



# CORPORATION OF THE TOWNSHIP OF ESQUIMALT

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

## Minutes - Final

### Council

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Monday, October 2, 2017

7:00 PM

Esquimalt Council Chambers

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**Present:** 7 - Mayor Barbara Desjardins  
Councillor Meagan Brame  
Councillor Beth Burton-Krahn  
Councillor Lynda Hundleby  
Councillor Olga Liberchuk  
Councillor Susan Low  
Councillor Tim Morrison

**Staff:** Laurie Hurst, Chief Administrative Officer  
Jeff Miller, Director of Engineering & Public Works  
Bill Brown, Director of Development Services  
Ian Irvine, Director of Financial Services  
Blair McDonald, Director of Community Safety Services  
Anja Nurvo, Director of Corporate Services  
Karen Hay, Planner  
Rachel Dumas, Recording Secretary

#### 1. CALL TO ORDER

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

Mayor Desjardins acknowledged with respect that we are within the Traditional Territories of the Esquimalt and Songhees First Nations.

#### 2. LATE ITEMS

The following late item was added to the agenda:

- (1) Pertaining to Agenda Item 10. **MAYOR'S AND COUNCILLORS' REPORTS:** (2) Mayor Barbara Desjardins - Reconsideration of Motion re DP and DVP, 468 Foster Street  
- Letter from David Wilkinson and Katie Gibson dated October 1, 2017

#### 3. APPROVAL OF THE AGENDA

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

#### 4. MINUTES

- 1) [17-394](#) Minutes of the Special Meeting of Council, September 11, 2017
- 2) [17-395](#) Minutes of the Regular Meeting of Council, September 11,

2017

- 3) [17-396](#) Minutes of the Special Meeting of Council, September 13, 2017
- 4) [17-397](#) Minutes of the Special Meeting of Council, September 18, 2017

Moved by Councillor Hundleby, seconded by Councillor Morrison: That the Minutes of the Special Meeting of Council, September 11, 2017, Minutes of the Regular Meeting of Council, September 11, 2017, Minutes of the Special Meeting of Council, September 13, 2017 and Minutes of the Special Meeting of Council, September 18, 2017. Carried Unanimously.

## 5. PRESENTATIONS

- 1) [17-398](#) Ron Merk and Carole Witter, Esquimalt Liaison Committee for Wastewater Treatment Project, Re: Update from Committee on Recent and Proposed Mitigation Measures on Head Street (West Bay)

Ron Merk, Chair, and Carole Witter, Esquimalt Liaison Committee for Wastewater Treatment Project, provided an overview of committee structure, project impact on neighbours and engagement with the community.

- 2) [17-399](#) Kate Langpre, Inter-Cultural Association of Greater Victoria, Re: We Speak Translate Project

Kate Langpre, Community Integration Coordinator, Inter-Cultural Association of Greater Victoria, presented an Powerpoint Presentation, provided an overview of the "We Speak Translate Project" initiative and responded to questions from Council. The organisation provides programs and services for new immigrants and refugees in the community.

## 6. DELEGATIONS

- 1) [17-400](#) Sandra Slobodian, Baha'i Community of Esquimalt, Re: Baha'i Community Goals and Plans for October Celebrations

Sandra Slobodian, Baha'i Community of Esquimalt, provided an overview of Baha'i community goals and plans for the "Celebration of the Unity of Mankind", 200th anniversary of the birth of Baha'u'llah, the prophet-founder of the faith, scheduled for October 22 at The Big House Dining Hall, Esquimalt Nation.

## 7. PUBLIC INPUT (On items listed on the Agenda)

### Excluding items which are or have been the subject of a Public Hearing.

Lauree Gray, *resident*, in favour of reconsideration of motion re: DP and DVP for 468 Foster Street.

Trevor Bowers, *resident*, in opposition of reconsideration of motion re: DP and DVP for 468 Foster Street.

Mark Armstrong, *resident*, in favour of reconsideration of motion re: DP and DVP for 468 Foster Street.

Jim Witter, *resident*, encouraged Council to draft a letter of support for Hidden Harbour Marina to Transport Canada re: Captain Jacobson's Park.

Katie Gibson, *resident*, in favour of reconsideration of motion re: DP and DVP for 468 Foster Street.

Christine Robinson, *resident*, in opposition of reconsideration of motion re: DP and DVP for 468 Foster Street.

Ian Black, *resident*, expressed concerns regarding height variance for DP and DVP for 468 Foster Street.

David Yamamoto, *Zebra Design*, in opposition of reconsideration of motion re: DP and DVP for 468 Foster Street.

