



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

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

Monday, August 19, 2019

7:00 PM

Esquimalt Council Chambers

1. CALL TO ORDER

2. LATE ITEMS

3. APPROVAL OF THE AGENDA

4. MINUTES

- 1) [19-372](#) Minutes of the Special Meeting of Council, July 15, 2019

Attachments: [Minutes from the Special Council, July 15, 2019](#)

- 2) [19-374](#) Minutes of the Regular Meeting of Council, July 15, 2019

Attachments: [Minutes from the Regular Council, July 15, 2019](#)

5. 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

Finance

- 1) [19-385](#) Local Grant Request - First Peoples' Cultural Council, Staff Report FIN-19-012

Recommendation:

It is accepted procedure that staff not make recommendations on funding requests. Options available to Council are listed below under ALTERNATIVES.

Attachments: [FPCC Local Grant](#)

[ADMIN-32 \(Local Grants\)](#)

- 2) [19-387](#) Revitalization Tax Exemption Bylaw Amendment, Staff Report FIN-19-013

Recommendation:

That Council gives first, second and third reading to Township of Esquimalt Revitalization Tax Exemption Bylaw, 2015, No. 2852, Amendment Bylaw [No.2], 2019, No. 2970.

Attachments: [Bylaw 2970 - Revitalization Tax Exemption Amendment No. 2](#)

Engineering and Public Works

- 3) [19-270](#) Yard and Garden Waste Contract Award, Staff Report EPW-19-017

Recommendation:

That Council direct staff to enter into a contract with Ellice Recycling for the operation of the transfer station and processing of the yard and garden waste stream for a three year period at total contract cost of \$468,966.88 over the term of the contract as outlined in Staff Report EPW-19-017.

Attachments: [Attachment 1: Usage of Transfer Station from 2011 to 2018](#)

- 4) [19-377](#) Traffic Order 1308 - Bus Stop Parking Restriction Comerford Street, Staff Report EPW-19-026

Recommendation:

That Council approves the implementation of Traffic Order 1308 "Bus Stop Parking Restriction" at 520 Comerford Street, as set out in Staff Report EPW-19-026.

Attachments: [Attachment A: Traffic Order 1308](#)

- 5) [19-378](#) Traffic Order 1309 - Hutchinson Avenue Residential Parking Only, Staff Report EPW-19-027

Recommendation:

That Council approves the implementation of Traffic Order 1309 "Residential Parking Only" along Hutchinson Avenue, as set out in Staff Report EPW-19-027.

Attachments: [Attachment A: Traffic Order 1309](#)

[Attachment B: Residential Parking Petition; Hutchinson](#)

Development Services

- 6) [19-346](#) Rezoning Application - 1314 Esquimalt Road, Staff Report DEV-19-064

Recommendation:

That Council:

1. resolves that Bylaw No. 2974 (Appendix A), which would amend Zoning Bylaw, 1992, No. 2050, by changing the zoning designation of 1314 Esquimalt Road (PID 002-535-939 Lot A, Suburban Lot 38, Esquimalt District Plan 27046) from Core Commercial Zone (C-3) to Comprehensive Development District (CD-125), be considered for first and second reading; and
2. authorizes the Corporate Officer to schedule a public hearing for Zoning Bylaw, 1992, No. 2050, Amendment Bylaw No. 2974, and to advertise for these purposes in the local newspaper.

Attachments: [Appendix A: Bylaw No. 2974](#)
[Appendix B: Aerial Overview and Zoning Map](#)
[Appendix C: Letter from Applicant](#)
[Appendix D: Survey, Site Plan, Exterior Photos](#)
[Appendix E: Parking Rationale](#)
[Appendix F: Neighbourhood Meeting Synopsis](#)

- 7) [19-367](#) Rezoning Application - 524 Admirals Road, Staff Report DEV-19-075

Recommendation:

That Council:

1. resolves that Bylaw No. 2976 (Appendix A), which would amend Zoning Bylaw, 1992, No. 2050, by changing the zoning designation of 524 Admirals Road (PID 001-031-066, Lot 179, Suburban Lot 39, Esquimalt District, Plan 2854), from Core Commercial Zone (C-3) to Comprehensive Development District (CD-127), be considered for first and second reading; and
2. authorizes the Corporate Officer to schedule a public hearing for Zoning Bylaw, 1992, No. 2050, Amendment Bylaw No. 2976, and to advertise for these purposes in the local newspaper, after such time as the owner receives a final approval on their demolition permit for unpermitted work and the work is completed.

