



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

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

Monday, March 4, 2019

7:00 PM

Esquimalt Council Chambers

Present: 7 - Mayor Barbara Desjardins
Councillor Ken Armour
Councillor Meagan Brame
Councillor Jacob Helliwell
Councillor Lynda Hundleby
Councillor Tim Morrison
Councillor Jane Vermeulen

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
Anja Nurvo, Director of Corporate Services
Vicki Gannon, Director of Human Resources
Karen Hay, Acting Senior Planner
Alex Tang, Acting Planner II
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 items were added to the agenda:

(1) Add to item 8. **STAFF REPORTS:** (5) Rezoning Application - 916 and 920 Old Esquimalt Road. Staff Report DEV-19-019

* Replacement Appendix A - Bylaw No. 2948 - Zoning Bylaw Amendment, CD No. 115

(2) Add to item 8. **STAFF REPORTS:** (7) Development Variance Permit - 622 Admirals Road, Staff report DEV-19-021

* Email from Duane Lecky dated March 2, 2019, Re: 622 Admirals Road

(3) Move item 8. **STAFF REPORTS:** (3) Parklands Drive Parking Restriction - Traffic Order 1294, Staff Report EPW-19-007 to item 8. **STAFF REPORTS** item (1).

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) [19-099](#) Minutes of the Special Meeting of Council, February 25, 2019

2) [19-100](#) Minutes of Regular Meeting of Council, February 25, 2019

Moved by Councillor Brame, seconded by Councillor Helliwell: That the Minutes of the Special Meeting of Council, February 25, 2019 and Minutes of Regular Meeting of Council, February 25, 2019 be adopted. Carried Unanimously.

5. PRESENTATIONS

1) [19-101](#) Maureen Sawa, CEO, Paul McKinnon, Director of Finance and Facilities, Deborah Begoray, Board Chair and Jennifer Windecker, Director of Library Services, Innovation and Delivery, Re: Greater Victoria Public Library Board Budget Presentation

Deborah Begoray, Chair, GVPL Board, introduced staff.

Maureen Sawa, CEO, provided an overview of services, presented a PowerPoint Presentation including 2018 highlights and 2019 budget request and responded to questions from Council, as did Paul McKinnon, Director of Finance and Facilities.

Mayor Desjardins left the meeting at 7:20 PM and Councillor Morrison assumed the Chair. Mayor Desjardins returned to the meeting at 7:28 PM.

6. DELEGATIONS

1) [19-102](#) Carol Pickup, Parklane Strata - Creation of No Parking Zone

Carol Pickup, resident, provided an overview of petition submitted to the Township on behalf of Parklane Strata and Mews Strata in favour of "No Parking" along Parklands Drive.

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

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

Muriel Dunn, *resident*, in support of library services and GVPL budget report.

Yvonne Leach, *resident*, in support of "no parking" along Parklands Drive.

Michael Krieger, *resident*, expressed safety concerns with sightlines along Parklands Drive.

Doug Scott, *resident*, in support of no parking along Parklands Drive and expressed concerns with traffic flow.

8. STAFF REPORTS

Engineering and Public Works

- 1) [19-095](#) Parklands Drive Parking Restriction - Traffic Order 1294, Staff Report EPW-19-007

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

Moved by Councillor Morrison, seconded by Councillor Brame: That Council approve the implementation of Traffic Order 1294 "No Parking" along the western side of Parklands Drive, as set out in Staff Report EPW-18-034 and EPW-19-007. Carried Unanimously.

Administration

- 2) [19-056](#) Council Remuneration: Elimination of 1/3 Tax Free Allowance - Information from Other Municipalities, Staff Report ADM-19-006

Staff responded to questions from Council.

Moved by Councillor Morrison, seconded by Councillor Brame: That Council consider amending Remuneration Bylaw, 2018, No. 2941, as follows:

Section 4.(a) Effective January 1, 2019, the Mayor and each Councillor shall be provided with a monthly general expenses benefit of \$200 to assist with the costs of maintaining a mobile phone, data plan and home office, as well as as costs related to child care, elder care, lost wages, local transportation mileage/parking and other miscellaneous expenses for the purposes of carrying out the duties of the Mayor and Council; and

Add Section 4.(b) For the year 2020 and subsequent years, the annual general expenses benefit shall be adjusted effective January 1st each year in accordance with the change in the Victoria Consumer Price Index as published by Statistics Canada for the twelve months ending December 31st in the previous calendar year.

