



# **CORPORATION OF THE TOWNSHIP OF ESQUIMALT**

## **Agenda - Final**

### **Council**

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

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Monday, December 7, 2020

7:00 PM

Esquimalt Council Chambers

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#### ***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](mailto: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.***

#### **Public Hearing Participation**

**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.**

#### **1. CALL TO ORDER**

#### **2. LATE ITEMS**

- 1) [24-363](#) Late correspondence

*Attachments:* [Late correspondence for items No. 6.3, 9.5, 9.8, 11.8](#)

#### **3. APPROVAL OF THE AGENDA**

#### **4. MINUTES**

- 1) [20-562](#) Minutes of the Special Council meeting held November 16, 2020

*Attachments:* [Minutes of the Special Council meeting, November 16, 2020](#)

- 2) [20-563](#) Minutes of the Regular Council meeting held November 16, 2020

*Attachments:* [Minutes of the Regular Council meeting, November 16, 2020](#)

#### **5. MAYOR'S ANNUAL ADDRESS**

## 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.*

*Written Submissions:*

*If you wish to provide written comments to Council please email them to [corporate.services@esquimalt.ca](mailto: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.*

*Public Hearing Participation:*

*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) [20-587](#) Notice of Public Hearing - 874 Fleming Street

Attachments: [Public Hearing Notice - 874 Fleming Street](#)

- 2) **Background Information - Available for Viewing Separately**

- 3) **Director of Development Services - Overview of Application**

- 2) [20-574](#) Rezoning Application - 874 Fleming Street, Staff Report No. DEV-20-083

*Attachments:* [Appendix A - Zoning Bylaw, 1992, No. 2050, Amendment Bylaw No. 2988](#)  
[Appendix B - Site Plan, Airphoto, OCP, Zoning Map](#)  
[Appendix C - Architectural Plans, Landscaping Plan and BCLS Site Plan](#)  
[Appendix D - Applicant \(GVHS\) Narrative](#)  
[Appendix E - Green Building Checklist](#)  
[Appendix F - Arborist Tree Preservation Plan](#)  
[Appendix G - Transportation and Parking Study](#)  
[Appendix H - GVHS Public Open House](#)  
[Appendix I - Housing Agreement \(874 Fleming Street\) Bylaw, 2020 No. 2993](#)  
[Appendix J - Public Hearing: Mail Notice](#)  
[Appendix K - Public Hearing Notice VicNews](#)  
[Appendix L - Council Presentation: Staff](#)  
[Appendix M - Council Presentation: Applicant](#)

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

1. That Council, upon considering comments made at the public hearing, resolves that Zoning Bylaw, 1992, No. 2050, Amendment Bylaw No. 2988, attached as Appendix A to Staff Report DEV-20-083, 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 read a third time; and

2. 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-20-083, the applicant has voluntarily agreed to register a Section 219 Covenant on the title for 874 Fleming Street, [PID 002-900-246, Lot B, Section 10, Esquimalt District, Plan 25267], 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, but not limited to, the following:

- Constructing the building to Step 3 of the BC Energy Step Code.
- Ensuring tree protection for the significant arbutus tree located on the southeast portion of the site.
- Prohibiting stratification and sale of the units within the building to any person or organization except BC Housing.
- Providing amenity spaces as detailed on Sheet D05 of the architectural plans attached as Appendix C to Staff Report DEV-20-083.
- Providing Level 1 Electric Car Charging Stations for not less than 7 parking spaces.
- Providing electrical conduit to the remaining 60 parking spaces to support future Level 1 electric vehicle charging upgrades.
- Providing sufficient power and electrical panel infrastructure to support future electrical vehicle charging upgrades to supply Level 1 charging to the remaining 60 parking spaces.
- Providing electric mobility scooter parking, including charging infrastructure, for not less than 14 mobility scooters.
- Providing electric bicycle parking, including charging infrastructure for not less than 50% of bicycle lock ups.
- Securing 13 Visitor Parking spaces in perpetuity.
- Securing 1 Loading Space in perpetuity.
- Prohibition on the use of natural gas as an energy source for the space heating needs of the building.

To this end, 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 on the property title, in priority to all financial encumbrances, prior to returning Amendment Bylaw No. 2988 to Council for consideration of adoption.