Attachments: [Appendix A Bylaw No. 2976](#)
[Appendix B Aerial Overview and Zoning Map](#)
[Appendix C Letter from Applicant](#)
[Appendix D Survey, Parking Layout, Exterior Photos](#)
[Appendix E Parking Rationale](#)
[Appendix F Public Engagement](#)
[Appendix G Correspondence](#)

- 8) [19-314](#) Official Community Plan Amendment and Rezoning Application - 616 & 620 Constance Avenue, 619 & 623 Nelson Street and 1326 Miles Street, Staff Report DEV-19-076

Recommendation:

1. That Council resolves that Official Community Plan Bylaw, 2018, No. 2922, Amendment Bylaw No. 2964, attached to Staff Report DEV-19-076 as Appendix A, which would
 - amend Official Community Plan Bylaw, 2018, No. 2922 by changing Schedule 'B', being the Proposed Land Use Designations Map by changing the designation of 616 Constance Avenue [PID 000-713-465 Lot 95, Suburban Lot 44, Esquimalt District, Plan 2854], 620 Constance Avenue [PID 000-819-832 Lot 4, Suburban Lot 44, Esquimalt District, Plan 3135], 619 Nelson Street [PID 006-393-608 Lot 84, Suburban Lots 44 and 45, Esquimalt District, Plan 2854], 623 Nelson Street [PID 006-278-647 Lot 3, Suburban Lot 44, Esquimalt District, Plan 3135], and 1326 Miles Street [PID 006-375

-723 Lot 96, Suburban Lot 44, Esquimalt District, Plan 2854] + [PID 006-375-693 Lot 85, Suburban Lot 44, Esquimalt District, Plan 2854], all shown cross hatched on Schedule 'A' of Bylaw No. 2964, from 'High Density Residential' to 'Commercial/Commercial Mixed-Use'; and

- amend Official Community Plan Bylaw, 2018, No. 2922 by changing Schedule 'H', being the Development Permit Areas Map by changing the designation of 616 Constance Avenue [PID 000-713-465 Lot 95, Suburban Lot 44, Esquimalt District, Plan 2854], 620 Constance Avenue [PID 000-819-832 Lot 4, Suburban Lot 44, Esquimalt District, Plan 3135], 619 Nelson Street [PID 006-393-608 Lot 84, Suburban Lots 44 and 45, Esquimalt District, Plan 2854], 623 Nelson Street [PID 006-278-647 Lot 3, Suburban Lot 44, Esquimalt District, Plan 3135], and 1326 Miles Street [PID 006-375-723 Lot 96, Suburban Lot 44, Esquimalt District, Plan 2854] + [PID 006-375-693 Lot 85, Suburban Lot 44, Esquimalt District, Plan 2854], all shown cross hatched on Schedule 'A' of Bylaw No. 2964, from Development Permit Area No.6 - Multi-Family Residential to Development Permit Area No.4 - Commercial;

be given **first and second reading**;

2. That Council resolves that Zoning Bylaw, 1992, No. 2050, Amendment Bylaw No. 2965, attached to Staff Report DEV-19-076 as Appendix B, which would amend Zoning Bylaw, 1992, No. 2050 by changing the zoning designation of 616 Constance Avenue [PID 000-713-465 Lot 95, Suburban Lot 44, Esquimalt District, Plan 2854], 620 Constance Avenue [PID 000-819-832 Lot 4, Suburban Lot 44, Esquimalt District, Plan 3135], 619 Nelson Street [PID 006-393-608 Lot 84, Suburban Lots 44 and 45, Esquimalt District, Plan 2854], 623 Nelson Street [PID 006-278-647 Lot 3, Suburban Lot 44, Esquimalt District, Plan 3135], and 1326 Miles Street [PID 006-375-723 Lot 96, Suburban Lot 44, Esquimalt District, Plan 2854] + [PID 006-375-693 Lot 85, Suburban Lot 44, Esquimalt District, Plan 2854], all shown cross hatched on Schedule 'A' of Bylaw No. 2965, from RM-1 [Multiple Family Residential] to CD No. 121 [Comprehensive Development District No. 121] be given **first and second reading**;

3. That Council authorizes the Corporate Officer to schedule a Public Hearing for Official Community Plan Bylaw, 2018, No. 2922, Amendment Bylaw No. 2964 and Zoning Bylaw, 1992, No. 2050, Amendment Bylaw No. 2965, mail notices and advertise for same in the local newspaper; and

4. That, as the applicant wishes to assure Council that uses and development will be restricted and amenities provided as identified in Staff Report DEV-19-076, the applicant has voluntarily agreed to register a Section 219 Covenant on the titles of 616 Constance Avenue [PID 000-713-465 Lot 95, Suburban Lot 44, Esquimalt District, Plan 2854], 620 Constance Avenue [PID 000-819-832 Lot 4, Suburban Lot 44, Esquimalt District, Plan 3135], 619 Nelson Street [PID 006-393-608 Lot 84, Suburban Lots 44 and 45, Esquimalt District, Plan 2854], 623 Nelson Street [PID 006-278-647 Lot 3, Suburban Lot 44, Esquimalt District, Plan 3135], and 1326 Miles Street [PID 006-375-723 Lot 96, Suburban Lot 44, Esquimalt District, Plan 2854] + [PID 006-375-693 Lot 85, Suburban Lot 44, Esquimalt District, Plan 2854] 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 616 Constance Avenue, 620 Constance Avenue, 619 Nelson Street,