Moved by Councillor Helliwell, seconded by Councillor Hundleby: That the Main Motion be amended in Section 4.(a) to replace January 1st, 2019, with April 1st, 2019 and \$200 with \$150. Carried.

In Favour: 5 - Councillor Brame, Councillor Helliwell, Councillor Hundleby, Councillor Morrison, and Councillor Vermeulen

Opposed: 2 - Mayor Desjardins, and Councillor Armour

Moved by Councillor Brame, seconded by Councillor Vermeulen: That the Main motion be amended as amended in Section 4.(b) to replace 2020 with 2022 and 4.(b) to replace "subsequent years" with "subsequent terms". Defeated.

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

In Favour: 3 - Councillor Hundleby, Councillor Morrison, and Councillor Vermeulen

Opposed: 4 - Mayor Desjardins, Councillor Armour, Councillor Brame, and Councillor Helliwell

Moved by Councillor Hundleby, seconded by Councillor Brame: That Council receive Staff Report ADM-19-006 for information. Carried Unanimously.

Finance

3) [19-094](#) 2019 Local Grant Allocations, Staff Report FIN-19-002

Mayor Desjardins provided an overview of Local Grant allocation of funds on behalf of the Local Grant Committee.

Moved by Mayor Desjardins, seconded by Councillor Morrison: That Council:

(1). approve the allocation of local grants in the amount of \$130,500 as set out in the schedule attached to Staff Report FIN-19-002; and

(2). direct staff to prepare a report pertaining to review of the Local Grant Policy for consideration at a future Committee of the Whole meeting.

Carried Unanimously.

The meeting recessed at 8:41 PM and resumed at 8:47 PM with all members of Council present.

Development Services

4) [19-074](#) Housing Agreement Bylaw - 638 and 640 Constance Avenue & 637 Nelson Street, Staff Report DEV-19-012

Director of Development Services advised the developer had agreed to amend the housing agreement term for affordable housing provisions from 15 years to 20 years and responded to questions from Council.

Moved by Councillor Hundleby, seconded by Councillor Brame: That Council allow the owner representative to address Council and respond to questions. Carried Unanimously.

Graeme Mann, owner representative, advised all three properties belong to the same owner with no renovictions to date; however residents of three single family dwellings will be vacated should the rezoning application be approved.

Moved by Councillor Morrison, seconded by Councillor Hundleby: That Council resolves that Housing Agreement Bylaw, 2019, No. 2954, attached as Appendix A of Staff Report DEV-19-012, for 638 Constance Avenue, 640 Constance Avenue and 637 Nelson Street be given second and third reading with the inclusion of preservation of market workforce housing within the Housing Agreement. Carried Unanimously.

5) [19-088](#) Rezoning Application - 916 and 920 Old Esquimalt Road, Staff Report DEV-19-019

Acting Senior Planner provided an overview of rezoning application for 916 and 920 Old Esquimalt Rd, presented a PowerPoint Presentation and staff responded to questions from Council.

Council expressed concerns with parking and inclusion of secondary suites in units.

David Yamamoto, Zebra Design, provided an overview of application, presented a PowerPoint Presentation and responded to questions.

Moved by Councillor Brame, seconded by Councillor Hundleby: That Council resolves that Bylaw No. 2948 [Appendix A], which would amend Zoning Bylaw, 1992, No. 2050, by changing the zoning designation of 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] from RD-3 [Two Family/Single Family Residential] to CD No. 115 [Comprehensive Development District No. 115], be given first reading. Carried Unanimously.

- 6) [19-093](#) Development Permit Application - 833 and 835 Dunsmuir Road, Staff Report DEV-19-020

Acting Planner II provided an overview of Development Variance Permit for 833 and 835 Dunsmuir Road, advising the properties have been consolidated and presented a PowerPoint Presentation.

Heather Spinney, Architect, Praxis Architects Inc., and responded to questions from Council.

Moved by Councillor Brame, seconded by Councillor Vermeulen: That Council resolves that Development Permit No. DP000104, attached as Appendix A to Staff Report DEV-19-020, consistent with the architectural plans provided by Praxis Architects, Inc., the landscape plan by Lombard North Group Inc., and sited in accordance with the BCLS Site Plan provided by J.E. Anderson and Associates Surveyors Engineers, all stamped "Received September 27, 2018", 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 835 Dunsmuir Road [PID 030-709-156, Parcel A (Being a Consolidation of Lots 2 and 3, see CA7353737), Section 11, Esquimalt District, Plan 9757]. Carried Unanimously.

