



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

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

Monday, May 17, 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.

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) [24-374](#) Late correspondence

Attachments: [Late correspondence for item No. 4, 5](#)

3. APPROVAL OF THE AGENDA

4. PUBLIC HEARING - 1100/1104/1108 Esquimalt Road & 610/612 Lampson Street

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.

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) [21-287](#) Public Hearing Notice – 1100/1104/1108 Esquimalt Road & 610/612 Lampson Street

Attachments: [Public Hearing Notice - 1100/1104/1108 Esquimalt Road & 610/612 Lampson Street](#)

2) Background Information - Available for Viewing Separately**3) Director of Development Services - Overview of Application**

- 2) [21-274](#) Rezoning Application – 1100, 1104 & 1108 Esquimalt Road, and 610 & 612 Lampson Street, Staff Report No. DEV-21-037

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](#)

- 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. 2989, attached to Staff Report DEV-21-037 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], be given third reading; 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 DEV-21-037, 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, and with Mayor and CAO authorized to execute said covenant, prior to returning Amendment Bylaw No. 2989 to Council for consideration of adoption.

5. PUBLIC HEARING - Detached Accessory Dwelling Units

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.

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) [21-286](#) Public Hearing Notice - Detached Accessory Dwelling Units

Attachments: [Public Hearing Notice - DADU Bylaw](#)

2) Background Information - Available for Viewing Separately

3) Director of Development Services - Overview of Application

- 2) [21-266](#) Detached Accessory Dwelling Units - Staff Report No. DEV-21-034

Attachments: [Appendix A: Bylaw No. 3013 - DADU Amending Bylaw](#)
[Appendix B: Pubic Hearing advertisement Victoria News](#)
[Appendix C: Staff Presentation](#)
[Appendix D: Revised Schedule D for Bylaw No. 3013](#)
[Appendix E: Correspondence](#)

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

That Council, upon considering comments made at the public hearing, resolves that Zoning Bylaw, 1992, No. 2050 and Parking Bylaw, No. 2011, 1992, Amendment Bylaw No. 3013, 2021, attached as Appendix A to Staff Report DEV-21-034 and which would allow for the regulation of Detached Accessory Dwelling Units (DADUs) in specific areas of the Township, shown on Schedules D and E of Appendix A, be amended at third reading by replacing the map shown on Schedule D in the Bylaw with the revised map attached as Appendix C (labelled Schedule D) of staff report DEV-21-034.

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

Community Safety Services

- 1) [21-278](#) Alternative Approval Process, Bylaw No. 3021 - Results and next steps, Staff Report No. CSS-21-011

Recommendation:

That the Public Safety Building Improvements Loan Authorization Bylaw, 2021, No. 3021, be adopted.

Attachments: [Attachment No. 1: Certification of Results of AAP](#)
[Attachment No. 2: Staff Report CSS-21-005](#)
[Attachment No. 3: Bylaw No. 3021](#)

Development Services

- 2) [21-275](#) Rezoning Application – 881 Craigflower Road, Staff Report No. DEV-21-038

Recommendation:

1. That Council resolves that Zoning Bylaw, 1992, No. 2050, Amendment Bylaw No. 3029, attached to Staff Report No. DEV-21-038 as Appendix A, which would amend

Zoning Bylaw, 1992, No. 2050 by changing the zoning designation of 881 Craigflower Road [PID 006-245-196, Lot 6, Section 10, Esquimalt District, Plan 3060], shown cross hatched on Schedule 'A' of Bylaw No. 3029, from RM-1 [Multiple Family Residential] to CD No. 137 [Comprehensive Development District No. 137] be given first and second reading; and

2. That Council waive the Public Hearing pursuant to *Local Government Act*, Section 464(2) for Zoning Bylaw, 1992, No. 2050, Amendment Bylaw No. 3029 and direct staff to proceed with appropriate public notification and return the bylaw to Council for consideration of third reading.

Attachments: [Appendix A - Zoning Bylaw, 1992, No. 2050, Amendment Bylaw No. 3029](#)
[Appendix B - Aerial Map and Zoning Map](#)
[Appendix C - Architectural Drawings and Surveyor's Site Plan](#)
[Appendix D - Applicant's Public Consultation Summary](#)
[Appendix E - Staff PowerPoint Presentation](#)

- 3) [21-281](#) Development Permit Application - 874 Fleming Street, Staff Report No. DEV-21-039

Recommendation:

That Council resolve that Development Permit No. DP000157, attached as Appendix "A" of staff report DEV-21-039, authorizing the form and character of the proposed development of a 21 metre [6 storey], 137 unit, affordable rental, multiple family residential building, consistent with the architectural plans provided by Low Hammond Rowe Architects and the landscape plans provided by LADR Landscape Architects, both stamped "Received May 6, 2021", and sited in accordance with the site plan prepared by Powell and Associates BC Land Surveyors, stamped "Received December 18, 2020", be approved, and staff be directed to issue the permit, and register the notice on the title of 874 Fleming Street [PID 002-900-246, Lot B, Section 10, Esquimalt District, Plan 25267].