623 Nelson Street, and 1326 Miles Street prior to development as the proposed CD No.121 Zone does not work unless the parcels are consolidated

- Undergrounding of the electric power lines along Constance Avenue and Nelson Street adjacent to the subject property
- Criteria for affordable housing units
- Group daycare for children
- Mass timber construction
- Passive House certification for the proposed building
- The building be constructed to include seventeen 3-bedroom dwelling units
- Right of way in the southeast corner to allow for privately owned publicly accessible open space
- Right of way and public walkway between Constance Avenue and Nelson Street on the northern part of the subject property
- 11 visitor parking spaces will be provided and remain
- That the parcel is not to be subdivided (to prevent stratification)

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. 2964 and Amendment Bylaw No. 2965 to Council for consideration of adoption.

Attachments: [Appendix A - Official Community Plan Bylaw 2018 No. 2922 Amendment Bylaw No. 2964](#)
[Appendix B - Zoning Bylaw 1992 No. 2050 Amendment Bylaw No. 2965](#)
[Appendix C - Subject Property Map, Aerial Map, OCP Proposed LUD Map, Zoning Map, OCP Policies](#)
[Appendix D - Architectural Drawings, Landscape Plan, and Surveyor's Site Plan](#)
[Appendix E - Green Building Checklist](#)
[Appendix F - Applicant's Letter](#)
[Appendix G - Transportation Impact Assessment Report](#)
[Appendix H - Official Community Plan Amendment Consultation Responses](#)
[Appendix I - Sanitary Flow Calculations](#)
[Appendix J - Developer's Public Consultation Summary](#)

- 9) [19-370](#) Rezoning Application - 638 & 640 Constance Avenue and 637 Nelson Street, Staff Report DEV-19-073

Recommendation:

That Council resolves that Amendment Bylaw No. 2927, as attached to Staff Report DEV-19-073 as Appendix A, which would amend Zoning Bylaw, 1992, No. 2050 by changing the zoning designation of 638 Constance Avenue [PID 000-546-437, Lot B (DD 237133I), of Lots 79 and 89, Suburban Lot 44, Esquimalt District, Plan 2854], 640 Constance Avenue [PID 000-380-911, Amended Lot 88 (DD 208422I), of Suburban Lot 44, Esquimalt District, Plan 2854], and 637 Nelson Street [PID 006-386-466, Lot D (DD 367731-I), Suburban Lot 44,

Esquimalt District, Plan 2854], all shown cross hatched on Schedule 'A' of Bylaw No. 2927, from RM-1 [Multiple Family Residential] to CD No. 110 [Comprehensive Development District No. 110], be adopted.

Attachments: [Appendix A - Zoning Bylaw, 1992, No. 2050, Amendent Bylaw No. 2927](#)
[Appendix B - Section 219 Covenant CA7558587, Priority Agreement CA7558588 \[as registered\]](#)

- 10) [19-371](#) Housing Agreement Bylaw - 638 and 640 Constance Avenue & 637 Nelson Street, Staff Report DEV-19-074

Recommendation:

That Council resolves that Housing Agreement Bylaw, 2019, No. 2954, attached to Staff Report DEV-19-074 as Appendix A, be adopted.

Attachments: [Appendix A - Housing Agreement Bylaw No. 2954](#)

- 11) [19-389](#) Public Engagement - Terms of Reference - 899 Esquimalt Road, Staff Report DEV-19-077

Recommendation:

That Council approve the terms of reference as outlined in the document titled 'Engaging with our Neighbours', attached as Appendix 'A' to Staff Report DEV-19-077, detailing the public engagement framework for 899 Esquimalt Road.

Attachments: [Appendix A - Community Engagement Framework for 899 Esquimalt Road](#)

- 12) [19-392](#) Rezoning Application - 937 Colville Road, Staff Report DEV-19-068

Recommendation:

1. That Council resolves that Bylaw No. 2975 [Appendix A], which would amend Zoning Bylaw, 1992, No. 2050, by changing the zoning designation of 937 Colville Road [PID 003-679-144, Lot 4, Block 1, Section 10, Esquimalt District, Plan 6277], shown cross-hatched on Schedule "A" of Bylaw No. 2975, from Single Family Residential [RS-1] to Comprehensive Development District No. 126 [CD. No. 126], be considered for 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. 2975, and to advertise for same in the local newspaper.

