



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

Agenda - Final Council

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

Monday, December 2, 2019

7:00 PM

Esquimalt Council Chambers

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

COUNCIL CONSIDERATION OF RESOLUTION FOR OFFICIAL COMMUNITY PLAN AMENDMENT AND REZONING APPLICATION – 636 AND 640 DRAKE AVENUE

Pursuant to Section 477 of the Local Government Act, Council has considered “Official Community Plan Bylaw, 2018, No. 2922, Amendment Bylaw, 2019, NO. 2950” in conjunction with (i) its financial plan, and (ii) applicable waste management plan (s) under Part 3 [Municipal Waste Management] of the Environmental Management Act.

4.1 PUBLIC HEARING - OFFICIAL COMMUNITY PLAN AMENDMENT & REZONING APPLICATION, 636 & 640 DRAKE AVENUE

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) [19-552](#) Notice of Public Hearing - Official Community Plan Amendment & Rezoning Application, 636 & 640 Drake Avenue

Attachments: [Notice of Public Hearing - OCP Amendment & Rezoning, 636 & 640 Drake Avenue](#)

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

- a) [19-524](#) Official Community Plan Amendment and Rezoning Application – 636 and 640 Drake Avenue, Staff Report No. DEV-19-110

Attachments: [Appendix A - Bylaw 2950 - OCP Amendment Bylaw \(636 and 640 Drake Avenue\)](#)
[Appendix B - Bylaw 2951 - Zoning Bylaw Amendment \(636 and 640 Drake Avenue \[CD116\]\)](#)
[Appendix C - Air photo OCP Designation Zoning RM-3 zone Advertising](#)
[Appendix D - Applicants Introduction, Green Building Checklist, Tree Plan, Landscape amenities](#)
[Appendix E - Renderings, Architectural Drawings, Landscape Plan, Shadow Studies](#)
[Appendix F - Neighbourhood meeting minutes redacted](#)
[Appendix G - Public Comment](#)
[Appendix H - OCP consultation letter and concept plan](#)

- 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 Bylaw No. 2950 attached as Appendix 'A' of Staff Report DEV-19-110, which would amend Official Community Plan Bylaw, 2018, No. 2922 by amending Schedule B, being the 'Proposed Land Use Designations' map, thereby changing the designation of 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] shown cross-hatched on Schedule 'A', from 'Low Density Residential' to 'Townhouse Residential' be given third reading; and
2. That Council, upon considering comments made at the Public Hearing, resolves that Bylaw No. 2951 [Appendix B] of Staff Report DEV-19-110, which would amend Zoning Bylaw, 1992, No. 2050, by changing the zoning designation of 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] from RD-1 [Two Family Residential] to CD No. 116 [Comprehensive Development District No. 116], 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-19-110, the applicant has voluntarily agreed to register a Section 219 Covenant on the title of 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] 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 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] prior to development, as the proposed CD No.116 Zone does not work unless the parcels are consolidated
 - buildings to meet a minimum BC Building Code Step 3
 - The existing buildings will only be used for their current uses prior to demolition
 - The number of dwelling units in the new development will remain at no more than eight [8] units, as stated in Bylaw No. 2951
 - Four (4) visitor parking spaces will be provided and remain as illustrated in the landscaping plan, attached in Appendix D of Staff Report DEV-19-110
 - An electric vehicle charging station in each of the eight [8] private garages

- An outdoor social area with benches, and a wood arbour
- A screened garbage area
- A drainage field area with overflow to retain a percentage of the stormwater on site
- A bicycle parking area with a bike rack, and
- A constraint on the future strata corporation that the rental of the units will not be restricted

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. 2950 and No. 2951 to Council for consideration of adoption.

4.2 PUBLIC HEARING - REZONING APPLICATION, 937 COLVILLE ROAD

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) [19-553](#) Notice of Public Hearing - Rezoning Application, 937 Colville Road
Attachments: [Notice of Public Hearing - Rezoning, 937 Colville Road](#)
- 2) **Background Information - Available for Viewing Separately**
- 3) **Director of Development Services - Overview of Application**
 - a) [19-545](#) Rezoning Application - 937 Colville Road, Staff Report No. DEV-19-109

