



**CORPORATION OF THE  
TOWNSHIP OF ESQUIMALT**  
**Minutes - Draft**  
**Council**

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

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Monday, May 15, 2023

6:30 PM

Esquimalt Council Chambers

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**THE REGULAR MEETING OF COUNCIL RECONVENES AT 7:00 PM  
WITH MEMBERS OF THE PUBLIC IN ATTENDANCE**

**Present:** 5 - Mayor Barbara Desjardins  
Councillor Ken Armour  
Councillor Duncan Cavens  
Councillor Tim Morrison  
Councillor Darlene Rotchford

**Regrets:** 2 - Councillor Andrea Boardman  
Councillor Jacob Helliwell

Councillor Armour attended the meeting via conference call.

**Staff:** Dan Horan, Chief Administrative Officer  
Blair McDonald, Director of Community Safety Services  
Deb Hopkins, Director of Corporate Services/Corporate Officer  
Bill Brown, Director of Development Services  
Joel Clary, Director of Engineering & Public Works  
Steve Serbic, Fire Chief  
Vicki Gannon, Director of HR & Community Relations  
Steve Knoke, Director of Parks and Recreation Services  
Alison Melville, Manager of Financial Services  
James Davison, Manager of Development Services  
Alex Tang, Planner  
Mikaila Montgomery, Planner  
Sarah Holloway, Deputy Corporate Officer/Recording Secretary

**1. CALL TO ORDER**

Mayor Desjardins called the Regular Council meeting to order at 6:30 PM.

**I. RESOLUTION TO CLOSE THE MEETING PURSUANT TO SECTION 90  
OF THE COMMUNITY CHARTER**

Moved by Councillor Rotchford, seconded by Councillor Cavens:  
That pursuant to Section 90 (1) (i) of the Community Charter, the  
meeting be closed to the general public to discuss the receipt of  
advice that is subject to solicitor-client privilege, including  
communications necessary for that purpose. Carried Unanimously.

**II. CLOSED MEETING****III. RECONVENE THE REGULAR MEETING OF COUNCIL AT 7:00 PM  
WITH MEMBERS OF THE PUBLIC IN ATTENDANCE**

Mayor Desjardins reconvened the Regular Council meeting at 7:00 PM.

Councillor Cavens acknowledged that we are on the unceded territory of the Songhees and Esquimalt Nations and thanked them for caring for this land and look forward to working with them in partnership as we continue to build this great township together.

**2. INTRODUCTION OF LATE ITEMS****1) [23-285](#) Late Correspondence**

1) Item No. 6. - Rezoning and Official Community Plan Amendment - 861 Kindersley, Staff Report No; DEV-23-035

- Scott and Lenora Hanwell - received May 11, 2023

2) Item No. 7. 5) - Rezoning Application First and Second Reading - 884 Lampson Street - Staff Report No. DEV-23-013

- Anthony Honda - received May 15, 2023
- Shelley Greenaway - received May 12, 2023

3) Item No. 9. 12) - Development Variance Permit Application - 1338 Wood Street, Staff Report No. DEV-23-033

- Jane and Inderjit Randhawa - received May 15, 2023

**3. APPROVAL OF AGENDA**

Moved by Councillor Rotchford, seconded by Councillor Cavens: That the agenda be approved with items 9.1 to 9.8 moved up to item 7, the agenda be renumbered accordingly, and with the inclusion of the late items. Carried Unanimously.

**4. ADOPTION OF MINUTES**

1) [23-256](#) Minutes of the Regular Council meeting held on April 24, 2023

2) [23-257](#) Minutes of the Special meeting of Council held on April 25, 2023

3) [23-275](#) Minutes of the Regular Council meeting held on May 1, 2023

Moved by Councillor Cavens, seconded by Councillor Rotchford: That the minutes of the Regular Council meeting held on April 24, 2023; the minutes of the Special meeting of Council held on April 25, 2023; and the

minutes of the Regular Council meeting held on May 1, 2023 be adopted as circulated. Carried Unanimously.

## **5. PUBLIC AND STATUTORY HEARINGS**

*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) [23-258](#) Notice of Public Hearing - 861 Kindersley Road

## **6. PUBLIC HEARING STAFF REPORTS**

### **a) Director of Development Services - Overview of Application**

- 1) [23-248](#) Rezoning and Official Community Plan Amendment - 861 Kindersley, Staff Report No; DEV-23-035

Mikaila Montgomery, Planner, presented a PowerPoint and responded to questions from Council.

