



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

Agenda - Final

Council

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

Monday, September 27, 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.

During Phase 3 of the BC Restart Plan no more than 40 people will be permitted in the Council Chambers, which includes Mayor and Council, staff, presenters, and approximately 20 members of the public. Due to the limited seating available, if you wish to attend a meeting, we recommend that you call the Corporate Officer at 250-414-7135 or email corporate.services@esquimalt.ca to reserve a seat. Anyone arriving at Municipal Hall without a reserved seat will not be permitted into the building once the maximum number of in-person seats have been taken. It is mandatory that anyone attending a meeting in-person wear a face mask while in Municipal Hall.

In addition to limited in-person attendance, there are several options available to submit input to Council, as follows:

1. 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.

2. To provide comments to Council electronically via telephone during a meeting, please contact the Corporate Officer for 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) [21-468](#) Minutes of the Special Council meeting held August 30, 2021
Attachments: [Minutes of the Special Council meeting, August 30, 2021](#)
- 2) [21-467](#) Minutes of the Regular Council meeting held August 30, 2021
Attachments: [Minutes from the Regular Council meeting, August 30, 2021](#)

5. PRESENTATIONS

- 1) [21-462](#) Laura-Beth Keane, Esquimalt Community Arts Hub (ECAH), Re: Annual Recap, Recap of Mural Festival, and Request for Letter of Support

Attachments: [Attachment No. 1: Presentation Application](#)
[Attachment No. 2: PowerPoint Presentation](#)

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***Parks and Recreation***

- 1) [21-435](#) The Landscapes of Injustice Collective "Past Wrongs Future Choices", Staff Report No. P&R-21-003

Recommendation:

That Council direct staff to provide a letter of support including approval of the following commitments:

1. Provide Esquimalt Gorge Park Pavilion display wall for a 10-year term.
2. Provide temporary shared public space for exhibition displays in or around Esquimalt recreational facilities and/or around the Esquimalt Gorge Park Pavilion.
3. Provide space for 3 Japanese garden interpretive display areas in Gorge Park.
4. Provide staff support for the above including initial consultation, program consultation, facilitate setup and marketing support.

Attachments: [Landscapes of Injustice Letter Esquimalt](#)
[19144-Esquimalt Gorge Park Lobby N Wall](#)

- 2) [21-446](#) Saxe Point Park Natural Area Management Plan, Staff Report No. P&R-21-004

Recommendation:

That the natural area management plan strategies outlined in staff report P&R 21-004 be approved.

Fire

- 3) [21-449](#) Fireworks Bylaw, 2021, No. 3038, Staff Report No. FIRE-21-006

Recommendation:

That Council give first, second and third readings to Fireworks Bylaw, 2021, No.3038.

Attachments: [Fireworks Bylaw No 3038 2021](#)

Development Services

- 4) [21-460](#) Development Permit - 1179 Colville Road, Staff Report No. DEV-21-066

Recommendation:

That Council resolves that Development Permit No. DP000155 [Appendix A of staff report DEV-21-066] authorizing the design of a two-family dwelling (duplex) to be constructed in accordance with the BCLS Site Plan prepared by Wey Mayenburg Land Surveying Inc., stamped "Received July 21, 2021", is consistent with the architectural plans prepared by Paul Park, Park Residential Designs stamped "Received July 21, 2021", and the landscape plan prepared by Mary Haggerty Designs, stamped "Received September 20, 2021" be approved, and (subject to receipt of the required landscape security) staff be directed to issue the permit, and register the notice on the title of the property located at 1179 Colville Road [PID 002-196-921; Lot 3, Block 17, Section 10 Esquimalt District, Plan 2546.

Attachments: [Appendix A - DP000155 - 1179 Colville Road - w schedules](#)
[Appendix B - Air photo, RD-4 zone](#)
[Appendix C - Surveyor's Site Plan, Architectural Plans, Colourboard, Landscape Plan,](#)
[Appendix D - DP Area Guidelines 1, 3, 7, 8](#)
[Appendix E - Green Building Checklist](#)
[Appendix F - Applicants Presentation](#)

- 5) [21-464](#) Cash-in-lieu of Park Dedication for 916-920 Old Esquimalt Road, Staff Report DEV-21-068

Recommendation:

That Council accept \$36,250.00 as cash in lieu of parkland dedication based on five percent (5%) of the appraised value of the \$725,000.00 (Appendix D) for the proposed five-lot subdivision as proposed in Plan EPS6543 (Appendix C) and that the funds be deposited in to the Parkland Acquisition Reserve Fund.

