



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

Agenda - Final

Council

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

Monday, May 4, 2020

7:00 PM

Esquimalt Council Chambers

Ministerial Order No. M083 – March 26, 2020

Open meetings - municipalities 3 (1) Despite (a) Division 3 [Open Meetings] of Part 4 [Public Participation and Council Accountability] of the Community Charter, and (b) any applicable requirements in a municipality procedure bylaw of a council, a council or a body referred to in section 93 [application of rule to other bodies] of the Community Charter is not required to allow members of the public to attend an open meeting of the council or body.

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.

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

- 1) [20-198](#) Minutes of the Regular Council meeting held April 27, 2020

Attachments: [Minutes of the Regular Council meeting, April 27, 2020](#)

5. **PRESENTATIONS**

- 1) [20-081](#) Dallas Gislason, Director of Economic Development, South Island Prosperity Partnership (SIPP), Re: Update on Esquimalt Economic Development Roadmap

Attachments: [Presentation Application - SIPP](#)
[PowerPoint Presentation](#)

- 2) [20-197](#) Scott Hartman, Director of Parks and Recreation Services, Re: Urban Forest Management Plan

Attachments: [PowerPoint Presentation](#)

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**Finance**

- 1) [20-178](#) Alternative Tax Collection Scheme, Staff Report No. FIN-20-006

Recommendation:

That Council gives first, second and third readings, and final adoption of Alternative Municipal Tax Collection Scheme Bylaw, 2020, No. 2998 as authorized under section 9 of Ministerial Order No. M083 - Order of the Minister of Public Safety and Solicitor General/ Emergency Program Act.

Attachments: [Bylaw 2998 - Alternative Tax Scheme Bylaw 2020](#)

- 2) [20-189](#) 2020 Financial Plan and Tax Rates Bylaws, Staff Report No. FIN-20-007

Recommendation:

That Council give 1st, 2nd and 3rd readings and final adoption to the Financial Plan Bylaw, 2020, No. 2986 and Tax Rates Bylaw, 2020, No. 2987 as authorized under section 9 of Ministerial Order No. M083 - Order of the Minister of Public Safety and Solicitor General/Emergency Program Act.

Attachments: [Attachment No. 1: Bylaw 2986 - 2020 Financial Plan.pdf](#)
[Attachment No. 2: Bylaw 2986 - Schedule A Policies and Objectives.pdf](#)
[Attachment No. 3: Bylaw 2986 - Schedule B Financial Plan.pdf](#)
[Attachment No. 4: Bylaw 2987 - 2020 Tax Rates.pdf](#)
[Attachment No. 5: Bylaw 2987 - Schedule A Tax Rates.pdf](#)

Development Services

- 3) [20-033](#) Official Community Plan Amendment and Rezoning Application - 616 & 620 Constance Avenue, 619 & 623 Nelson Street and 1326 Miles Street, Staff Report No. DEV-20-004

Recommendation:

1. That Council resolves to **rescind second reading, amend, and read anew a second time** Zoning Bylaw, 1992, No. 2050, Amendment Bylaw No. 2965, attached to Staff Report DEV-20-004 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];

2. Subject to any Ministerial Order, 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

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-20-004, 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
- 8 affordable dwelling units
- 3 special needs dwelling units
- Group daycare for children
- Building to be designed and constructed to conform to the requirements of Step 4 (R2000) of the BC Energy Step Code
- The building be constructed to include a minimum of six 3-bedroom (or more) 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
- A minimum of 17 visitor parking spaces will be provided and remain
- Membership for a shared vehicle service for the residents

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. 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](#)
[PowerPoint Presentation - Staff](#)
[PowerPoint Presentation - Applicant](#)

- 4) [20-191](#) Public Hearing options during the COVID-19 Pandemic, Staff Report No. DEV-20-024

Recommendation:

Except as may be consistent with a relevant provincial order, should the province provide alternatives; that Council not implement alternative public hearing processes for amendments to either the Zoning Bylaw or the Official Community Plan Bylaw other than to consider waiving the requirement for a public hearing for rezoning applications that are consistent with the Official Community Plan.

Attachments: [Appendix A: Ministerial Order No. M083 2020](#)

8. 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.

9. ADJOURNMENT