. DEV-21-030, which would amend Zoning Bylaw, 1992, No. 2050, by changing the zoning designation of 851 Lampson Street [PID 005-778-441, Parcel A (DD 19978W) of Lot 12, Section 10, Esquimalt District, Plan 7500], shown cross-hatched on Schedule "A" of Amendment Bylaw No. 3007, from Two Family/ Single Family Residential [RD-3] to Comprehensive Development District No. 134 [CD. No. 134], be considered for adoption.

Attachments: [Appendix A - Bylaw No. 3007 - 851 Lampson Street - CD 134](#)
[Appendix B - S.219 Registered Covenant - 851 Lamspon Street](#)
[Appendix C - Architectural Drawings, Landscape Plan, and Surveyor's Site Plan](#)

9) [21-222](#) Housing Agreement Bylaw No. 2993 - 874 Fleming Street, Staff Report No. DEV-21-027

Recommendation:

1. That Council resolves that Housing Agreement (*874 Fleming Street*) Bylaw, 2020, No. 2993, attached as Appendix A of Staff Report DEV-21-027, be adopted; and
2. That staff be directed to execute the Housing Agreement and register the Notice of Housing Agreement on the title of 874 Fleming Street [PID 002-900-246, Lot B, Section 10, Esquimalt District, Plan 25267].

Attachments: [Appendix A - Bylaw No. 2993 - Housing Agreement \(874 Fleming Street\) Bylaw](#)
[Appendix B - Architectural Drawings, Landscape Plan, and Surveyor's Site Plan](#)

10) [21-223](#) Rezoning Application - 874 Fleming Street, Staff Report No. DEV-21-028

Recommendation:

That Council resolves that Zoning Bylaw, 1992, No. 2050, Amendment Bylaw No. 2988, attached as Appendix A to Staff Report DEV-21-028, which would amend Zoning Bylaw, 1992, No. 2050, by changing the zoning designation of 874 Fleming Street [PID 002-900-246, Lot B, Section 10, Esquimalt District, Plan 25267], shown cross-hatched on Schedule 'A' of Bylaw No. 2988, from Multiple Family Residential [RM-4] to Comprehensive Development District No. 130 [CD. No. 130], be considered for adoption.

Attachments: [Appendix A - Bylaw No. 2988 - Zoning Bylaw Amendment - 874 Fleming Street - CD130](#)
[Appendix B - S.219 Registered Covenant \[CA8854294 and CA8854295\]](#)
[Appendix C - Architectural Drawings, Landscape Plan, and Surveyor's Site Plan](#)

11) [21-156](#) Rezoning Application – 1100, 1104 & 1108 Esquimalt Road, and 610 & 612 Lampson Street, Staff Report No. DEV-21-022

Recommendation:

1. That Council resolves to rescind second reading, amend, and read anew a second time Zoning Bylaw, 1992, No. 2050, Amendment Bylaw No. 2989, attached to Staff Report No. DEV-21-022 as Appendix A, which would amend Zoning Bylaw, 1992, No. 2050 by changing the zoning designation of 1100 Esquimalt Road [PID 005-988-292 Lot 1, Section 11, Esquimalt District, Plan 4618], 1104 Esquimalt Road [PID 005-988-331 Lot 2, Section 11, Esquimalt District, Plan 4618], and 1108 Esquimalt Road [PID 005-988-381 Lot 3, Section 11, Esquimalt District, Plan 4618], all shown cross hatched on Schedule 'A' of Bylaw No. 2989, from RM-1 [Multiple Family Residential] to CD No. 131 [Comprehensive Development District No. 131]; and by changing the zoning designation of 610 Lampson Street [PID 024-548-782 Strata Lot 2 Section 11 Esquimalt District Strata Plan VIS4828], and 612 Lampson Street [PID 024-548-774 Strata Lot 1 Section 11 Esquimalt District Strata Plan VIS4828], all shown cross hatched on Schedule 'A' of Bylaw No. 2989, from CD No. 22 [Comprehensive Development District No. 22] to CD No. 131 [Comprehensive Development District No. 131];

2. That Council authorizes the Corporate Officer to schedule a Public Hearing for Zoning Bylaw, 1992, No. 2050, Amendment Bylaw No. 2989, 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-21-022, the applicant has voluntarily agreed to register a Section 219 Covenant on the titles of 1100 Esquimalt Road [PID 005-988-292 Lot 1, Section 11, Esquimalt District, Plan 4618], 1104 Esquimalt Road [PID 005-988-331 Lot 2, Section 11, Esquimalt District, Plan 4618], 1108 Esquimalt Road [PID 005-988-381 Lot 3, Section 11, Esquimalt