Attachments: [Appendix A - 874 Fleming Street - DP000157](#)
[Appendix B - 874 Fleming Street - Site Plan Airphoto](#)
[Appendix C - 874 Fleming Street - Applicant Narrative](#)
[Appendix D - 874 Fleming Street - Applicant Responses - DPA No. 1, 6, 7, 8](#)
[Appendix E - 874 Fleming Street - Bylaw No. 2988 - CD-130](#)
[Appendix F - GVHS LHRA - Council Presentation](#)

- 4) [21-282](#) DRAFT Schedule A to Housing Agreement (819 Esquimalt Road, 821 Esquimalt Road, 823 Esquimalt Road), Bylaw, 2021, No. 3028, Staff Report No. DEV-21-040

Recommendation:

1. That Council resolves that the terms identified in DRAFT Schedule A to Housing Agreement (819 Esquimalt Road, 821 Esquimalt Road, and 823 Esquimalt Road)

Bylaw, 2021, No. 3028, attached as Appendix A of Staff Report DEV-21-040, are acceptable to Council.

2. That Council authorizes staff to schedule a Public Hearing for the proposed commercial mixed-use building containing 92 Senior Persons rental apartment units and 1 commercial retail unit, that would be authorized by the adoption of OCP Amendment Bylaw No. 3026 and Zoning Amendment Bylaw No. 3027, with the understanding that, should Council, upon considering comments from the Public Hearing, read the aforementioned bylaws a third time, staff would not present these bylaws for consideration of adoption until the applicant secures ownership of 819 Esquimalt Road, 821 Esquimalt Road, and 823 Esquimalt Road, the Housing Agreement, Schedule A to Bylaw No. 3028 is executed by the owner of the lands, and Housing Agreement (819 Esquimalt Road, 821 Esquimalt Road, and 823 Esquimalt Road) Bylaw, 2021, No. 3028 is presented to Council for consideration of first, second and third readings.

Attachments: [Appendix A - DRAFT Schedule A - Housing Agreement \(819 821 823 Esquimalt Road\)](#)
[Appendix B - Avenir - Housing Agreement Acceptance of Terms - Ltr](#)
[Appendix C - SitePln Airphoto OCP Zone Maps](#)
[Appendix D - 819 Esquimalt Road - Drwgs Shdw LP BCLS - Apr 6 stmp](#)

- 5) [21-283](#) Proposed subdivision, five building strata lots, 1052 Tillicum Road, Staff Report No. DEV-21-041

Recommendation:

That Council, acting as the Approving Authority pursuant the *Strata Property Act*, by a resolution of the majority, approve the proposed stratification of the occupied townhouse development configured as one duplex and one triplex located at 1052 Tillicum Road (Lot C, Section 10, Esquimalt District, Plan 11683) (PID 001-863-185) as indicated on Schedule "B" of Staff Report DEV-21-041.

Furthermore, that Council authorize the Mayor and Chief Administrative Officer to execute the Application to Deposit Plan form and any other documents associated with the registration of the approved subdivision.

Attachments: [Appendix A: 1052 Tillicum Road Key Map](#)
[Appendix B: 1052 Tillicum Building Strata Plan EPS5697](#)

- 6) [21-273](#) Cost Impact of Fire Sprinklers and Underground Utility Wiring on Missing Middle Housing, Staff Report No. DEV-21-036

Recommendation:

That Council instruct staff:

1. not to amend the Fire Sprinkler section of Building Regulation Bylaw, 2017, No. 2899, since it is anticipated that the Province will introduce Fire Sprinkler Regulations that will usurp the provisions of the Bylaw; and

2. to bring a report to Council in 2021 regarding the review and updating of the Subdivision and Development Control Bylaw, 1997, No. 2175, including consideration of the cost impacts of requiring underground utility wiring on missing middle housing.

Attachments: [Appendix A: Esquimalt policies - added costs for missing middle housing](#)

8. REPORTS FROM COMMITTEES

- 1) [21-276](#) Draft Minutes of the Advisory Planning Commission, March 23, 2021

Attachments: [2021 03 23 Advisory Planning Commission Minutes - Draft](#)

- 2) [21-277](#) Adopted Minutes APC Design Review Committee, April 14, 2021

Attachments: [2021 04 14 APC Design Review Committee Minutes - Adopted](#)

9. COMMUNICATIONS

For Council's Consideration

- 1) [21-279](#) Email from Danielle McCann, dated May 7, 2021, Re: Pedestrian Safety on Head Street at Dunsmuir Road

Attachments: [Email - Pedestrian Safety on Head Street at Dunsmuir Road](#)

For Council's Information

- 2) [21-291](#) Email from the Honourable Josie Osborne, Minister of Municipal Affairs, dated May 11, 2021, Re: Climate Action Revenue Incentive Program

Attachments: [Email - Climate Action Revenue Incentive Program](#)

10. RISE AND REPORT

- 1) [21-260](#) 2021 Committee Appointments

Attachments: [Attachment No. 1: Appointments](#)

11. 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.

12. ADJOURNMENT