Vaclav Kran, *resident*, in opposition of reconsideration of motion re: DP and DVP for 468 Foster Street.

Mark Miller, *resident*, in support of Lockley Road Speed Restrictions and encouraged ongoing engagement with the 1200 Block Lockley Road residents.

Terry Prentice, *resident*, expressed concerns regarding the proposed animal management bylaw amendment.

## 8. STAFF REPORTS

### ***Community Safety Services***

- 1) [17-386](#) Animal Management Bylaw - Amendment No. 1, Staff Report CSS-17-013

Director of Community Safety Services responded to questions from Council.

Council comments included:

- \* BC Farmers Market regulations and enforcement
- \* Provincial regulations and guidelines
- \* Island Health regulations and storage of eggs

Moved by Councillor Low, seconded by Councillor Brame: That Council gives first, second and third readings to the Animal Management Bylaw, 2015, No. 2841, Amendment Bylaw (No.1), 2017, No. 2908. Carried Unanimously.

### ***Finance***

- 2) [17-384](#) 2018 Permissive Tax Exemptions, Staff Report FIN-17-019

Director of Financial Services responded to questions from Council.

Moved by Councillor Brame, seconded by Councillor Hundleby: That

Council give first, second and third readings to the Tax Exemption (Non-Profit Organizations) Bylaw, 2017, No.2907.

Moved by Councillor Liberchuk, seconded by Councillor Hundleby: That the Main Motion be amended to separate all permissive tax exemption applications recommended for 50% exemption by the Committee for the 2018 taxation year. Carried Unanimously.

Moved by Councillor Liberchuk, seconded by Councillor Hundleby: That the Main Motion be amended to approve a 100% permissive tax exemption to PEERS Victoria Resource Society for the 2018 taxation year. Defeated.

In Favour: 3 - Councillor Hundleby, Councillor Liberchuk, and Councillor Low

Opposed: 4 - Mayor Desjardins, Councillor Brame, Councillor Burton-Krahn, and Councillor Morrison

Moved by Councillor Liberchuk, seconded by Councillor Low: That the Main Motion be amended to approve a 75% permissive tax exemption to The Mustard Seed Street Church for the 2018 taxation year. Defeated.

In Favour: 3 - Councillor Hundleby, Councillor Liberchuk, and Councillor Low

Opposed: 4 - Mayor Desjardins, Councillor Brame, Councillor Burton-Krahn, and Councillor Morrison

Moved by Councillor Liberchuk, seconded by Councillor Low: That the Main Motion be amended to approve a 50% permissive tax exemption to the Society of Saint Vincent de Paul of Vancouver Island for the 2018 taxation year. Defeated.

In Favour: 2 - Councillor Liberchuk, and Councillor Low

Opposed: 5 - Mayor Desjardins, Councillor Brame, Councillor Burton-Krahn, Councillor Hundleby, and Councillor Morrison

The vote was taken on the Main Motion as amended and declared Carried.

In Favour: 5 - Mayor Desjardins, Councillor Brame, Councillor Burton-Krahn, Councillor Liberchuk, and Councillor Morrison

Opposed: 2 - Councillor Hundleby, and Councillor Low

### ***Engineering and Public Works***

3) [17-392](#) Repeal of Traffic Orders in Parks, Staff Report EPW-17-048

Moved by Councillor Liberchuk, seconded by Councillor Morrison: That Council approve that Traffic Order Numbers 4, 14, 388, 407, 487, 488, 588, 811, 816, 830, 860, 880 and 1046 be rescinded. Carried Unanimously.

- 4) [17-393](#) Crosswalk Locations - Admirals Road to Fernhill Road, Staff Report EPW-17-049

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

Moved by Councillor Brame, seconded by Councillor Hundleby: That Council directs Staff to undertake the upgrade of the Renaissance and Fraser Street crosswalks within the current project budget. Carried unanimously.

- 5) [17-405](#) Modifications to Funding Sources for Council Policy E&PW-01, The Township Guide to Traffic Calming, Staff Report EPW-17-050

Moved by Councillor Low, seconded by Councillor Morrison: That Council approve revised Council Policy E&PW-01 - The Township Guide to Traffic Calming, as attached to Staff Report EPW-17-050. Carried Unanimously.

- 6) [17-406](#) Lockley Road Speed Restrictions, Staff Report EPW-17-051

Moved by Councillor Hundleby, seconded by Councillor Low: That Council approves the release of \$15,504.30 from the Capital Projects Reserve Fund and directs staff to incorporate the installation of speed control measures on Lockley Road from Admirals Road to Intervale Avenue into the 2017 Various Civil Projects contract. Carried Unanimously.

