



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

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

Minutes - Final

Council

Monday, July 12, 2021

7:00 PM

Esquimalt Council Chambers

Present: 6 - Mayor Barbara Desjardins
Councillor Ken Armour
Councillor Jacob Helliwell
Councillor Lynda Hundleby
Councillor Tim Morrison
Councillor Jane Vermeulen

Absent: 1 - Councillor Meagan Brame

Staff: Laurie Hurst, Chief Administrative Officer
Jeff Miller, Director of Engineering & Public Works
Bill Brown, Director of Development Services
Chris Jancowski, Fire Chief
Neal Widdifield, Assistant Fire Chief
Debra Hopkins, Manager of Corporate Services / Corporate Officer
Trevor Parkes, Senior Planner
Alex Tang, Planner
Alicia Ferguson, Recording Secretary

1. CALL TO ORDER

Mayor Desjardins called the Regular Council meeting to order at 7:00 PM.

Mayor Desjardins provided information from the meeting of the First Nation's Chiefs that she attended condemning the acts of violence and vandalism seen around the island in response to the recent residential school discoveries and read aloud a message from the collective of South Island Nations calling for actions that support the healing and building of relationships rather than actions that perpetuate violence.

Mayor Desjardins acknowledged with respect the traditional territory of the Lekwungen- speaking peoples, the Songhees, and Kosapsum peoples on whose lands we work, learn, live, and play.

2. LATE ITEMS

(1) **PERTAINING** to Item No. 5: **PUBLIC HEARING** - Public Hearing for Housing Agreement Bylaw Amendment and Covenant Modification - 669 Constance Avenue, Staff Report No. DEV-21-055

- Email from Don Beaudoin and Ann Marcotte, dated July

11, 2021, Re: 669 Covenant Modification

(2) ADD as Item No. 11 (1) **RISE AND REPORT** - Appointment to APC Design Review Committee

At the July 12, 2021 *In Camera* meeting, Council passed the following Motion:

That Council review the nomination from the BC Society of Landscape Architects and appoint Christopher Windjack to the APC Design Review Committee for a two-year term from July 1, 2021 to June 30, 2023, and that Council rise and report on the appointment at the call of the Chair.

3. APPROVAL OF THE AGENDA

Moved by Councillor Morrison, seconded by Councillor Hundleby: That the agenda be approved as amended with the inclusion of the late items. Carried Unanimously.

4. MINUTES

- 1) [21-400](#) Minutes of the Special Council meeting held June 28, 2021
- 2) [21-399](#) Minutes of the Regular Council meeting held June 28, 2021

Moved by Councillor Hundleby, seconded by Councillor Armour: That the Minutes of the Special Council meeting held June 28, 2021 and the Minutes of the Regular Council meeting held June 28, 2021, be approved as circulated. Carried Unanimously.

Director of Development Services withdrew from the meeting at 7:03 p.m. due to a conflict of interest with proximity of his principal dwelling.

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) [21-384](#) Public Hearing Notice – 669 Constance Avenue (Covenant Modification)
- 2) **Background Information - Available for Viewing Separately**
- 3) **Director of Development Services - Overview of Application**
 - a) [21-369](#) Housing Agreement Bylaw Amendment and Covenant Modification – 669 Constance Avenue, Staff Report No. DEV-21-055

Planner provided an overview of the application and responded to questions from Council.

4) Applicant or Authorized Representative - Overview of Application

Mark Holland and Harsimer Rattan, *applicants*, presented a PowerPoint Presentation and responded to questions from Council.

5) Public Input

Ken Jones, *resident*, expressed opposition to the proposed development due to its impact on their property including potential change in property value, loss of view and direct sunlight, and increased traffic in the area.

6) Adjournment of Hearing

Mayor Desjardins declared the Public Hearing for Bylaw No. 3032 closed at 7:36 p.m.

7) Consideration of Staff Recommendation

Council comments included reduced density from the original proposal and the creation of needed housing in the community.

Moved by Councillor Morrison, seconded by Councillor Hundleby: 1. That Council resolves that Housing Agreement Bylaw, 2018, No. 2937, Amendment Bylaw [No. 1], 2021, No. 3032, for 669 Constance Avenue, attached to Staff Report No. DEV-21-055 as Appendix A, be given third reading and adoption; and,

2. That Council approves the amendments to Section 219 Covenant CA6919940, attached as Appendix B to Staff Report No. DEV-21-055, and authorizes the Mayor and Chief Administrative Officer to execute the necessary documents and the Corporate Officer to register a Notice of the Housing Agreement and Covenant Modifications document on the title of Lot 1 Suburban Lots 43 and 44 Esquimalt District Plan EPP76107. Carried Unanimously.