District, Plan 4618], 610 Lampson Street [PID 024-548-782 Strata Lot 2 Section 11 Esquimalt District Strata Plan VIS4828], and 612 Lampson Street [PID 024-548-774 Strata Lot 1 Section 11 Esquimalt District Strata Plan VIS4828] 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 1100 Esquimalt Road, 1104, Esquimalt Road, 1108 Esquimalt Road, 610 Lampson Street, and 612 Lampson Street prior to development as the proposed CD No.131 Zone does not work unless the parcels are consolidated
- Undergrounding of the electric power lines along Esquimalt Road and Lampson Street adjacent to the subject property
- The building be constructed to include a minimum of four 3-bedroom dwelling units
- 9 visitor parking spaces will be provided and remain
- All the parking stalls wired for Level 2 (240V, AC plug with a dedicated 40-ampere circuit) electric vehicle charging stations
- Membership for a shared vehicle service for 69% of the units
- Parking space for a car share vehicle on the subject property
- Provision of one-year BC Transit bus passes for the Victoria Regional Transit System to all the residents
- No restriction on rentals to ensure that all the strata units in this building can be used as long-term residential rentals
- Provision of right-of-way for corner plaza and sidewalks.

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. 2989 to Council for consideration of adoption.

Attachments: [Appendix A - Zoning Bylaw, 1992, No. 2050, Amendment Bylaw No. 2989](#)
[Appendix B - Aerial Map](#)
[Appendix C - Architectural Drawings, Landscape Plan, and Surveyor's Site Plan](#)
[Appendix D - Green Building Checklist](#)
[Appendix E - Parking Study](#)
[Appendix F - Construction Impact Assessment & Tree Preservation Plan](#)
[Appendix G - Developer's Public Consultation Summary](#)
[Appendix H - Traffic Impact Assessment](#)
[Appendix I - Email from BC Transit](#)
[Appendix J - Public Input](#)
[Appendix K - Applicant Video Presentation](#)
[Appendix L - Applicant PowerPoint Presentation](#)
[Appendix M - Applicant Video Presentation Script](#)
[Appendix N - Staff PowerPoint Presentation](#)

12) 21-206 Detached Accessory Dwelling Unit Amending Bylaw Second Reading - Staff Report No. DEV-21-026

Recommendation:

1. That Council give second reading to Zoning Bylaw, 1992, No. 2050 and Parking Bylaw, No. 2011, 1992, Amendment Bylaw No. 3013, 2021, which would allow for the regulation of Detached Accessory Dwelling Units (DADUs) in specific areas of the Township; and
2. That Council authorizes the Corporate Officer to schedule a Public Hearing for Zoning Bylaw, 1992, No. 2050 and Parking Bylaw, No. 2011, 1992, Amendment Bylaw No. 3013, 2021, and to advertise for the same in the local newspaper.

Attachments: [Appendix A: Bylaw 3013](#)
[Appendix B: Letter to Eligible Properties](#)
[Appendix C: Correspondence](#)

13) 21-232 Council Resolution in Support of a Local Government Development Approvals Program Grant Application, Staff Report No. DEV-21-029

Recommendation:

That Council endorse, through resolution, the Township's grant application to the Local Government Development Approvals Program (Appendix "A") for a \$200,000.00 grant to transition the Township's development applications process from a paper based format to a totally digital web based format utilizing block chain and artificial intelligence technologies to secure, process, evaluate, disseminate, track, and coordinate all applications and related materials from pre-application meetings to permanent electronic records management.

Furthermore, Council grants authority to the Chief Administrative Officer or her delegate(s) to sign the application form and to be the main point of contact with the UBCM and Government of British Columbia on matters related to the application, and if successful, the implementation of the project.

Attachments: [Attachment No. 1: Local Government Development Approvals Program Guide](#)

14) 21-244 Section 219 Covenant - Building Permit Application
Oakwoods/Rosemead House, Staff Report No. DEV-21-033

Recommendation:

That ARAGON (LAMPSON) PROPERTIES LTD., INC.NO. BC863902 (the Owner) has submitted multiple Building Permit applications to the Township that were issued and have subsequently expired, further to Section 15.4 of the Township's Building Regulation Bylaw ("Bylaw") and

That, ARAGON (LAMPSON) PROPERTIES LTD., INC.NO. BC863902 (The Owner) has requested that the Building Inspector exercise their discretion under the Bylaw to renew and otherwise permit the Building Permits to continue and be collected, and in support thereof has:

- (a) provided reports of independent registered professionals including updated Letters of Assurance from the current Coordinating Registered Professional and report prepared by GHL Consultants Ltd. dated December 4, 2020 (the "Reports"), originals with Township files, and copies of which are attached as Schedule);
- (b) acknowledged the Building Inspector's reliance on the Reports and the public interest of the Owner being responsible for its complex development on the Lands; and
- (c) the Owner has offered and voluntarily provided this Section 219 Covenant to the Township, and the Township has accepted this covenant and required its registration as a condition of renewing and otherwise continuing the Building Permits, and

That, 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 Township 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;
 - 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; and
 - that land or a specified amenity in relation to it be protected, preserved, conserved, maintained, enhanced, restored or kept in its natural or existing state in accordance with the covenant and to the extent provided in the covenant.