### **Development Services**

- 7) [17-388](#) Heritage Alteration Permit with Variance - 429 Lampson Street, Staff Report No.DEV-17-058

Moved by Councillor Hundleby, seconded by Councillor Low: That Council allow the applicant's representative to address Council. Carried.

In Favour: 6 - Mayor Desjardins, Councillor Brame, Councillor Hundleby, Councillor Liberchuk, Councillor Low, and Councillor Morrison

Opposed: 1 - Councillor Burton-Krahn

Luke Ramsey, Aragon Properties Ltd, provided an overview of application and introduced Graham Fligg, Merrick Architecture, who presented an Powerpoint Presentation and responded to questions from Council.  
Staff responded to questions from Council.

Moved by Councillor Liberchuk, seconded by Councillor Morrison: That Council resolves that Heritage Alteration Permit No. HAP00002 [Appendix A] that varies the provisions of Heritage Designation [429 Lampson Street] Bylaw, 2013, No. 2807, allowing the alterations and additions to the heritage building in accordance with the architectural drawings prepared by Merrick Architecture stamped 'Received September 18, 2017', attached to Heritage Alteration Permit No. HAP00002 as Schedule 'A', and

including the following variance, be approved, and staff be directed to issue the permit and register the notice on the title of the property located at PID 023-009-331, Lot B, Esquimalt District, Plan VIP60066 [429 Lampson Street]:

Zoning Bylaw 1992, No. 2050, Section 67.71 B. Site A (7)(a) Siting Requirements - Principal Building - A variance to the permitted perimeter of the principal building as shown on the Land Surveyor's Certificate, prepared by McElhanney Consulting Services, stamped 'Received September 9, 2013', to allow the addition of a 'new main level terrace and exterior grand stair', a 'new lower level infill below an existing upper level addition' at the east side of the building and the removal of two exterior 'existing stairs and doors' at the front (west side) of the building, as detailed on Schedule 'A' [the Site Plan - Sheet A1.61] prepared by Merrick Architecture and stamped 'Received September 18, 2017'. Carried Unanimously.

- 8) [17-404](#) Request from Hidden Harbour Marina for letter of support to Transport Canada re Captain Jacobson's Park, Staff Report DEV-17-056

Director of Development Services advised Council of an amendment to the staff recommendation.

Moved by Councillor Low, seconded by Councillor Brame: That Council authorize the Chief Administrative Officer or her designate to send a letter to the Superintendent of Property Services for Transport Canada on behalf of the Corporation of the Township of Esquimalt (the Township) stating that Council consents to the impairment of the Township's riparian rights adjacent to Captain Jacobson's Park subject to:

- The Township retaining the right to repair, maintain, replace, and relocate the storm water pipe and outfall located in Captain Jacobson's Park;
- The Township retaining the right to repair, maintain, or otherwise modify the shore of Captain Jacobson's Park, subject to receiving all necessary approvals, to enhance safety or the ecological integrity of the shore line; and
- Nothing in the renewed lease preventing emergency responders from accessing the riparian area in emergency situations (e.g. to pump water for fire fighting or desalination).
- Unobstructed access at all times for the purpose of deploying, redeploying, and recovering equipment, materials, and appurtenances required to control, recover, or prevent pollutants that may or have entered West Bay through the storm water outfall. Carried Unanimously.

## 9. BYLAWS

- 1) [17-368](#) Streets and Traffic Regulation Bylaw, 2017, No. 2898,

Amendment Bylaw [No. 1], 2017, No. 2904 - For Adoption

Moved by Councillor Brame, seconded by Councillor Low: That Streets and Traffic Regulation Bylaw, 2017, No. 2898, Amendment Bylaw [No. 1], 2017, No. 2904, be adopted. Carried Unanimously.

- 2) [17-375](#) Bylaw Notice Enforcement Bylaw, 2014, No. 2839, Amendment Bylaw [No. 5], 2017, No. 2903 - For Adoption

Moved by Councillor Hundleby, seconded by Councillor Low: That Bylaw Notice Enforcement Bylaw, 2014, No. 2839, Amendment Bylaw [No. 5], 2017, No. 2903, be adopted. Carried Unanimously.

## 10. MAYOR'S AND COUNCILLORS' REPORTS

- 1) [17-385](#) Appointment of Alternate Representative to CRD Regional Growth Strategy Dispute Resolution Process, Mayor Barbara Desjardins

Chief Administrative Officer and Director of Development Services responded to questions from Council.