Attachments: [Appendix A - Bylaw 2975 - Zoning Bylaw Amendment \(937 Colville Road\) CD 126](#)
[Appendix B - Site Plan, Airphoto, OCP LUD Maps, ZnMap, RM-3, Advertising](#)
[Appendix C - Drwgs, LP, BCLS & EBike](#)
[Appendix D - Letter to Mayor & Council rec'd Dec 04, 2018](#)
[Appendix E - Letter to Mayor & Council rec'd Aug 09, 2019](#)
[Appendix F - Esquimalt Green Building Checklist](#)
[Appendix G - Watt Traffic and Parking Review - August 2018](#)
[Appendix H - Applicants Community Consultation](#)
[Appendix I - Public Comments](#)

- 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 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 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-19-109, the applicant has voluntarily agreed to register a Section 219 Covenant on the title of 937 Colville Road [PID 003-679-144, Lot 4, Block 1, Section 10, Esquimalt District, Plan 6277] 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:

- The existing buildings will only be used for their current uses prior to demolition
- The number of dwelling units in the new development will remain at no more than six [6] units, as stated in Bylaw No. 2975
- Six [6] car-share memberships (attached to each unit in perpetuity)
- One (1) visitor parking space (2.9 m x 5.5 m) and four small car spaces (2.4 metres x 4.5 metres) will be provided and remain as illustrated in the landscaping concept plan, attached in Appendix C of Staff Report DEV-19-109
- Conduit for electric vehicle charging at each of the five [5] parking spaces
- An Landscaped Open Area in the rear yard that may be developed with a rain garden [if feasible]
- Two [2] electric bicycles for strata usage, with a one time \$500.00 maintenance account, and two electric outlets for charging in the bike storage room
- An outdoor bicycle parking area with a bike rack, and
- A constraint on the future strata corporation that the rental of the units will not be restricted
- Build to Step 2 of the BC Building Step Code

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. 2975 to Council for consideration of adoption.

**COUNCIL CONSIDERATION OF RESOLUTION FOR OFFICIAL COMMUNITY
PLAN AMENDMENT AND REZONING APPLICATION - 681 AND 685
ADMIRALS ROAD**

Pursuant to Section 477 of the Local Government Act, Council has considered "Official Community Plan Bylaw, 2018, No. 2922, Amendment Bylaw, 2019, NO. 2967" in conjunction with (i) its financial plan, and (ii) applicable waste management plan (s) under Part 3 [Municipal Waste Management] of the Environmental Management Act.

4.3 PUBLIC HEARING - REZONING APPLICATION, 681 & 685 ADMIRALS ROAD

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) [19-554](#) Notice of Public Hearing - OCP Amendment & Rezoning Application, 681 & 685 Admirals Road

Attachments: [Notice of Public Hearing - OCP Amendment & Rezoning, 681 & 685 Admirals Road](#)

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

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

- a) [19-531](#) Official Community Plan Amendment and Rezoning Application - 681 and 685 Admirals Road, Staff Report No. DEV-19-107

Attachments: [Appendix A - Official Community Plan Bylaw, 2018, No. 2922, Amendment Bylaw No. 2967](#)
[Appendix B - Zoning Bylaw, 1992, No. 2050, Amendment Bylaw No. 2968](#)
[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 - Parking Study](#)
[Appendix H - Environmental Site Assessment](#)
[Appendix I - Geotechnical Investigation Report](#)
[Appendix J - Arborist Report](#)
[Appendix K - Official Community Plan Amendment Consultation Responses](#)
[Appendix L - Estimated Sanitary Flow](#)
[Appendix M - Developer's Public Consultation Summary \(May 30, 2019\)](#)
[Appendix N - Developer's Public Consultation Summary \(October 3, 2019\)](#)
[Appendix O - Public Comments as of November 26, 2019](#)
[Appendix P - Fortis BC Comments](#)