The application is proposes to rezone from a Two Family DADU Residential [RD-4] to a Comprehensive Development District [CD] to permit the future development of five three-storey townhouse dwellings.

### **b) Applicant or Authorized Representative - Overview of Application**

Xeniya Vins, Architect with Xquimalt Developments, the applicant, presented a PowerPoint to Council.

### **c) Public Input**

An Esquimalt resident, spoke in opposition due to the height and pitched roof. The resident requested that Council only approve the development if the roof was subject to a new design.

Clive Townley, resident, spoke in opposition as the property size provides a great option for more density rather than the proposed townhouses. The resident encouraged Council to take the opportunity to optimize the value of the site and assist with the housing crisis by adding more housing stock in Esquimalt.

Donna Heaslip, resident, expressed support due to the exterior design, option for family housing and gentle density to the area.

Thomas Schultz, resident, expressed support due to the good design, incorporation of parking on site and the increase in density.

Marty Clough, resident, spoke in opposition due to inadequate parking on site and the area being difficult to navigate due to traffic issues.

Connie Low, non resident, spoke on behalf of the owner of 865 Kindersley, who expressed opposition to the development due to the shading of their property, the decrease in green space, the increase in vehicles to the street, and that it is ill-suited for the neighbourhood.

Scott Hanwell, resident, expressed opposition due to concerns with parking and traffic flow along the already busy street, and the threat to pedestrian safety.

Mayor Desjardins called for public input a second, third and final time. No further public input was received.

Moved by Councillor Morrison, seconded by Councillor Rotchford: That the written submissions be received. Carried Unanimously.

**d) Adjournment of Hearing**

Mayor Desjardins declared the Public Hearing for Bylaw Nos. 3104 and 3105 closed.

**e) Consideration of Staff Recommendation**

Council comments included:

- The application is supportable due to its low carbon family housing and gentle density.
- Concerns with non resident parking will be managed through the Parking Bylaw amendment and any further parking and traffic issues should be directed to staff.
- A roof re-design could be considered during the development permit stage of the application.
- The addition of an amenity to provide one annual adult bus pass to each unit may lessen the need for parking.
- The bedroom suites on the ground floor are beneficial for aging in place and fills a need that is missing in the Township.
- The option for storage space in the attic due to the roof design is supportable.
- The effectiveness to reduce vehicle use with the provision of bus passes has not been proven and understanding the impact would be beneficial prior to committing developers to the amenity.

Moved by Councillor Cavens, seconded by Councillor Morrison:

1. That Council give third reading to Official Community Plan Bylaw, 2018, No. 2922 Amendment Bylaw, 2023, No. 3104, which would change the Development Permit Area designation from "DPA 3 - Enhanced Design Control Residential" to "DPA 6 - Multi-Family Residential" and change the proposed land use designation from "low density residential" to

"townhouse residential";

2. That Council give third reading to Zoning Bylaw, 1992, No. 2050, Amendment Bylaw, 2023, No. 3105, which would change the zoning designation from RD-4 Two-Family DADU Residential to Comprehensive Development District No. 162 [CD-162].

3. That a Section 219 covenant as per the terms outlined in staff report DEV-23-035 be registered on title prior to returning the bylaws to Council for adoption. Carried Unanimously.

## 7. STAFF REPORTS

- 1) [23-278](#) CAO - 2023 First Period Report, Staff Report No. ADM-23-021

The Chief Administrative Officer introduced the period reports and responded to questions from Council.

- 2) [23-223](#) Community Safety Services - 2023 First Period Report , Staff Report No. CSS-23-004

The Director of Community Safety Services introduced the report to Council.

- 3) [23-265](#) Corporate Services, Human Resources and Community Relations 2023 First Period Report, Staff Report No. ADM-23-020

The Director of HR and Community Relations introduced the report to Council and clarified that the report includes Corporate Services as it precluded the restructuring of the departments and division of responsibilities.

- 4) [23-267](#) Development Services 2023 First Period Report , Staff Report No. DEV-23-031

The Director of Development Services introduced the report and responded to questions from Council.

- 5) [23-269](#) Engineering & Public Works Departments - 2023 First Period Report, Staff Report No. EPW-23-004

The Director of Engineering and Public Works introduced the report and responded to questions from Council.