Attachments: [Appendix A Local Government Act Section 510 Requirement for Provision of Park Land or Payment for Parks Purposes](#)
[Appendix B Key Map and Air Photo](#)
[Appendix C Bare Land Strata Plan EPS6543](#)
[Appendix D Appraisal Report](#)

- 6) [21-454](#) Rezoning Application – 1338, 1340, 1344 & 1350 Saunders Street, Staff Report No. DEV-21-064

Recommendation:

1. That Council resolves that Zoning Bylaw, 1992, No. 2050, Amendment Bylaw No. 3034, attached to Staff Report No. DEV-21-064 as Appendix A, which would amend Zoning Bylaw, 1992, No. 2050 by changing the zoning designation of 1338 Saunders Street [PID 006-374-816 Lot 25, Suburban Lot 45, Esquimalt District, Plan 2854] + [PID 006-374-786 Lot 24, Suburban Lot 45, Esquimalt District, Plan 2854], 1340

Saunders Street [PID 006-374-719 Lot 23, Suburban Lot 45, Esquimalt District, Plan 2854] + [PID 006-374-662 Lot 22, Suburban Lot 45, Esquimalt District, Plan 2854], 1344 Saunders Street [PID 005-479-258 Lot 21, Suburban Lot 45, Esquimalt District, Plan 2854] + [PID 005-479-240 Lot 20, Suburban Lot 45, Esquimalt District, Plan 2854], and 1350 Saunders Street [PID 004-543-483 Lot A, Suburban Lot 45, Esquimalt District, Plan 13158], all shown cross hatched on Schedule 'A' of Bylaw No. 3034, from RM-1 [Multiple Family Residential] to CD No. 139 [Comprehensive Development District No. 139] be amended and given second reading; and

2. That Council authorizes the Corporate Officer to schedule a Public Hearing for Zoning Bylaw, 1992, No. 2050, Amendment Bylaw No. 3034, 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-21-064, the applicant has voluntarily agreed to register a Section 219 Covenant on the titles of 1338 Saunders Street [PID 006-374-816 Lot 25, Suburban Lot 45, Esquimalt District, Plan 2854] + [PID 006-374-786 Lot 24, Suburban Lot 45, Esquimalt District, Plan 2854], 1340 Saunders Street [PID 006-374-719 Lot 23, Suburban Lot 45, Esquimalt District, Plan 2854] + [PID 006-374-662 Lot 22, Suburban Lot 45, Esquimalt District, Plan 2854], 1344 Saunders Street [PID 005-479-258 Lot 21, Suburban Lot 45, Esquimalt District, Plan 2854] + [PID 005-479-240 Lot 20, Suburban Lot 45, Esquimalt District, Plan 2854], and 1350 Saunders Street [PID 004-543-483 Lot A, Suburban Lot 45, Esquimalt District, Plan 13158] 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 1338 Saunders Street, 1340 Saunders Street, 1344 Saunders Street, and 1350 Saunders Street prior to development as the proposed CD No.139 Zone does not work unless the parcels are consolidated
- Provision of 6 affordable rental housing units
- Undergrounding of the electric power lines along Saunders Street adjacent to the subject property
- The building be constructed to include a minimum of five 3-bedroom dwelling units
- 4 visitor parking spaces will be provided and remain
- All the parking stalls wired for, and including 4 Level 2 (240V, AC plug with a dedicated 40-ampere circuit) electric vehicle charging stations
- Membership for a shared vehicle service for all the units
- Provision of one-year BC Transit bus passes for the Victoria Regional Transit System to all 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, prior to returning Amendment Bylaw No. 3034 to Council for consideration of adoption.

Attachments: [Appendix A - Zoning Bylaw, 1992, No. 2050, Amendment Bylaw No. 3034](#)
[Appendix B - Aerial Map](#)
[Appendix C - Architectural and Landscape Plan](#)
[Appendix D - Green Building Checklist](#)
[Appendix E - Developer's Public Consultation Summary](#)
[Appendix F - Applicant's Presentation](#)
[Appendix G - Staff's Presentation](#)

- 7) [21-455](#) Rezoning Application – 530, 534 & 538 West Bay Terrace, and 877 & 879 Dunsmuir Road, Staff Report No. DEV-21-065

Recommendation:

