



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

Agenda - Final

Council

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

Monday, November 25, 2019

7:00 PM

Esquimalt Council Chambers

1. **CALL TO ORDER**
2. **LATE ITEMS**
3. **APPROVAL OF THE AGENDA**
4. **MINUTES**

- 1) [19-532](#) Minutes of the Special Council Meeting, November 4, 2019

Attachments: [Special Council Minutes, November 4, 2019](#)

- 2) [19-538](#) Minutes of the Regular Council Meeting, November 4, 2019

Attachments: [Regular Council Minutes, November 4, 2019](#)

- 3) [19-534](#) Minutes of the Special Council Meeting, November 12, 2019

Attachments: [Special Council Minutes, November 12, 2019](#)

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.

- 1) [19-539](#) Notice of Public Hearing - Official Community Plan Amendment and Rezoning Application - 899 Esquimalt Road

Attachments: [Public Hearing Notice - OCP & Rezoning Application - 899 Esquimalt Road](#)

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

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

- a) [19-529](#) Official Community Plan Amendment and Rezoning Application - 899 Esquimalt Road, Staff Report No. DEV-19-106

Attachments: [Appendix A - Official Community Plan Bylaw 2018 No 2922 Amendment Bylaw No 2962](#)
[Appendix B - Zoning Bylaw 1992 No 2050 Amendment Bylaw No 2963](#)
[Appendix C - Subject Property Map, Aerial Map, Zoning Map, OCP Land Use Designation Map, OCP Policies](#)
[Appendix D - Architectural Drawings, Landscape Plan, and Surveyor's Site Plan](#)
[Appendix E - Amenities Package](#)
[Appendix F - Green Building Checklist](#)
[Appendix G - Transportation Impact Assessment](#)
[Appendix H - Geotechnical Investigation Report](#)
[Appendix I - Built Green Certification Letter of Enrollment](#)
[Appendix J - Water Supply Confirmation](#)
[Appendix K - Letter from the Fraternal Order of Eagles](#)
[Appendix L - Official Community Plan Amendment Consultation Responses](#)
[Appendix M - Developer's Public Consultation Summary](#)
[Appendix N - Public Comments 899 Esquimalt Road](#)
[Appendix O - Draft S.219 Covenant](#)
[Appendix P - Community Engagement Summary](#)

- 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 to give third reading to the Official Community Plan Bylaw, 2018, No. 2922, Amendment Bylaw No. 2962, attached to Staff Report DEV-19-106 as Appendix A, which would:

- add the following text after the map under the heading “Height” at page 131 of the Official Community Plan Bylaw, 2018, No. 2922

Notwithstanding the building heights indicated on the map above, up to 10 storeys may be permitted on the following property provided no portion of the development within 21.5 m of Wollaston Street exceeds three storeys:

PID: 030-151-562

Lot A, Section 11, Esquimalt District, Plan EPP69557

[899 Esquimalt Road]

- amend Official Community Plan Bylaw, 2018, No. 2922 by changing Schedule ‘B’, being the Proposed Land Use Designations Map by changing the designation of PID 030-151-562, Lot A, Section 11, Esquimalt District, Plan EPP69557 [899 Esquimalt Road], shown cross-hatched on Schedule ‘A’ of Amendment Bylaw No. 2962, from a mix of ‘Neighbourhood Commercial Mixed-Use’ and ‘Townhouse 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 PID 030-151-562, Lot A, Section 11, Esquimalt District, Plan EPP69557 [899 Esquimalt Road], shown cross-hatched on Schedule ‘A’ of Amendment Bylaw No. 2962, from a mix of Development Permit Area No. 4 - Commercial and Development Permit Area No. 6 - Multi-Family Residential to Development Permit Area No. 4 - Commercial;

2. That Council, upon considering comments made at the Public Hearing, resolves to give third reading to Zoning Bylaw, 1992, No. 2050, Amendment Bylaw No. 2963, attached to Staff Report DEV-19-106 as Appendix B, which would amend Zoning Bylaw, 1992, No. 2050 by changing the zoning designation of PID 030-151-562, Lot A, Section 11, Esquimalt District, Plan EPP69557 [899 Esquimalt Road], shown cross hatched on Schedule ‘A’ of Amendment Bylaw No. 2963, from a mix of C-2 [Neighbourhood Commercial] and RD-1 [Two Family Residential] to CD No. 120 [Comprehensive Development District No. 120]; 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-19-106, the applicant has voluntarily agreed to register a Section 219 Covenant on the title of PID 030-151-562, Lot A, Section 11, Esquimalt District, Plan EPP69557 [899 Esquimalt Road] 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:

- Construction of purpose built health clinic or facility with a minimum of 370 square metres of gross floor area;
- Subsidized rent for tenant(s) of health clinic or facility over first 10 years in the amount of \$396,000;
- Annual lease hold and equipment improvement incentives valued at a total of \$160,000;
- \$54,000 cash contribution to be used in relation to health and community well-being matters, including but not limited to providing incentives or grants, undertaking or commission studies or reports, promotions and public information, and establishing temporary medical clinics;
- \$150,000 cash contribution to be used for the provision and maintenance of a kayak dock within the Township;
- 5 free parking spaces with publicly available electric vehicle charging stations
- Built Green Canada Silver certification;
- Removal of BC Hydro pole on the southeast corner of Esquimalt Road and Head Street and burial of the power lines on the Esquimalt Road and Head Street frontage;
- Perpetual Statutory Right of Way for public access and expanded sidewalk on the northern 3.2 metres of the lot along Esquimalt Road; and
- \$30,000 cash contribution to be used for the provision and installation of 2 pedestrian activated crosswalk signals in the general vicinity of the subject parcel.