The Director will report back on the study that is being conducted by the Capital Regional District on odours occurring in the municipality that may be attributed to either the wastewater treatment plant or drain cross connections in Vic West, and will include the waste per capita measurements in all future period reports.

- 6) [23-263](#) Financial Services and IT Departments - 2023 First Period Report, Staff Report FIN-23-007

The Manager of Financial Services introduced the report and responded to questions from Council.

The Manager will consult with the Director of Financial Services and IT to report back on any feedback that has been given on the business façade improvement program costs versus the grant amount received.

- 7) [23-260](#) Fire First Period Report 2023, Staff Report No. FIRE-23-260

Assistant Fire Chief Widdifield introduced the report and responded to questions from Council.

- 8) [23-255](#) Parks and Recreation 2023 First Period Report, Staff Report No. P&R-23-009

The Director of Parks and Recreation introduced the report and responded to questions from Council.

Council thanked staff for the detailed reports.

## 8. **BYLAWS FOR ADOPTION OR FIRST AND SECOND READING THAT ARE SUBJECT TO A PUBLIC HEARING**

### ***For Adoption***

Mayor Desjardins advised that the previous conflict of interest with the rezoning application for 445 Head Street has been resolved as her family member no longer has professional affiliations with the applicant's organization.

- 1) [23-039](#) Rezoning and Official Community Plan Amendment - 906 Old Esquimalt Road, Staff Report No DEV-23-009

Moved by Councillor Morrison, seconded by Councillor Rotchford:

1. That Official Community Plan Bylaw, 2018, No. 2922, Amendment Bylaw, 2022, No. 3091 to amend Schedule H by changing the designation from "Development Permit Area No. 3 Enhanced Design Control Residential", to "Development Permit Area No. 6 - Multi-Family Residential" be adopted.

2. That Zoning Bylaw, 1992, No. 2050, Amendment Bylaw, 2022, No. 3088 to amend Zoning Bylaw, 1992, No. 2050 by changing the zoning designation from RD-3 [Two Family/Single Family Residential] to Comprehensive Development District No. 160 [CD No. 160] be adopted. Carried Unanimously.

- 2) [23-259](#) Growing Communities Reserve Fund Bylaw, 2023, No. 3109 - For Adoption

Moved by Councillor Morrison, seconded by Councillor Cavens: That Growing Communities Reserve Fund Bylaw, 2023, No. 3109 be adopted.

Carried Unanimously.

- 3) [23-270](#) Official Community Plan Bylaw, 2018, No. 2922, Amendment Bylaw, 2022, No. 3047 - 445 Head Street - For Adoption

Moved by Councillor Morrison, seconded by Councillor Rotchford: That Official Community Plan Bylaw, 2018, No. 2922, Amendment Bylaw, 2022, No. 3047 be adopted. Carried Unanimously.

- 4) [23-271](#) Zoning Bylaw, 1992, No. 2050, Amendment Bylaw, 2022, No. 3048 - 445 Head Street - For Adoption

Moved by Councillor Morrison, seconded by Councillor Rotchford: That Zoning Bylaw, 1992, No. 2050, Amendment Bylaw, 2022, No. 3048 be adopted. Carried Unanimously.

***First and Second Reading Subject to a Public Hearing***

- 5) [23-066](#) Rezoning Application First and Second Reading - 884 Lampson Street - Staff Report No. DEV-23-013

The Manager of Development Services presented a PowerPoint and responded to questions from Council.

The application is to rezone five existing lots containing three detached dwelling units and four duplex units to a CD No. 155 [Comprehensive Development District No. 155] zone in order to build a six-storey multifamily residential property.

Denise Kors, Kors Development Services Inc., representative for the applicant, presented a PowerPoint and responded to questions from Council.

Council comments included:

- The amount of shadowing on the neighbouring homes due to the height of the building is concerning.
- A commitment to ensure one of the amenity spaces is designated a fitness room should be considered.
- The amount of trees to be removed is concerning.
- The need for development density is recognized.
- A better design for the sloping site is recommended.
- A commitment to a dedicated parking space for a car share vehicle should be considered.
- The number of units is too ambitious for the area.
- The accessibility challenges at the Tillicum Road frontage is concerning.
- The removal of a storey to lessen density and shadowing may be a consideration.
- An increase in density is needed to address the housing shortage.
- The location is designated a future medium density area, so decreasing the

height is not supportable.

- The change to medium density in the neighbourhood will be a difficult transition initially.

