



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

Minutes - Final

Council

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

Monday, May 6, 2019

7:00 PM

Esquimalt Council Chambers

- 4) [19-172](#) Official Community Plan Amendment Consultation List -
616/620 Constance Avenue, 619/623 Nelson Street and
1326 Miles Street

Attachments: [Appendix A - Official Community Plan Amendment Consultation](#)
[Appendix B - Proposed Development Concept Plan](#)

Moved by Councillor Brame, seconded by Councillor Morrison: That Council, having considered Sections 475 and 476 of the Local Government Act, authorize staff to circulate the Official Community Plan and Zoning Bylaw Amendment concept plan, attached as Appendix 'B' to Staff Report DEV-19-041, detailing the proposed development at 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] to those persons, organizations, and authorities identified in Appendix 'A' of Staff Report DEV-19-041 as amended with the addition of SD61 School Board Trustees and School Parent Advisory Councils [PAC]. Carried Unanimously.



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

Minutes - Final

Council

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

Monday, May 25, 2020

7:00 PM

Esquimalt Council Chambers

- 4) [20-228](#) Official Community Plan Amendment and Rezoning Application - 616 & 620 Constance Avenue, 619 & 623 Nelson Street and 1326 Miles Street, Staff Report No. DEV-20-025

Attachments: [Appendix A - Official Community Plan Bylaw, 2018, No. 292 Amendment Bylaw No. 2964](#)
[Appendix B - Zoning Bylaw, 1992, No. 2050, Amendment B 2965](#)
[Appendix C - Subject Property Map, Aerial Map, OCP Proposed 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](#)

Planner provided an update on the application Council deferred consideration at the May 4, 2020 Council meeting due to inconsistencies with the parking space figures, the proposed number of parking spaces is 126. The Planner presented a PowerPoint Presentation and responded to questions from Council. Since the bylaws received first and second reading the applicant has elected to amend the proposed development to a purpose built rental building. The new proposal consists of changes to the number of dwelling units, the number of parking spaces, and is constructed from concrete instead of mass timber.

Troy Grant, Sierra Lane Construction Inc., attended the meeting via conference call provided an overview of the application, presented a PowerPoint Presentation, and responded to questions from Council.

The purpose of the application is to accommodate the proposed 12-storey,

commercial residential mixed-use building including 129 residential units and a 126 space parking garage.

Council comments included concerns with the proposed parking ratio and impact to street parking and the proximity of the development to nearby amenities and alternative transportation options.

Moved by Councillor Brame, seconded by Councillor Armour: 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-20-025 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-20-025, 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
- 100 shares for a membership for a shared vehicle service for the residents
- 88 bus passes for one year for residents
- 2 operational automobiles to be owned and maintained by the owner of the building for sole use of the residents at the building owner's expense.

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. Carried.

In Favour: 6 - Mayor Desjardins, Councillor Armour, Councillor Brame, Councillor Helliwell, Councillor Hundleby, and Councillor Vermeulen

Opposed: 1 - Councillor Morrison



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

Minutes - Final

Council

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

Monday, August 19, 2019

7:00 PM

Esquimalt Council Chambers

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

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 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](#)

Planner provided an overview of OCP and Rezoning Application for 616 & 620 Constance Avenue, presented a PowerPoint Presentation and responded to questions from Council.

Troy Grant, *Sierra Lane Construction Ltd.*, provided an overview of the application, presented a PowerPoint Presentation and responded to questions from Council.

Moved by Councillor Helliwell, seconded by Councillor Vermeulen:

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. Carried Unanimously.