- 7) [19-096](#) Development Variance Permit - 622 Admirals Road, Staff Report DEV-19-021

Robert Rocheleau, Architect, Praxis Architects Inc., provided an overview of Development Variance Permit application for 622 Admirals Road, presented a PowerPoint presentation and responded to questions from Council.

Moved by Councillor Brame, seconded by Councillor Armour: That Council resolves that Development Variance Permit No DVP000086 [Appendix A], to grant the following variances to Zoning Bylaw, 1992, No.

2050, as shown on the BC Land Surveyors Site Plan prepared by Powell & Associates BC Land Surveyors and Certified Correct on December 4, 2018 with setbacks added by Praxis Architecture (Appendix B) and the e-mail from Praxis Architecture dated February 20, 2019 (Appendix C) for the property located at 622 Admirals Road and legally described as Lot A, Suburban Lot 43, Esquimalt District, Plan EPP82555 [PID 030-615-992] be approved and staff be directed to issue the permit and register a notice on title:

- 1) Zoning Bylaw, 1992, No. 2050 Section 67.69 (8) (a) (ii) - Siting Requirements - Principal Buildings. A 1.4 m decrease to the requirement that no principal buildings shall be located within 2.8 m of the northern Interior Side Lot Line [i.e. that the setback from the northern Interior Side Lot Line be reduced from 2.8 m to 1.4 m] in order to accommodate the balconies on the fourth to tenth floors inclusively;
- 2) Zoning Bylaw, 1992, No. 2050 Section 67.69 (8) (a) (ii) - Siting Requirements - Principal Buildings. A 0.5 m decrease to the requirement that no principal buildings shall be located within 2.8 m of the northern Interior Side Lot Line [i.e. that the setback from the northern Interior Side Lot Line be reduced from 2.8 m to 2.3 m] to accommodate the vertical fins on the eleventh floor;
- 3) Zoning Bylaw, 1992, No. 2050 Section 67.69 (8) (a) (ii) - Siting Requirements - Principal Buildings. A 0.7 m decrease to the requirement that no principal buildings shall be located within 2.8 m of the northern Interior Side Lot Line [i.e. that the setback from the northern Interior Side Lot Line be reduced from 2.8 m to 2.1 m] to accommodate the eaves and cornices;
- 4) Zoning Bylaw, 1992, No. 2050 Section 67.69 (8) (a) (iv) Siting Requirements - Principal Buildings. A 4.2 m reduction in the rear yard Setback (being the Setback from Admirals Road) [i.e. that the rear yard Setback be reduced from 5.5 m to 1.3 m] to accommodate those portions of the building, including balconies on floors four to ten inclusively, that encroach into the setback;
- 5) Zoning Bylaw, 1992, No. 2050 Section 67.69 (8) (a) (iv) Siting Requirements - Principal Buildings. A 3.3 m reduction in the rear yard Setback (being the Setback from Admirals Road) [i.e. that the rear yard Setback be reduced from 5.5 m to 2.2 m] to accommodate the vertical fins on the eleventh floor;
- 6) Zoning Bylaw, 1992, No. 2050 Section 67.69 (8) (a) (iv) Siting Requirements - Principal Buildings. A 3.5 m reduction in the rear yard Setback (being the Setback from Admirals Road) [i.e. that the rear yard Setback be reduced from 5.5 m to 2.0 m] to accommodate the eaves and cornices; and
- 7) Zoning Bylaw, 1992, No. 2050 Section 67.69 (8) (a) (iv) Siting Requirements - Principal Buildings. A 2.8 m reduction in the rear yard

Setback (being the Setback from Admirals Road) [i.e. the rear yard Setback be reduced from 5.5 m to 2.7 m] to accommodate that portion of the building containing ground floor commercial space and the second floor roof deck above this space]. Carried Unanimously.

9. BYLAWS

- 1) [19-097](#) Fees and Charges [Miscellaneous] Bylaw, 2016, No. 2874, Amendment [No. 3], No. 2956, 2019 - For Adoption

Moved by Councillor Brame, seconded by Councillor Armour: That Fees and Charges [Miscellaneous] Bylaw, 2016, No. 2874, Amendment [No. 3], No. 2956, 2019, be adopted. Carried Unanimously.