- To lessen the appearance of massing an alteration in the design should be considered.

Moved by Councillor Rotchford, seconded by Councillor Morrison: That Council give first reading to Zoning Bylaw, 1992, No. 2050, Amendment Bylaw, 2023, No. 3098, which would change the zoning designation from RS-1 [Single Family Residential], RD-3 [Two Family/Single Family Residential] and RD-1 [Two Family Residential] to CD No. 155 [Comprehensive Development District No. 155]. Carried Unanimously.

## **9. PUBLIC INPUT ON AGENDA ITEMS 10, 11 AND 12**

There was no public input received.

## **10. STAFF REPORTS Continued**

- 1) [23-272](#) Federal Grant Funding for Tillicum Active Transportation Improvements, Staff Report No. EPW-23-006

The Director of Engineering and Public Works introduced the report to Council.

Moved by Councillor Morrison, seconded by Councillor Rotchford: That Council confirms the Township is committed to funding protected bike lanes on Tillicum Road; and authorizes the Mayor and Corporate Officer to enter into a contribution agreement with the Government of Canada on behalf of the Township of Esquimalt for protected bike lanes on Tillicum Road as detailed in Staff Report EPW-23-006. Carried Unanimously.

- 2) [23-266](#) Municipal Hall Roof Replacement - Contract Award, Staff Report No. EPW-23-005

The Director of Engineering and Public Works introduced the report to Council.

Moved by Councillor Cavens, seconded by Councillor Rotchford: That Council award the contract for the Municipal Hall Roof Replacement to Flynn Canada for \$288,535 (excluding GST) and include 5% contingency, as detailed in Staff Report EPW-23-005. Carried Unanimously.

- 3) [23-243](#) Development Variance Permit Application – 809 Old Esquimalt Road, Staff Report No. DEV-23-032

Alex Tang, Planner, introduced the report to Council.

Moved by Councillor Cavens, seconded by Councillor Rotchford: That Development Variance Permit No. DVP00137 be approved and issued. Carried Unanimously.

- 4) [23-244](#) Development Variance Permit Application – 1338 Wood Street, Staff Report No. DEV-23-033



Alex Tang Planner introduced the report to Council.

Ray Murray, the applicant presented a PowerPoint and in response to a question from Council clarified that there had been a discrepancy between the arborist report and the landscape plans and that the majority of the hedge would remain and only a small portion would be removed.

Moved by Councillor Rotchford, seconded by Councillor Cavens: That Development Variance Permits No. DVP00134 and No. DVP00135 be approved and issued. Carried Unanimously.

## **11. REPORTS / MINUTES FROM COMMITTEES**

- 1) [23-279](#) Draft Minutes of the Advisory Planning Commission, April 18, 2023

The minutes were received for information.

- 2) [23-280](#) Recommendation from the Committee of the Whole Meeting of May 8, 2023

Moved by Councillor Cavens, seconded by Councillor Rotchford: That the recommendation from the Committee of the Whole meeting of May 8, 2023 be ratified:

1. Public Safety Building Project - Project Update and Governance Review, Staff Report No. CSS-23-005

That the Committee of the Whole recommends that Council direct staff to report back in June 2023 with further information about what a redefined project (Option 3B), as per Staff Report No. CSS-23-005, could accomplish including more information on the following:

- Look at the property as two separate lots.
- Build a firehall on the south section of the lot below the indentured portion.
- Provide options for office and meeting space.
- Provide options for housing and possible partnerships.
- Begin investigation of removal of indenture. Carried Unanimously.

## **12. RISE AND REPORT (FROM IN CAMERA)**

- 1) [23-268](#) Rise and Report from the In Camera meeting of May 1, 2023 - Board of Variance Appointment

At the In Camera meeting held on May 1, 2023 Council passed the following resolution:

(1) Board of Variance Appointment from April 24, 2023 In Camera Meeting

That Council Rise and Report on the appointment of Richard Rennie to the Board of Variance for an interim term concluding December 24, 2024 .

**13. PUBLIC COMMENT PERIOD**

There was no public comment.

**14. ADJOURNMENT**

Moved by Councillor Rotchford, seconded by Councillor Cavens: That the Regular Council meeting be adjourned at 9:21 PM. Carried Unanimously.

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MAYOR BARBARA DESJARDINS  
THIS DAY OF , 2023

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DEBRA HOPKINS,  
CORPORATE OFFICER  
CERTIFIED CORRECT