



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

Agenda - Final Council

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

Monday, March 1, 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) [24-368](#) Late correspondence

Attachments: [Late correspondence for item No. 5, 8.4](#)

3. APPROVAL OF THE AGENDA

4. MINUTES

1) [21-127](#) Minutes of the Special Council meeting held February 22, 2021

Attachments: [Minutes of the Special Council meeting, February 22, 2021](#)

2) [21-128](#) Minutes of the Regular Council meeting held February 22, 2021

Attachments: [Minutes of the Regular Council meeting, February 22, 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.

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) [21-064](#) Public Hearing Notice - 842 Carrie Street

Attachments: [Public Hearing Notice - 842 Carrie Street](#)

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

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

- 2) [21-094](#) Public Hearing OCP Amendment and Rezoning - 842 Carrie Street,
Staff Report No. DEV-21-012

Attachments: [Appendix A - Bylaw 3005 - OCP Amendment Bylaw Amendment \(842 Carie Street\)](#)
[Appendix B - Bylaw 3006 - Zoning Bylaw Amendment \(842 Carrie St\) CD133](#)
[Appendix C - Air photo, OCP & Zoning maps, RS-1 zone](#)
[Appendix D - BCCLS site plan, Applicants letter, architects drawings, landscape plan](#)
[Appendix E - Green Building Checklist](#)
[Appendix F - Neighbourhood meeting invitation & letters of support - emails](#)
[Appendix G - OCP consultation letter and concept plan](#)
[Appendix H - Public Hearing notification and Vic. News advertisement](#)
[Appendix I - Applicants presentation](#)
[Appendix J - Staff Presentation - 842 Carrie St - Public Hearing](#)

- 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 Official Community Plan Bylaw, 2018, No. 2922, Amendment Bylaw No. 3005 attached as Appendix A to Staff Report DEV-21-012, which would amend Official Community Plan - Schedule H, the 'Development Permit Areas' map, by 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 given third reading; and
2. That Council, upon considering comments made at the public hearing, resolves that Zoning Bylaw, 1992, No. 2050, Amendment Bylaw No. 3006, attached as Appendix B to Staff Report DEV-21-012, 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 given third reading; 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 DEV-21-012, the applicant has voluntarily agreed to register a Section 219 Covenant on the title of 842 Carrie Street [PID 000-385-336, Lot 14, Section 10, Esquimalt District, Plan 276] 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:
 - New building to achieve BC Energy Step Code level 3
 - Existing building to achieve BC Energy Step Code level 3, when renovated
 - Electric vehicle charger for the new house, and for the existing house upon renovation
 - Heat pump will be provided as the primary heating for the new house which would not have a gas connection (fossil fuel heating source).
 - Existing house would have a heat pump installed as the primary heating source upon renovation and keep its gas connection
 - A secondary suite would be permitted in the Site A building only
 - Neither lot can be sold until the renovations are completedTo this end, Council direct staff to coordinate with the property owner to ensure a Section 219 Covenant addressing the aforementioned items is registered against the property title, in priority to all financial encumbrances, prior to returning Amendment Bylaw No. 3005 and Amendment Bylaw No. 3006 to Council for consideration of adoption.

6. PRESENTATIONS

- 1) 21-130 Maureen Sawa, CEO, Annemieke Holthuis, Board Vice-Chair & Paul McKinnon, Director of Finance and Facilities, Greater

Victoria Public Library (GVPL), Re: 2021 GVPL Budget Presentation

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

7. 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.

8. STAFF REPORTS

Administration

1) [21-096](#) Alternative Approval Process - Public Safety Building Improvements, Staff Report No. CSS-21-005

Recommendation:

Motion No. 1:

That Council give first, second and third readings to Public Safety Building Improvements Loan Authorization Bylaw, 2021, No. 3021 as outlined in Staff Report No. CSS-21-005.

Motion No. 2:

WHEREAS the Corporation of the Township of Esquimalt has given three readings to Loan Authorization (Public Safety Building) Bylaw, 2021, No. 3021, which proposes a debenture not to exceed \$35,000,000, be obtained to finance a Public Safety Building which will be repaid over a period not to exceed thirty (30) years.

AND WHEREAS the Corporation of the Township of Esquimalt cannot adopt Bylaw No. 3021 until the approval of the electors has been obtained;

THEREFORE, BE IT RESOLVED that the Corporate Officer undertake an Alternative Approval Process (AAP) to determine the opinion of the electors regarding this matter including approval of the determination of the number of eligible electors and the Elector Response Form as outlined in Staff Report No. CSS-21-005;

AND THAT IT BE FURTHER RESOLVED that a minimum of 32 days for submitting receiving the Elector Response Forms is established.