Director of Development Services returned to the meeting at 7:40 p.m.

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.

There was no public input.

7. STAFF REPORTS**Community Safety Services**

- 1) [21-380](#) Public Safety Building - Building Regulation Bylaw Exemption, Staff Report No. CSS-21-013

Moved by Councillor Armour, seconded by Councillor Hundleby: That Council pass a resolution that directs staff to waive enforcement of the sections of the Building Regulation Bylaw, 2017, No. 2899, that require copies of recent surveys to accompany Building Permit Applications for the temporary Police and Fire facilities. Carried Unanimously.

Engineering and Public Works

- 2) [21-387](#) Application for BC Active Transportation Grant Funding for Constance Avenue Linear Infrastructure, Staff Report EPW-21-019

Director of Engineering and Public Works responded to questions from Council.

Moved by Councillor Armour, seconded by Councillor Hundleby: That Council:

1. Authorizes staff to submit an application for a BC Active Transportation Infrastructure Grant for up to 60% of the project cost of \$362,000 for a new sidewalk and accessible ramp on Constance Street south of Lyall;
 2. Confirms the Township's share of funding of up to \$145,000 is committed in the 2021 - 2025 Financial Plan; and
 3. Confirms the project is "shovel ready";
- as detailed in Staff Report EPW-21-019. Carried Unanimously.

Fire

- 3) [21-390](#) Self-Contained Breathing Apparatus Contract Award, Staff Report No. FIRE-21-005

Fire Chief responded to questions from Council.

Moved by Councillor Helliwell, seconded by Councillor Hundleby: That Council award the Contract for purchase to Guillevin Fire Safety and Industrial for new SCOTT Self Contained Breathing Apparatus based on the tender cost of \$ 208,677.58 Canadian Dollars (including PST). Carried Unanimously.

Development Services

- 4) [21-368](#) Rezoning Application – 1131 Wychbury Avenue, Staff Report No. DEV-21-054

Senior Planner provided an overview of the application, presented a PowerPoint Presentation noting a correction to the Floor Area Ratio from the staff report, and responded to questions from Council.

Council comments included impact to street parking and traffic safety, appreciation for the amount of proposed greenspace for the site, consideration of including parking stalls for the secondary suite to mitigate street parking concerns, and whether the neighbourhood is supportive of secondary suites.

Moved by Councillor Armour, seconded by Mayor Desjardins:

1. That Council resolves that Zoning Bylaw, 1992, No. 2050, Amendment Bylaw No. 3035 attached as Appendix 'A' to Staff Report DEV-21-054, which would amend Zoning Bylaw, 1992, No. 2050, by changing the zoning designation of 1131 Wychbury Avenue [PID 005-910-951, Lot 12,

Block 1, Section 11, Esquimalt District, Plan 5725], shown cross-hatched on Schedule 'A' of Bylaw No. 3035, from Two Family DADU Residential [RD-4] to Comprehensive Development District No. 140 [CD. No. 140], be given first and second reading; and

2. That Council authorizes the Corporate Officer to schedule a Public Hearing for Zoning Bylaw, 1992, No. 2050, Amendment Bylaw No. 3035, mail notices and advertise for same in the local newspaper. Defeated.

In Favour: 3 - Mayor Desjardins, Councillor Armour, and Councillor Hundleby

Opposed: 3 - Councillor Helliwell, Councillor Morrison, and Councillor Vermeulen

Absent: 1 - Councillor Brame

Council comments included desire to see additional parking for occupants of the secondary suites with adequate greenspace for the site.

Moved by Councillor Morrison, seconded by Councillor Vermeulen: That Council waive the six-month waiting period as laid out in Section 460(3) of the Local Government Act and allow the applicant to return to Council within the six-month time frame. Carried Unanimously.

Council recessed at 8:33 a.m. and reconvened at 8:39 a.m. with all members of Council present.

5) [21-370](#) Housing Agreement Bylaw Amendment - 612 Constance Ave, Staff Report No. DEV-21-056

Moved by Councillor Helliwell, seconded by Councillor Morrison: That Council resolves that Housing Agreement Bylaw, 2019, No. 2981, Amendment Bylaw [No. 1], 2021, No. 3023 for 612 Constance Avenue, attached to Staff Report DEV-21-056 as Appendix A, be adopted. Carried Unanimously.