**7. PRESENTATIONS**

- 1) [20-540](#) Gillian Lindquist, Executive Director, Restorative Justice Victoria,  
Re: Overview of 2019 & 2020 Services

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

**8. 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.**

**9. STAFF REPORTS*****Administration***

- 1) [20-579](#) Council Appointment to CRD Regional Housing Trust Fund Commission, Staff Report No. ADM-20-027

***Recommendation:***

That Council appoint Councillor Meagan Brame, as recommended by Mayor Desjardins, to the CRD Regional Housing Trust Fund Commission for a two-year term commencing January 1, 2021, and further direct staff to advise the Capital Regional District accordingly.

*Attachments:* [Attachment No. 1: Letter re CRD Appointment Request](#)

***Finance***

- 2) [20-582](#) COVID-19 Safe Restart Grant for Local Governments, Staff Report No. FIN-20-021

***Recommendation:***

That Council receive Staff Report No. FIN-20-021 for information.

*Attachments:* [Attachment No. 1 - Letter to CAO](#)

- 3) [20-400](#) Local Grant Policy, Staff Report No. FIN-20-016

***Recommendation:***

That Council approve Council Policy ADMIN-32 Local Grants as amended and attached to Staff Report No. FIN-20-016.

*Attachments:* [Attachment No. 1: Draft ADMIN-32 Local Grants Policy](#)  
[Attachment No. 2: Local Grant Application fillable form](#)

***Engineering and Public Works***

- 4) [20-585](#) Traffic Order Management for 1230 to 1314 Esquimalt Road, Staff Report No. EPW-20-26

***Recommendation:***

That Council:

1. Approve Traffic Order No. 1317 - 1 hour parking from 9am-5pm Monday through

Friday in front of 1234 Esquimalt Road and Traffic Order No. 1318 - 1 hour parking from 9am-5pm Monday through Friday in front of 1314 Esquimalt Road, as attached to Staff Report EPW-20-026; and,

2. Rescind Traffic Order No. 745 - 1 hour parking from 9am-5pm Monday through Friday on the north side of Esquimalt Road between Constance Avenue and Memorial Park and Traffic Order No. 762 - 15 minute loading zone from 9am-5pm Monday through Friday in front of 1234 Esquimalt Road.

*Attachments:* [Attachment 1: Esquimalt Road Traffic Orders Map](#)  
[Attachment 2: TO1317 1314 Esquimalt Road Limited Time Parking](#)  
[Attachment 3: TO1318 1234 Esquimalt Road Limited Time Parking](#)

- 5) [20-584](#) Update on Pilot Project on Lowering Speed Limit - Residential Roads, Staff Report No. EPW-20-025

***Recommendation:***

That Council approve the Township's participation in a three-year pilot project for a revised default speed limit (40 km/hr.) for roads without continuous yellow centreline markings (residential) as outlined in Staff Report No. EPW-20-025 and direct staff to advise the District of Saanich accordingly.

*Attachments:* [Attachment 1: Letter from Mayor Fred Haynes, dated March 11, 2020](#)  
[Attachment 2: OCP section 11 Transportation](#)  
[Attachment 3: Bylaw No. 2898 sections 10-13](#)  
[Attachment 4: Report from Harley Machielse, Director of Engineering, District of Saanich, dated October 8, 2020](#)  
[Attachment 5: Letter from Mayor Fred Haynes, dated October 30, 2020](#)

***Development Services***

- 6) [20-592](#) Development Permit Application - 876 Dunsmuir Road, Staff Report No. DEV-20-084

***Recommendation:***

That Council resolve that Development Permit No. DP000146, attached as "Appendix A" of staff report DEV-20-084, authorizing the form and character of the proposed development of four (4) stacked townhouse dwelling units as sited on the survey plan prepared by J.E. Anderson and Associates stamped "Received April 20, 2020", consistent with the architectural plans provided by Victoria Design Group., stamped "Received November 24, 2020", and the landscape plan by Greenspace Designs. stamped "Received November 24, 2020", be approved, and staff be directed to issue the permit, and register the notice on the title of 876 Dunsmuir Road [PID 001-586-971; Lot 77, Section 11, Esquimalt District, Plan 265].