Attachments: [DEV-19-068 - Appendix A - Bylaw No. 2975 - Zoning Bylaw 1992 No. 2050 \(937 Colville Road\) CD 126](#)
[Appendix B - Site Plan, Airphoto, OCP LUD Maps, Zoning Map, RM-3](#)
[Appendix C - Drawings LP BCLS](#)
[Appendix D - Letter to Mayor & Council Dec 04, 2018](#)
[Appendix E - Letter to Mayor & Council Aug 9, 2019](#)
[Appendix F - Green Building Checklist](#)
[Appendix G - Watt Traffic and Parking Review](#)
[Appendix H - Applicant's Community Consultation](#)
[Appendix I - Letters of Support](#)

- 13) [19-393](#) Zoning Text Amendment - 1182 Colville Road, Unit 15, Staff Report DEV-19-078

Recommendation:

1. That Council resolves that Bylaw No. 2977 [Appendix A], which would amend Zoning Bylaw, 1992, No. 2050, Comprehensive Development District No. 57, located at 1182 Colville Road [PID 026-875-683, Strata Lot 15, Section 10, Esquimalt District Strata Plan VIS6147 Together With An Interest In The Common Property In Proportion to the Unit Entitlement of the Strata Lot As Shown On Form V] by amending the zoning regulations to add and extend the Permitted Uses for the subject property, be considered for 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. 2977, and to advertise for same in the local newspaper.

Attachments: [Appendix A - Zoning Amendment Bylaw No. 2977](#)
[Appendix B - Maps, CD- 57 Zone](#)
[Appendix C - Applicant Letters and Neighbourhood Meeting Feedback](#)
[Appendix D - Public Comments](#)

7. BYLAWS

- 1) [19-366](#) Officers Bylaw, 2011, No. 2777, Amendment Bylaw [No. 3], 2019, No. 2972 - For Adoption

Attachments: [Bylaw 2972 - Officers Bylaw Amendment No. 3](#)

8. MAYOR'S AND COUNCILLORS' REPORTS

- 1) [19-396](#) Council Transparency, Councillor Ken Armour

Attachments: [Council Transparency - Councillor Ken Armour](#)

9. REPORTS FROM COMMITTEES

- 1) [19-368](#) Adopted Minutes from the Advisory Planning Commission, June 18, 2019
Attachments: [2019 06 18 APC Minutes](#)
- 2) [19-381](#) Draft Minutes from the APC Design Review Committee, July 10, 2019
Attachments: [2019 07 10 DRC Minutes](#)
- 3) [19-395](#) Draft Minutes from the Advisory Planning Commission, July 16, 2019
Attachments: [2019 07 16 APC Minutes](#)

10. COMMUNICATIONS

For Council's Consideration

- 1) [19-373](#) Letter from Mayor Robin Martin - City of Colwood, dated July 22, 2019, RE: Royal Bay Waterfront Pre-Feasibility Study-Passenger Ferry
Attachments: [Letter - Colwood, Pre-Feasibility Study-Passenger Ferry](#)
- 2) [19-379](#) Correspondence from Marie-Pierre Lavoie, Board Chair - Canadian Francophone Games, dated July 29, 2019, Re: Request for Support for the Victoria 2020 Canadian Francophone Games
Attachments: [Letter - Canadian Francophone Games](#)
- 3) [19-380](#) Email from Bowen Osoko, Victoria Police Department, dated July 29, 2019, Re: Community Update-Statistics Canada Crime Severity Index
Attachments: [Letter - VicPD Crime Stats](#)
- 4) [19-383](#) Letter from Grace Seabrook, Scouts Canada - Greater Victoria Area, dated August 7, 2019, Re: 2019 Apple Day
Attachments: [Letter - Scouts Canada](#)
- 5) [19-390](#) Email from Mayor Richard Stewart - City of Coquitlam, dated August 9, 2019, Re: Request for Signatures on Joint Mayor's Letter in Support of Ride-Sharing
Attachments: [Letter - Coquitlam, Joint Letter Support for Ride-Sharing Services](#)
- 6) [19-397](#) Email from Oliver Lang, CEO - Intelligent City Inc., dated August 14, 2019, Re: Request for Letter of Support for Affordable Housing Funding by the Canadian Mortgage and Housing Corporation (CMHC) for the Corvette Landing Project

Attachments: [Email - Letter of Support for Corvette Landing Project](#)

11. NOTICE OF MOTION

- 1) [19-375](#) Notice of Motion - Federal Election - Reschedule October 21 COTW Meeting, Councillor Tim Morrison - For Introduction

Attachments: [Federal Election - Reschedule October 21 COTW Meeting, Councillor Morrison](#)

- 2) [19-386](#) Notice of Motion - Proximity of Recreational Cannabis Businesses, Councillor Tim Morrison - For Introduction

Attachments: [Proximity of Recreational Cannabis Businesses - Councillor Morrison](#)

12. 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