6) [21-385](#) Parkland Dedication - 916 and 920 Old Esquimalt Road, Staff Report DEV-21-057

Moved by Councillor Helliwell, seconded by Councillor Armour: That Council authorize staff to obtain an appraisal of the parcels of land located at 916 Old Esquimalt Road [PID 003-446-093; Lot C, Section 11, Esquimalt District, Plan 21636] and 920 Old Esquimalt Road [PID 003-446-395; Lot D, Section 11, Esquimalt District, Plan 21636] to determine their "average market value" for the purposes of calculating the amount of the five percent cash-in-lieu of parkland dedication pursuant to Section 510 of the Local Government Act. Carried Unanimously.

8. REPORTS FROM COMMITTEES

1) [21-391](#) Draft Minutes of the APC Design Review Committee, May 12, 2021

This item was received.

- 2) [21-393](#) Draft Minutes of the Advisory Planning Commission, May 18, 2021

This item was received.

- 3) [21-398](#) Minutes of the APC Design Review Committee, June 9, 2021

This item was received.

9. COMMUNICATIONS

For Consideration

- 1) [21-396](#) Email from Andy Telfer, Executive Director, WITS Program Foundation, dated July 8, 2021, Re: Support for Reimagining the Trackside Art Gallery

Mayor Desjardins provided an overview of the request for a letter of support to allow the organization to apply for grant funding for the potential revitalization of the Trackside Art Gallery.

Moved by Councillor Morrison, seconded by Councillor Helliwell: That Council support in principle the initiative of the WITS Program Foundation to revitalize the Trackside Art Gallery as requested in the email from Andy Telfer, Executive Director, WITS Program Foundation, dated July 8, 2021, Re: Support for Reimagining the Trackside Art Gallery, and that the same conditions set out for the 2021 Esquimalt Mural Festival will apply, and further that any resource requests associated with this initiative be considered through the local grant proces. Carried Unanimously.

Andy Telfer, Executive Director, WITS Program Foundation responded to questions from Council and comments included supporting the initiative in principle to develop a plan to move forward with revitalization and future collaboration to develop guidelines to ensure benefit to the community.

Moved by Councillor Hundleby, seconded by Councillor Morrison: That Council allow Andy Telfer, Executive Director, WITS Program Foundation, to address Council regarding their email dated July 8, 2021, Re: Support for Reimagining the Trackside Art Gallery. Carried Unanimously.

- 2) [21-397](#) Email from Rob Fisher, Scale Collaborative, dated July 7, 2021, Re: Social Procurement BCSPi Follow Up

CAO responded to questions from Council and recommended that the item come forward for consideration as part of the early budget approvals for 2022.

Moved by Councillor Armour, seconded by Councillor Helliwell: That Council amend the motion made at the July 12, 2021 Council meeting to join the BCSPi as a one-year pilot funded from contingency to begin in January 2022. Carried Unanimously.

10. NOTICE OF MOTION

- 1) [21-382](#) Acknowledging Lekwungen traditional territories sites of cultural importance in Esquimalt and representing First Nations history and culture through art, Mayor Desjardins - For Consideration

Council comments included alignment with strategic priorities and reconciliation initiatives.

Moved by Mayor Desjardins, seconded by Councillor Armour:

WHEREAS the Township of Esquimalt is within the unceded territories of the Lekwungen speaking peoples, the Esquimalt and Songhees First Nations; and as such, sites of significance for both Nations are located within the Township borders;

AND WHEREAS the construction of the Esquimalt Gorge Park Pavilion is a significant Township project scheduled to be completed by the end of this year within which the Township would like to highlight and celebrate First Nations history and culture through art and other representations;

THEREFORE BE IT RESOLVED that Council direct staff to prepare a report for Council consideration that recommends a process and framework for engagement that applies to history, culture and art and that has been developed collaboratively with both the Songhees and Esquimalt First Nations. Carried Unanimously.

- 2) [21-386](#) Development Capacity Assessment, Councillor Armour - For Introduction

This item was introduced and referred to the August 16, 2021 Council meeting for consideration.

11. RISE AND REPORT

At the July 12, 2021 *In Camera* meeting, Council passed the following Motion:

That Council review the nomination from the BC Society of Landscape Architects and appoint Christopher Windjack to the APC Design Review Committee for a two-year term from July 1, 2021 to June 30, 2023, and that Council rise and report on the appointment at the call of the Chair.

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.

Lorne Argyle, *resident*, encouraged Council to consider allowing street parking on only one side of the road to increase pedestrian safety.

13. ADJOURNMENT

Moved by Councillor Armour, seconded by Councillor Vermeulen: That the Regular Council meeting be adjourned at 9:08 PM. Carried Unanimously.

MAYOR BARBARA DESJARDINS
THIS 16TH DAY OF AUGUST, 2021

DEBRA HOPKINS, CORPORATE OFFICER
CERTIFIED CORRECT