*Attachments:* [Appendix A - DP000146](#)  
[Appendix B - Subject Property Map, Air Photo, OCP Land Use Designation Maps](#)  
[Appendix C - DP Guideline Forms - DP Areas No. 1, 6, 7, 8 and 11](#)  
[Appendix D - Bylaw No. 3000 \(876 Dunsmuir Road CD 142\)](#)  
[Appendix E - Green Building Checklist](#)  
[Appendix F - Council Presentation Applicant](#)

- 7) [20-572](#) Development Permit and Development Variance Permit Application - 445 Foster Street, Staff Report No. DEV-20-081

***Recommendation:***

1. That Council approve Development No. DP000151 attached as Appendix A to staff Report No. DEV-20-081, authorizing the addition to an accessory building as illustrated on the architectural drawings by Samantha Weeks Design Group, stamped "Received October 19, 2020", and staff be directed to issue the permit, and register the notice on the title of the property located at PID 002-705-141, Lot 3 Suburban Lot 47 Esquimalt District Plan 25909 [445 Foster Street].

2. That Council approve Development Variance Permit No. DVP00111 attached as Appendix B to Staff Report No. DEV-20-081, including the following variances to Zoning Bylaw, 1992, No. 2050, as illustrated on the architectural drawings by Samantha Weeks Design Group, stamped "Received October 19, 2020", and staff be directed to issue the permit and register the notice on the titles of the property located at PID 002-705-141, Lot 3 Suburban Lot 47 Esquimalt District Plan 25909 [445 Foster Street]:

**Zoning Bylaw, 1992, No. 2050, 36 (6)(b) - Building Height:** to increase the maximum allowed Height for an Accessory Building from 3.6 metres to 7.46 metres.

*Attachments:* [Appendix A - DP000151](#)  
[Appendix B - DVP00111](#)  
[Appendix C - Aerial Map, RS-3 Zone, DPA No.2, and Mail Notice](#)  
[Appendix D - Architectural Drawings and Surveyor's Site Plan](#)  
[Appendix E - Applicant's comments regarding DPA No. 2 - Protection of Development from Hazardous Conditions](#)

- 8) [20-573](#) Temporary Use Permit Application – 856 & 858 Esquimalt Road, Staff Report No. DEV-20-082

***Recommendation:***

That Council approve Temporary Use Permit No. TUP00011, authorizing the site to be temporarily used as a 'Construction Laydown Site' during the construction of the building at 687 Admirals Road and staff be directed to issue the permit subject to the conditions contained within TUP00011, attached as Appendix A to Staff Report DEV-20-082, and register the notice on the title of the properties located at 856 Esquimalt Road [PID: 026-691-418; Lot A Section 11 Esquimalt District Plan VIP80973]

and 858 Esquimalt Road [PID: 002-925-966, Lot 2 Section 11 Esquimalt District Plan 23904]

*Attachments:* [Appendix A - TUP00011](#)  
[Appendix B - Aerial Map](#)  
[Appendix C - Traffic Management Plan](#)  
[Appendix D - Public Comments](#)

- 9) [20-567](#) Development Permit - 636 and 640 Drake Avenue, Staff Report No. DEV-20-080

***Recommendation:***

That Council resolve that Development Permit No. DP000144 [Appendix A of staff report DEV-20-080] authorizing the design of the proposed seven-unit townhouse development, consistent with survey plan prepared by James Worton, BCLS, Powell and Associates, stamped "Received October 30, 2020", consistent with the rendering stamped "Received November 18, 2020, the colour board stamped "Received August 6, 2020, the architectural plans provided by Burrows Holdings Ltd., stamped "Received October 30, 2020", and the landscape plans by Keith Grant Landscape Architecture Ltd. stamped "Received August 6, 2020" be approved, and staff be directed to issue the permit, and register the notice on the title of the property resulting from the consolidation of the properties at 636 Drake Avenue [PID 002-923-211; Lot 3 of Suburban Lot 41, Esquimalt District, Plan 25565] and 640 Drake Avenue [PID 002-923-157; Lot 2, Suburban Lots 50 and 41, Esquimalt District, Plan 25565].

*Attachments:* [Appendix A - DP000144 - 636 640 Drake Avenue](#)  
[Appendix B - Air photo and CD No 116](#)  
[Appendix C - DP Guideline forms: DP Areas No. 1, 6, 7, & 8](#)  
[Appendix D - Site plan, Building drawings, Colourboard, Landscaping](#)  
[Appendix E - Green Checklist](#)  
[Appendix F - Applicants Presentation - Drake Avenue](#)

- 10) [20-560](#) Rezoning Application - 481 South Joffre Street, Staff Report No.: DEV-20-079 - For Adoption

***Recommendation:***

That Council resolves that Zoning Bylaw, 1992, No. 2050, Amendment Bylaw No. 2999, attached as Appendix A to Staff Report DEV-20-079, which would amend Zoning Bylaw, 1992, No. 2050, by changing the zoning designation of 481 South Joffre Street [PID 003-150-909, Lot 4, Section 11, Esquimalt District, Plan 4729], shown cross-hatched on Schedule 'A' of Bylaw No. 2999, from Two Family/ Single Family Residential [RD-3] to Comprehensive Development District No. 141 [CD. No. 141], be adopted.