10. REPORTS FROM COMMITTEES

- 1) [19-103](#) Draft Minutes from the Local Grant Committee, February 20, 2019

Moved by Councillor Brame, seconded by Councillor Helliwell: That the Draft Minutes from the Local Grant Committee, February 20, 2019 be received. Carried Unanimously.

11. COMMUNICATIONS

- 1) [19-105](#) Letter from Johanna Palmer, dated February 15, 2019, Re: Support Chief Del Manak Police Budget Recommendation

Moved by Councillor Hundleby, seconded by Councillor Brame: That the Letter from Johanna Palmer, dated February 15, 2019, Re: Support Chief Del Manak Police Budget Recommendation be received. Carried Unanimously.

- 2) [19-104](#) Email from Kathleen Gilbert, Film Commissioner, Vancouver Island South Film & Media Commission, dated February 20, 2019, Re: 2019 Township of Esquimalt Request to Council for Annual Funding

Moved by Councillor Brame, seconded by Councillor Morrison: That the Email from Kathleen Gilbert, Film Commissioner, Vancouver Island South Film & Media Commission, dated February 20, 2019, Re: 2019 Township of Esquimalt Request to Council for Annual Funding be received and be referred for consideration during Local Grant Policy ADMIN-32 review discussion at a future COTW meeting. Carried Unanimously.

- 3) [19-106](#) Email from Janaya Honka, Macaulay PAC Treasurer, dated February 25, 2019, Re: Macaulay PAC Local Grant Follow Up

Moved by Councillor Brame, seconded by Councillor Hundleby: That the Email from Janaya Honka, Macaulay PAC Treasurer, dated February 25, 2019, Re: Macaulay PAC Local Grant Follow Up be received. Carried Unanimously.

- 4) [19-107](#) Letter from Colin Plant, Chair, Capital Regional District

Board, dated February 26, 2019, Re: Climate Emergency Declaration

Moved by Councillor Morrison, seconded by Councillor Hundleby: That both the Letter from Colin Plant, Chair, Capital Regional District Board, dated February 26, 2019, Re: Climate Emergency Declaration and the Letter from Andrew Gage and Anna Barford, West Coast Environmental Law, dated December 10, 2018, Re: Your Local Climate Change Impacts and the Fossil Fuel Industry deferred from the January 21, 2019 Regular Council meeting, be referred to the Committee of the Whole meeting scheduled for March 11, 2019 for discussion. Carried Unanimously.

- 5) [19-108](#) Letter from Tonia Enger, Acting Assistant Deputy Minister and Director of Police Services, Policing and Security Branch, Ministry of Public Safety and Solicitor General, dated February 26, 2019, Re: Request of Director of Police Services Under Section 27(3) of the Police Act

Moved by Councillor Hundleby, seconded by Councillor Vermeulen: Letter from Tonia Enger, Acting Assistant Deputy Minister and Director of Police Services, Policing and Security Branch, Ministry of Public Safety and Solicitor General, dated February 26, 2019, Re: Request of Director of Police Services Under Section 27(3) of the Police Act be referred to the next Regular Council meeting on March 18, 2019 for discussion. Carried Unanimously.

- 6) [19-109](#) Letter from Adam W Pite, dated February 20, 2019, Re: Defence on the Dock / Royal Canadian Navy

Moved by Councillor Brame, seconded by Councillor Hundleby: That the Letter from Adam W Pite, dated February 20, 2019, Re: Defence on the Dock / Royal Canadian Navy be received and direct staff to forward to CFB Esquimalt Base Commander for information and action as required. Carried Unanimously.

12. NOTICE OF MOTION

- 1) [19-098](#) Notice of Motion - Deer Management in Esquimalt, Councillor Armour - For Discussion

This Notice of Motion was referred to the Council meeting scheduled for March 18, 2019 for discussion.

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.

Muriel Dunn, resident, in favour of Old Esquimalt Road project and collaboration with parking.

Lynda, O'Keefe, resident, change in Photography Club open house is Wednesday March 6 at 6:30 PM and concerns with day after recycling truck and glass on sidewalk and road.

14. ADJOURNMENT

Moved by Councillor Brame, seconded by Councillor Hundleby: That the Regular Council meeting be adjourned at 9:52 PM. Carried Unanimously.

MAYOR BARBARA DESJARDINS
THIS 18TH DAY OF MARCH, 2019

ANJA NURVO, CORPORATE OFFICER
CERTIFIED CORRECT