That Council resolves that Zoning Bylaw, 1992, No. 2050, Amendment Bylaw No. 3039, attached to Staff Report No. DEV-21-065 as Appendix A, which would amend Zoning Bylaw, 1992, No. 2050 by changing the zoning designation of 530 West Bay Terrace [PID 005-090-202, Lot 7, Section 11, Esquimalt District, Plan 11515], 534 West Bay Terrace [PID 000-074-659, Lot 6, Section 11, Esquimalt District, Plan 11515], 538 West Bay Terrace [PID 000-074-594, Lot 5, Section 11, Esquimalt District, Plan 11515], 877 Dunsmuir Road [PID 005-090-181, Lot 2, Section 11, Esquimalt District, Plan 11515], and 879 Dunsmuir Road [PID 000-074-683, Lot 1, Section 11, Esquimalt District, Plan 11515], all shown cross-hatched on Schedule 'A' of Bylaw No. 3039, from RM-4 [Multiple Family Residential to CD No. 144 [Comprehensive Development District No. 144] be defeated.

Attachments: [Appendix A - Zoning Bylaw, 1992, No. 2050, Amendment Bylaw No. 3039](#)
[Appendix B - Aerial Map](#)
[Appendix C - Architectural Drawings, Landscape Plan, and Surveyor's Site Plan](#)
[Appendix D - Green Building Checklist](#)
[Appendix E - Applicant's Letter](#)
[Appendix F - Parking Study](#)
[Appendix G - Transportation Demand Management Strategies](#)
[Appendix H - Draft Tenant Relocation Plan](#)
[Appendix I - Developer's Public Consultation Summary](#)
[Appendix J - Public Input](#)
[Appendix K - Applicant's Presentation](#)
[Appendix L - Staff's Presentation](#)

- 8) [21-461](#) 880 Fleming Street - Proposed OCP and Zoning Bylaw Amendments, Staff Report No. DEV-21-067

Recommendation:

1. That Council resolves that Official Community Plan Bylaw, 2018, No. 2922,

Amendment Bylaw, 2021, No. 3041, attached to Staff Report No. DEV-21-067 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 880 Fleming Street [Lot 1 Section 10 Esquimalt District Plan EPP78715] [PID 030-353-556], shown cross hatched on Schedule 'A' of Bylaw No. 3041, from Development Permit Area No.3 - Enhanced Design Control Residential to Development Permit Area No.6 - Multi-Family Residential; be given first and second reading;

2. That Council resolves that Zoning Bylaw, 1992, No. 2050, Amendment Bylaw No. 3042, attached to Staff Report DEV-21-067 as Appendix B, which would amend Zoning Bylaw, 1992, No. 2050 by changing the zoning designation of 880 Fleming Street [Lot 1 Section 10 Esquimalt District Plan EPP78715] [PID 030-353-556], shown cross-hatched on Schedule "A" of Bylaw No. 3042, from RS-1 [Single Family Residential] to CD No. 145 [Comprehensive Development District No. 136]; 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. 3041, and Zoning Bylaw, 1992, No. 2050, Amendment Bylaw No. 3042, mail notices, and publish public notices for same in the local newspaper.

Attachments: [Appendix A - 880 Fleming OCP amending bylaw with Schedule A](#)
[Appendix B - Zoning Bylaw 1992 No. 2050 Amending Bylaw 2021 No. 3042 for 1st and second reading with Schedule A](#)
[Appendix C - Site Location Airphoto OCP Zn Maps](#)
[Appendix D - Architectural Drawings](#)
[Appendix E - Landscape Drawings](#)
[Appendix F - Green Building Checklist](#)
[Appendix G - Arborist Tree Assessment](#)
[Appendix H - Watt Parking Study](#)
[Appendix I - Notice mailed to neighbours](#)
[Appendix J - Open House Summary](#)
[Appendix K - 880 Fleming Street Staff PowerPoint](#)
[Appendix L - 880 Fleming Street Purchase Sales Agreement](#)
[Appendix M - Letter from M Hackwell Re 880 Fleming](#)
[Appendix N - Applicant Council Presentation](#)

8. COMMUNICATIONS

For Council's Consideration

- 1) [21-465](#) Email from Kelly Kenney, Langley City, dated September 15, 2021, Re: Resolution - Appointment of Directors to Regional District Board

Attachments: [Email - Resolution re: Appointment of Directors to Regional District Board](#)
[Email - Clarification of Intent of Correspondence](#)

- 2) [21-466](#) Email from Nicole McDowell, Regional District of Mount Waddington, dated September 14, 2021, Re: Rebuilding Village of Lytton

Attachments: [Email - Rebuilding Village of Lytton](#)

- 3) [21-459](#) Email from resident, dated September 15, 2021, Re: Request for Letter to the Attorney General - Incident

Attachments: [Email - Request for Letter to Attorney General](#)

9. RISE AND REPORT

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