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. 2962 and Amendment Bylaw No. 2963 to Council for consideration of adoption.

6. PRESENTATIONS

- 1) [19-493](#) Katrina Dwulit and Lily Robinson, Esquimalt Farmers Market Society, Re: Esquimalt Farmers Market (EFM)

Attachments: [Presentation Application - Esquimalt Farmers Market](#)

- 2) [19-502](#) Sean Wheeler, On Behalf of Gorge Waterway Homeowners, Re: Approach to Docks on Gorge Waterway Where Upland Property is privately Owned

Attachments: [Presentation Application - Gorge Waterway Homeowners](#)

7. DELEGATION

- 1) [19-492](#) John R Roe, Veins of Life Watershed Society, Jenny Lee and Erin Gray, Environmental Law Clinic, University of Victoria, Re: Cleaning up CRD Waterways and Beaches

Attachments: [Delegation Application - Cleaning up CRD Waterways and Beaches](#)

8. 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) [19-494](#) Video Surveillance Policy, Staff Report No. ADM-19-031

Recommendation:

That Council approve Council Policy No. ADMIN-75 (Video Surveillance) as attached to Staff Report ADM-19-031.

Attachments: [Attachment No. 1: Freedom of Information Bylaw, 2012, No. 2795](#)
[Attachment No. 2: ADMIN-42 \(Records Management\)](#)
[Attachment No. 3: Privacy Impact Assessment](#)
[Attachment No. 4: ADMIN-75 Video Surveillance - Draft](#)

Development Services

- 2) [19-520](#) Climate Action Target Recommendations, Staff Report No. DEV-19-108

Recommendation:

1. That Council:
 - (1) endorse the proposed target to reduce corporate emissions by 45% from 2010 levels by 2030 as recommended by the IPCC in order to immediately achieve Milestone Two of the Partners for Climate Protection five milestone framework.
 - (2) commit to Esquimalt becoming a 100% renewable energy community by 2050.

Attachments: [Appendix A Climate Action Report to COTW October 22, 2019](#)

- 3) [19-519](#) Temporary Use Permit - 624 Admirals Road, Staff Report No. DEV-19-104

Recommendation:

That Council resolves that Temporary Use Permit No. TUP00008, authorizing the site to be temporarily used as a 'Construction Laydown Site' during the construction of the building at 622 Admirals Road be approved and staff be directed to issue the permit subject to the conditions contained within TUP00008, attached as Appendix A to Staff Report DEV-19-104, and register the notice on the title of the property located at 624 Admirals Road, [PID: 006-463-312; Lot 154, Esquimalt District Plan VIP2854 Suburban Lot 43]

Attachments: [Appendix A - TUP00008: 624 Admirals Road Laydown Site](#)
[Appendix B - Subject Property Map, Air Photo, C-3 zone, Advertising](#)
[Appendix C - Applicants Letter, Drawings and Letter of Support](#)

Engineering & Public Works

- 4) [19-543](#) Boulevard Alteration Modification, Staff Report EPW-19-034

Recommendation:

That Council approves the revised Council Policy E&PW-02 - Township Guide to Boulevard Modifications, November 2019

Attachments: [Attachment 1: Township Guide to Boulevard Modifications - Revised](#)
[Attachment 2: Boulevard Maintenance Bylaw No 2860](#)

10. REPORTS FROM COMMITTEES

- 1) [19-530](#) Adopted Minutes from the Parks and Recreation Advisory Committee, April 2, 2019

Attachments: [2019 04 02 Parks & Recreation Advisory Committee Minutes](#)

11. COMMUNICATIONS

For Council's Consideration

- 1) [19-541](#) Letter from Mayor Lisa Helps, City of Victoria, dated November 12, 2019, Re: Support for Resolutions - Safer Drug Supply and Observed Inhalation Sites

Attachments: [Letter - City of Victoria](#)

- 2) [19-544](#) Email from Linda Arm, dated November 16, 2019, Re: Addressing Concerns About Cell Towers, Microcells and Wireless Technology

Attachments: [Email - Cell Towers, Microcells and Wireless Technology](#)

For Council's Information

- 3) [19-537](#) Letter from Barry Hobbs, President, Victoria Esquimalt Harbour Society, dated October 16, 2019, Re: Stakeholder Group to Advise on Issues Relating to Victoria Harbour

Attachments: [Letter - Victoria Esquimalt Harbour Society](#)

- 4) [19-535](#) Letter from Mayor Rob Martin, City of Colwood, dated November 4, 2019, Re: Royal Bay Waterfront - Pre-Feasibility Study-Passenger Ferry

Attachments: [Letter - Colwood](#)

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