Moved by Councillor Liberchuk, seconded by Councillor Morrison: That Council appoint Councillor Hundleby to CRD Regional Growth Strategy Dispute Resolution Process and Councillor Low as alternate. Carried Unanimously.

- 2) [17-391](#) Mayor Barbara Desjardins - Reconsideration of Motion re DP and DVP, 468 Foster Street

Staff responded to questions from Council.

Moved by Mayor Desjardins, seconded by Councillor Hundleby: That Council reconsider and vote again on the following motion, which was Carried at the September 11, 2017 meeting of Council:

"That Council resolves that Development Permit No. DP000094 [Appendix A] authorizing the development as illustrated on the architectural drawings and the landscape plan prepared by Zebra Design, stamped "Received September 5, 2017", and sited as detailed on the survey plan prepared by Island Land Surveying, stamped "Received July 28, 2017" be approved, and staff be directed to issue the permit (subject to receipt of the required landscape security), and register the notice on the title of the property located at PID 008-400-571, Lot 17, Suburban Lot 30, Esquimalt District, Plan 772A [468 Foster Street].

Furthermore, that Council resolves that Development Variance Permit No. DVP00069 [Appendix B] authorizing the development as illustrated on the architectural drawings prepared by Zebra Design, stamped "Received September 5, 2017", and sited as detailed on the survey plan prepared by Island Land Surveying, stamped "Received July 28, 2017", and including the following variances to Zoning Bylaw, 1992, No. 2050, be approved, and staff be directed to issue the permit and register the notice on the title of the property located at PID 008-400-571, Lot 17, Suburban Lot 30,

Esquimalt District, Plan 772A [468 Foster Street]:

Zoning Bylaw, 1992, No. 2050, Section 40 (6)(a) - Building Height - Principal Building: A 0.78 metre increase to the requirement that no principal building shall exceed a height of 7.3 metres [ie. from 7.3 metres to 8.08 metres].

Zoning Bylaw, 1992, No. 2050, Section 40 (8.1) - Building Massing - Principal Building: A 6.4% increase to the requirement that the second storey of any Two Family Dwelling shall be a maximum of 75% of the total floor area of the ground floor, including an attached garage [ie. from 75% to 81.4%].” Defeated.

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

Opposed: 4 - Councillor Brame, Councillor Burton-Krahn, Councillor Low, and Councillor Morrison

## 11. REPORTS FROM COMMITTEES

- 1) [17-401](#) Adopted Minutes from the Advisory Planning Commission, August 15, 2017
- 2) [17-402](#) Draft Minutes from the Local Grant Committee - Permissive Tax Exemptions, September 12, 2017

Moved by Councillor Brame, seconded by Councillor Liberchuk: That the Adopted Minutes from the Advisory Planning Commission, August 15, 2017 and Draft Minutes from the Local Grant Committee - Permissive Tax Exemptions, September 12, 2017 be received. Carried Unanimously.

## 12. COMMUNICATIONS

- 1) [17-407](#) Letter from Minister Mike Farnworth, Minister of Public Safety and Solicitor General, dated September 21, 2017, Re: Invitation for Submissions - Cannabis Regulation in British Columbia

Moved by Councillor Burton-Krahn, seconded by Councillor Hundleby: That the Letter from Minister Mike Farnworth, Minister of Public Safety and Solicitor General, dated September 21, 2017, Re: Invitation for Submissions - Cannabis Regulation in British Columbia be received and details posted on the Municipal website and social media channels. Carried Unanimously.

## 13. PUBLIC QUESTION AND COMMENT PERIOD

**Excluding items which are or have been the subject of a Public Hearing. Limit of two minutes per speaker.**

Marilyn Day, *resident*, enjoyed attending the unveiling of the Afghanistan memorial in Victoria this past weekend and encouraged people to attend the Tour de Rock event on Friday October 6 at Archie Browning Sports Centre.

Katie Gibson, *resident*, thanked Council for clarity of public input procedure.



Lynda O'Keefe, *resident*, thanked Council and staff for the Seniors Tea held today and expressed concerns regarding access to the library during construction.

Lorne Argyle, *resident*, encouraged to see families moving in to the Bewdley Avenue area.

**14. ADJOURNMENT**

Moved by Councillor Brame, seconded by Councillor Low: That the Regular Council meeting be adjourned at 9:10 PM. Carried Unanimously.

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MAYOR BARBARA DESJARDINS  
THIS 23RD DAY OF OCTOBER, 2017

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ANJA NURVO, CORPORATE OFFICER  
CERTIFIED CORRECT