Attachments: [Attachment No. 1: EPSB.Design Brief.02.17.2021](#)
[Attachment No. 2: DRAFT Public Safety Building Improvements](#)
[Loan Authorization Bylaw No. 3021](#)
[Attachment No. 3: Esquimalt-Metchosin Electoral District Map](#)
[Attachment No. 4: DRAFT Public Information Sheet](#)
[Attachment No. 5: DRAFT Elector Response Form](#)
[Attachment No. 6: DRAFT Notice to Electors](#)
[Attachment No. 7: DRAFT Certification of Results for Alternative Approval Process](#)
[Attachment No. 8: Determining the Number of Eligible Electors](#)

Development Services

2) [21-122](#) Development Permit and Development Variance Permit Application - 633 Nelson Street, Staff Report No. DEV-21-015

Recommendation:

1. That Council approve Development Permit No. DP000152 attached as Appendix A to Staff Report No. DEV-21-015, for a 3-unit townhouse, as illustrated on the architectural plan by Xquimalt, stamped "Received January 29, 2021", the landscape plan by Lombard North Group, Inc., stamped "Received February 22, 2021, and sited in accordance with the BCLS Site Plan provided by Kenneth Ng, stamped "Received February 3, 2021", and staff be directed to issue the permit, and register the notice on the title of the property located at PID 005-375-649, Lot 81, Suburban Lot 44, Esquimalt District, Plan 2854 [633 Nelson Street].
2. That Council approve Development Variance Permit No. DVP00112 attached as Appendix B to Staff Report No. DEV-21-015, including the following variances to Zoning Bylaw, 1992, No. 2050, as illustrated on the architectural plan by Xquimalt, stamped "Received January 29, 2021", the landscape plan by Lombard North Group, Inc., stamped "Received February 22, 2021, and sited in accordance with the BCLS Site Plan provided by Kenneth Ng, stamped "Received February 3, 2021", and staff be directed to issue the permit and register the notice on the title of the property located at PID 005-375-649, Lot 81, Suburban Lot 44, Esquimalt District, Plan 2854 [633 Nelson Street]:

Zoning Bylaw, 1992, No. 2050, 41 (3) (a) - Building Height: Increase of the maximum allowable height for the Principal Building from 7.5 metres to 7.7 metres

Zoning Bylaw, 1992, No. 2050, 41 (4) (a) - Lot Coverage: Increase of the maximum allowable lot coverage from 40% of the Area of a Parcel to 45% of the Area of a Parcel

Zoning Bylaw, 1992, No. 2050, 41 (5) (a) (i) - Siting Requirements: Principal Building - Front Setback: A 5.5-metre reduction to the requirement that no Principal Building shall be located within 7.5 metres of a Front Lot Line [i.e., from 7.5 metres to 2.0 metres]

Zoning Bylaw, 1992, No. 2050, 41 (5) (a) (ii) - Siting Requirements: Principal

Building - Northern Side Setback: A 1.5-metre reduction to the requirement that no Principal Building shall be located within 4.5 metres of an Interior Side Lot Line [i.e., from 4.5 metres to 3.0 metres]

Zoning Bylaw, 1992, No. 2050, 41 (5) (a) (ii) - Siting Requirements: Principal

Building - Southern Side Setback: A 2.0-metre reduction to the requirement that no Principal Building shall be located within 4.5 metres of an Interior Side Lot Line [i.e., from 4.5 metres to 2.5 metres]

Zoning Bylaw, 1992, No. 2050, 41 (5) (a) (iii) - Siting Requirements: Principal

Building - Rear Setback: A 3.15-metre reduction to the requirement that no Principal Building shall be located within 7.5 metres of a Rear Lot Line [i.e., from 7.5 metres to 4.35 metres]

Zoning Bylaw, 1992, No. 2050, 41 (6) - Usable Open Space: To allow for the required usable open space as required by the RM-1 zone but with an amended definition such that the area is available for use by the occupants of the individual townhouse unit rather than use by all the building's occupants

Attachments: [Appendix A - DP000152](#)

[Appendix B - DVP00112](#)

[Appendix C - Aerial Map, RM-1 Zone and Mail Notice](#)

[Appendix D - Architectural Drawings, Landscape Plan, and Surveyor's Site Plan](#)

[Appendix E - Green Building Checklist](#)

[Appendix F - Applicant's Comments for Development Permit Area Guidelines](#)

[Applicant Presentation](#)

3) [21-123](#) Development Permit Application - 334 Plaskett Place, Staff Report No. DEV-21-016

Recommendation:

That Council resolves that Development Permit No. DP000156, attached as Appendix A to Staff Report DEV-21-016, consistent with the structural drawings by Niveau Construction, stamped "Received January 11, 2021", be approved, and staff be directed to issue the permit and register the notice on the title of the property located at 334 Plaskett Place [PID 000-244-503, Lot A Section 11 Esquimalt District Plan 26533.