- 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. 2967, attached to Staff Report DEV-19-107 as Appendix A, which would amend Official Community Plan Bylaw, 2018, No. 2922 by changing Schedule 'H', being the Development Permit Areas Map by changing the designation of 681 Admirals Road [PID 007-801-963 Lot 25 Block 4 Suburban Lot 50 Esquimalt District Plan 1153] + [PID 007-801-980 Lot 26 Block 4 Suburban Lot 50 Esquimalt District Plan 1153], and 685 Admirals Road [PID 007-802-013 Lot B (DD G17083), Suburban Lot 50, Esquimalt District, Plan 1153], all shown cross hatched on Schedule 'A' of Bylaw No. 2967, from Development Permit Area No. 3 - Enhanced Design Control Residential to Development Permit Area No. 6 - Multi-Family Residential, be given third reading;
2. That Council, upon considering comments made at the public hearing, resolves that Zoning Bylaw, 1992, No. 2050, Amendment Bylaw No. 2968, attached to Staff Report DEV-19-107 as Appendix B, which would amend Zoning Bylaw, 1992, No. 2050 by changing the zoning designation of 681 Admirals Road [PID 007-801-963 Lot 25 Block 4 Suburban Lot 50 Esquimalt District Plan 1153] + [PID 007-801-980 Lot 26 Block 4 Suburban Lot 50 Esquimalt District Plan 1153], and 685 Admirals Road [PID 007-802-013 Lot B (DD G17083), Suburban Lot 50, Esquimalt District, Plan 1153], all shown cross hatched on Schedule 'A' of Bylaw No. 2968, from RD-3 [Two Family/Single Family Residential] to CD No. 123 [Comprehensive Development District No. 123], 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-19-107, the applicant has voluntarily agreed to register a Section 219 Covenant on the titles of 681 Admirals Road [PID 007-801-963 Lot 25 Block 4 Suburban Lot 50 Esquimalt District Plan 1153] + [PID 007-801-980 Lot 26 Block 4 Suburban Lot 50 Esquimalt District Plan 1153], and 685 Admirals Road [PID 007-802-013 Lot B (DD G17083), Suburban Lot 50, Esquimalt District, Plan 1153] 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 681 Admirals Road and 685 Admirals Road prior to issuance of the development permit as the proposed CD No.123 Zone does not work unless the parcels are consolidated
 - Two visitor parking spaces will be provided and remain
 - \$500 per unit car shares from Modo car share services
 - Provision of a car share vehicle through Modo
 - 6 parking stalls to have Level 2 (240V, AC plug with a dedicated 40 amp

circuit) electric vehicle charging stations

- Provision of 1 year of BC Transit bus passes for the Victoria Regional Transit System to all the residents

- 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. 2967 and No. 2968 to Council for consideration of adoption.

5. PRESENTATIONS

- 1) [19-506](#) John Rogers, Member, Victoria Waterways Loop (VWL), Re: Victoria Waterways Loop Overview and Introduction of 2020 Plan

Attachments: [Presentation Application - Victoria Waterways Loop](#)

- 2) [19-489](#) Jeff Miller, Chair, Wastewater Community Liaison Committee, Capital Regional District, Re: Update on Wastewater Treatment Project (WWTP)

Attachments: [Presentation Application - WWTP](#)

6. 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

Engineering and Public Works

- 1) [19-548](#) Extraordinary Traffic Definition & Clause, Staff Report No. EPW 19-035

Recommendation:

That Council gives 1st, 2nd and 3rd readings to Streets and Traffic Regulation Bylaw, 2017, No. 2898, Amendment Bylaw No. 2983.

Attachments: [Attachment 1 - Streets and Traffic Regulation Amendment Bylaw, \[No.2\], 2019 \(Nov 27\)](#)

Development Services

- 2) [19-546](#) Rezoning Application - 524 Admirals Road, Staff Report No. DEV-19-111

Recommendation:

That Council resolves that Bylaw No. 2976 (Appendix A), which would change the zoning designation of 524 Admirals Road (PID 001-031-066, Lot 179, Suburban Lot 39, Esquimalt District, Plan 2854), shown cross-hatched on Schedule 'A' of Bylaw No. 2976, from the Core Commercial Zone (C-3) to a Comprehensive Development District (CD-127), be adopted.

Attachments: [Appendix A Bylaw 2976 \(524 Admirals\) Adoption](#)

8. MAYOR'S AND COUNCILLORS' REPORTS

- 1) [19-551](#) 2020 Appointment Revisions, Mayor Barbara Desjardins

Attachments: [2020 Appointments Revisions, Mayor Barbara Desjardins](#)

9. NOTICE OF MOTIONS

- 1) [19-556](#) Notice of Motion: Request - Esquimalt Farmers Market Presentation November 25, 2019, Mayor Barbara Desjardins - For Introduction

Attachments: [Notice of Motion: Request - Esquimalt Farmers Market Presentation November 25, 2019, Mayor Barbara Desjardins](#)

- 2) [19-557](#) Notice of Motion: Council opportunity for greater community input regarding Climate Change, Mayor Barbara Desjardins - For Introduction

Attachments: [Notice of Motion: Council opportunity for greater community input regarding Climate Change, Mayor Barbara Desjardins](#)

10. 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.

11. ADJOURNMENT