Now Therefore, Council, through a resolution of the majority, authorizes the Mayor and Chief Administrative Officer to execute the Section 219 Covenant, a copy of which is attached as Appendix A to Staff Report DEV-21-033, and cause the Covenant to be registered on the title for, Lot B, Section 11, Esquimalt District, Plan VIP60066 (the "Lands").

Attachments: [Appendix A - ROSE MEADE HOTEL + OAKWOODS - BP - COVENANT](#)

7. BYLAWS

1) [21-209](#) Business Licence and Regulation Bylaw, 2013, No. 2810, Amendment Bylaw [No. 4], 2021, No. 3022 - For Adoption

Attachments: [Attachment No. 1: Bylaw No. 3022](#)

2) [21-210](#) Bylaw Notice Enforcement Bylaw, 2014, No. 2839, Amendment Bylaw [No. 11], 2021 No. 3024 - For Adoption

Attachments: [Attachment No. 1: Bylaw No. 3024](#)

3) [21-216](#) Alternative Municipal Tax Collection Scheme Bylaw No. 3025, 2021 - For Adoption

Attachments: [Attachment No. 1: Bylaw No. 3025](#)

8. MAYOR'S AND COUNCILLORS' REPORTS

1) [21-195](#) Federation of Canadian Municipalities (FCM) Update, Councillor Ken Armour

Attachments: [Attachment No. 1: FCM Update](#)

9. REPORTS FROM COMMITTEES

1) [21-240](#) Draft Minutes of the Environmental Advisory Committee, February 25, 2021

Attachments: [2021 02 25 Environmental Advisory Committee Minutes - Draft](#)

2) [21-243](#) Draft Minutes of the APC Design Review Committee, March 10, 2021

Attachments: [2021 03 10 Design Review Committee Minutes - Draft](#)

3) [21-241](#) Adopted Minutes of the Parks and Recreation Advisory Committee, March 18, 2021

Attachments: [2021 03 18 Parks and Recreation Advisory Committee Minutes - Adopted](#)

10. COMMUNICATIONS

For Council's Consideration

- 1) [21-233](#) Email from Kieran Buggy, South Island Prosperity Partnership (SIPP), dated April 7, 20221, Re: SIPP Membership
Attachments: [Email - SIPP Membership](#)
- 2) [21-234](#) Email from Christine Havelka, City of Victoria, dated April 9, 2021, Re: Support for Laid-off Hotel and Tourism Industry Workers
Attachments: [Email - Support for Laid-off Hotel and Tourism Industry Workers](#)
- 3) [21-235](#) Email from Laura-Beth Keane, Executive Director, Esquimalt Community Arts Hub & Trudy Van Dop, Publisher, BC's Guide to Arts & Culture, dated April 9, 2021, Re: Creative Communities - Esquimalt Listing
Attachments: [Email - Creative Communities Esquimalt Listing](#)
- 4) [21-236](#) Email from Cheryl Hardisty, Senior Executive Assistant to the CAO, Mayor, and Council, City of Penticton, dated April 13, 2021, Re: Support for UBCM Resolution to Reconsider Provincial Paramountcy to Undermine Local Government Bylaws
Attachments: [Email - Provincial Paramountcy to Undermine Local Government Bylaws](#)
- 5) [21-237](#) Email from Doug Foord President/CEO, Invictus Commercial Investment Corp, dated April 15, 2021, Re: Consideration of Revitalization Tax Exemption for Proposed Multifamily at Carlisle-Fraser-Lyall
Attachments: [Email - Revitalization Tax Exemption for Proposed Multifamily at Carlisle-Fraser-Lyall](#)
- 6) [21-238](#) Letter from John Holmes, dated April 12, 2021, Re: Assertive Community Treatment (ACT)
Attachments: [Letter - Assertive Community Treatment](#)
- 7) [21-239](#) Email from Dawn Sheppard, Acting Executive Services Coordinator, Office of the CAO and Board Chair, Capital Regional District (CRD), dated April 19, 2021, Re: Municipal Consent for Bylaw No. 4375 - Liquid Waste Management Core Area and Western Communities Service Loan Authorization
Attachments: [Email - Municipal Consent for Bylaw No. 4375](#)
- 8) [21-245](#) Email from Melissa Nicholson, dated April 21, 2021, Re: Proclamation Request for Parent Alienation Awareness Day, April 25, 2021

Attachments: [Email - Parent Alienation Awareness Day](#)

9) [21-246](#) Email from Anil Arora, Chief Statistician of Canada, Statistics Canada / Government of Canada, dated April 22, 2021, Re: 2021 Census Support

Attachments: [Email - Stats Canada](#)

11. 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