Attachments: [Appendix A - DP000156](#)

[Appendix B - Aerial Map](#)

[Appendix C - Structural Drawings](#)

[Appendix D - Green Building Checklist](#)

[Appendix E - DPA No. 2 - Protection of Development from Hazardous Conditions](#)

4) [21-100](#) Rezoning Application – 1100, 1104 & 1108 Esquimalt Road, and 610 & 612 Lampson Street, Staff Report No. DEV-21-011

Recommendation:

1. That Council resolves that Zoning Bylaw, 1992, No. 2050, Amendment Bylaw No. 2989, attached to Staff Report No. DEV-21-011 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 first and second reading;
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-21-011, 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

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 - Staff PowerPoint Presentation](#)
[Appendix I - Applicant Video Presentation](#)
[Appendix J - Applicant Video Presentation Script](#)

5) [21-126](#) Rezoning Application 1048 Tillicum Road - Adoption, Staff Report No. DEV-21-017

Recommendation:

1. That Council resolves that Official Community Plan Bylaw, 2018, No. 2922, Amendment Bylaw, 2020, No. 3012 attached as Appendix A to Staff Report DEV-21-017, which would amend Official Community Plan - Schedule H, the 'Development Permit Areas' map, by changing the designation of 1048 Tillicum Road [PID 005-010-390, Lot D, Section 10, Esquimalt District, Plan 11683], shown cross-hatched on Schedule 'A' of Bylaw No. 3012, from 'DPA No. 3 - Enhanced Design Control Residential' to 'DPA No. 6 - Multi-Family Residential' be adopted; and
2. That Council resolves that Zoning Bylaw, 1992, No. 2050, Amendment Bylaw No. 2994, attached as Appendix B to Staff Report DEV-21-017, which would amend Zoning Bylaw, 1992, No. 2050, by changing the zoning designation of 1048 Tillicum Road [PID 005-010-390, Lot D, Section 10, Esquimalt District, Plan 11683], shown cross-hatched on Schedule 'A' of Bylaw No. 2994, from Two Family Residential [RD-1] to Comprehensive Development District No. 132 [CD. No. 132], be adopted.

Attachments: [Appendix A - Amendment Bylaw No. 3012 - OCP Bylaw, 2018, No. 2922](#)
[Appendix B - Amendment Bylaw No. 2994 - Zoning Bylaw, 1992, No. 2050](#)
[Appendix C - Registered Covenant](#)
[Appendix D - Architectural Drawings, Colour Board, Optional Garage Design, Shadow](#)

6) [21-125](#) Housing Agreement Bylaw - Esquimalt Town Square, Staff Report No. DEV-21-018

Recommendation:

That Council give 1st, 2nd and 3rd readings to Housing Agreement (505 Park Place) Bylaw, 2021, No. 3020.

Attachments: [Attachment No. 1: Schedule A - Housing Agreement \(505 Park Place\) Bylaw No. 3020](#)

7) [21-132](#) Amendment to Regional Context Statement - Official Community Plan, Staff Report No. DEV-21-014

Recommendation:

That Council authorize the Corporate Officer to forward the proposed amendment to the Regional Context Statement in the Official Community Plan as outlined in Staff Report No. DEV-21-014, to the Capital Regional District's Corporate Officer and furthermore, indicate that Council will discharge its conditional approval, accepting the Regional Growth Strategy Amendment Bylaw No. 4328 per the requirements of Section 438 of the *Local Government Act*, upon CRD Board acceptance of Esquimalt's revised Regional Context Statement.

Attachments: [Appendix A : Letter from the CRD regarding amendments to the Regional Context Statement](#)

9. COMMUNICATIONS

For Council's Information

1) [21-131](#) Letter from the Honourable Gorge Heyman, M.L.A., Minister of Environment and Climate Change Strategy, dated February 12, 2021 and associated attachments, Re: Checkout Bag Regulation Bylaw No. 2953

Attachments: [Attachment No. 1: Correspondence and Press Release](#)

10. RISE AND REPORT

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