*Attachments:* [Appendix A - Bylaw 2999 - Zoning Bylaw Amendment \(481 S Joffre Street - CD141\)](#)  
[Appendix B - Registered Covenant](#)  
[Appendix C - Subject property map, Air photo](#)

## 10. REPORTS FROM COMMITTEES

- 1) [20-576](#) Draft Minutes from the Parks and Recreation Advisory Committee, October 21, 2020

*Attachments:* [2020 10 21 Parks and Recreation Advisory Committee Minutes](#)

- 2) [20-577](#) Draft Minutes of the APC Design Review Committee, November 4, 2020

*Attachments:* [2020 11 04 Design Review Committee Minutes](#)

- 3) [20-578](#) Draft Minutes of the Advisory Planning Commission, November 17, 2020

*Attachments:* [2020 11 17 Advisory Planning Commission Minutes](#)

## 11. COMMUNICATIONS

### *For Council's Consideration*

- 1) [20-569](#) Email from Jerymy Brownridge, Private Secretary and Executive Director - Office of the Lieutenant Governor, dated November 18, 2020, Re: Announcing the British Columbia Reconciliation Award

*Attachments:* [Email - BC Reconciliation Award](#)

- 2) [20-575](#) Letter from Robert Lapham, Chief Administrative Officer, Capital Regional District, dated November 20, 2020, Re: Solid Waste Management Plan - Phase Two of Public Consultation

*Attachments:* [Letter - Waste Management Plan Consultation](#)

- 3) [20-589](#) Email from Jack Peake, Vancouver Island Transportation Corridor Coalition, dated November 26, 2020, Re: E&N Corridor Support

*Attachments:* [Email - E&N Corridor Support](#)

- 4) [20-590](#) Email from Peter Julian, MP - New Westminster-Burnaby, Jenny Kwan, MP - Vancouver East, and Don Davies, MP - Vancouver Kingsway, dated November 26, 2020, Re: Endorsement Request for Bill C-213 The Canada Pharmacare Act

*Attachments:* [Email - Endorsement Request Canada Pharmacare Act](#)

- 5) [20-596](#) Email from Maria Doyle, Senior Executive Assistant to Mayor & CAO, City of Vernon, dated December 2, 2020, Re: Support for No Cost Access to Prescription Contraception

*Attachments:* [Email - Support for Access to Contraception](#)

- 6) [20-597](#) Email from Stephanie Ivall, Executive Assistant to Mayor and Council, City of Port Moody, dated December 1, 2020, Re: Support for Flood Risk Mitigation Resolution

*Attachments:* [Email - Support for Flood Risk Mitigation Resolution](#)

### **For Council's Information**

- 7) [20-588](#) Email from Bill and Carole Wennington, dated November 28, 2020, Re: Temporary Use Permit Application for 856 & 858 Esquimalt Road

*Attachments:* [Email - TUP 856-858 Esquimalt Rd](#)

## **12. NOTICE OF MOTION**

- 1) [20-561](#) Notice of Motion re: Regulation of Fireworks in Esquimalt by Councillor Ken Armour and Councillor Meagan Brame - For Discussion

*Attachments:* [Attachment No. 1: Notice of Motion - Regulation of Fireworks in Esquimalt](#)

- 2) [20-564](#) Notice of Motion re: Election Campaign Signs in Esquimalt by Councillor Ken Armour - For Introduction

*Attachments:* [Attachment No. 1: NOM Election Campaign Signs in Esquimalt](#)

- 3) [20-595](#) Notice of Motion - re: Membership with Greater Victoria Chamber of Commerce by Mayor Desjardins - For Introduction

*Attachments:* [Attachment No. 1: Membership with Greater Victoria Chamber of Commerce by Mayor Desjardins](#)

## **13. RISE AND REPORT**

## **14. 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.**

## **15. ADJOURNMENT**