



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

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

Minutes - Draft

Council

Monday, June 5, 2023

6:00 PM

Esquimalt Council Chambers

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

Present: 7 - Mayor Barbara Desjardins
Councillor Ken Armour
Councillor Andrea Boardman
Councillor Duncan Cavens
Councillor Jacob Helliwell
Councillor Tim Morrison
Councillor Darlene Rotchford

Staff: Dan Horan, Chief Administrative Officer
Deb Hopkins, Director of Corporate Services/Corporate Officer
Steve Knoke, Director of Parks and Recreation Services
James Davison, Manager of Development Services
Robbie Young, Acting Manager of Parks
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 6:00 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) (a) and (c) of the Community Charter, the meeting be closed to the general public to discuss personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality; and, labour relations or other employee relations. 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 7:02 PM.

Councillor Armour acknowledged that the Township conducts its business on the traditional territory of the Lekwungen- speaking peoples and works to be increasingly mindful of its commitment to more inclusive governance with our neighbours. We are committed to building stronger working relationships with both the Songhees and Esquimalt First Nations.

Mayor Desjardins offered regrets on behalf of Council for not being able attend the Esquimalt High School Graduation ceremony that evening and expressed congratulations and best wishes to the graduates.

Mayor Desjardins offered condolences to the family and friends of Roger Wheelock who had been a great contributor of service to the community and a past Chair of the APC Design Review Committee.

2. INTRODUCTION OF LATE ITEMS

1) [23-321](#) Late Correspondence

1. Item No. 7.2) 405 Treebank - Development Permit and Development Variance Permit, Staff Report No. DEV-23-038

- Andrew Batchelar, received June 5, 2023
- R. Stone, received June 5, 2023

2. Item No. 7.3) Temporary Use Permit Application - 914 McNaughton Avenue, Staff Report No. DEV-23-039

- Dann Koller, received May 31, 2023
- Bob Painton, received May 31, 2023
- Trina Mendria, received June 1, 2023
- Nancy Huber, received June 5, 2023
- Michael Hill, received June 5, 2023
- Norma Loudon, received June 5, 2023
- Scot Osborne, received June 5, 2023
- Fern Spring, received June 5, 2023

3. Item 11.1) Notice of Motion - For Introduction - Supporting Biodiversity in Local Communities - UBCM Resolution Submission

- Deb Wade, received June 5, 2023
- Eleanor Calder, received June 5, 2023

3. APPROVAL OF AGENDA

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

4. ADOPTION OF MINUTES

- 1) [23-293](#) Minutes of the Regular Council meeting held on May 15, 2023

Moved by Councillor Rotchford, seconded by Councillor Helliwell: That the minutes of the Regular Council meeting held on May 15, 2023 be adopted as circulated. Carried Unanimously.

5. BYLAWS FOR ADOPTION OR FIRST AND SECOND READING THAT ARE SUBJECT TO A PUBLIC HEARING***For Adoption***

- 1) [23-290](#) Housing Agreement Bylaw - 1247 Colville Road, Staff Report No. DEV-23-042

Moved by Councillor Helliwell, seconded by Councillor Rotchford: That Housing Agreement (1247 Colville Road) Bylaw, 2023, No. 3102 be adopted. Carried Unanimously.

- 2) [23-291](#) Rezoning Application - 1072 & 1076 Colville, Staff Report No. DEV-23-043

Moved by Councillor Helliwell, seconded by Councillor Rotchford: That Zoning Bylaw, 1992, No. 2050, Amendment Bylaw, 2023, No. 3099 and Zoning Bylaw, 1992, No. 2050, Amendment Bylaw, 2023, No. 3100 be adopted. Carried Unanimously.

6. PUBLIC INPUT ON AGENDA ITEMS 7, 8, 9 10 and 11**Item 7.3) Temporary Use Permit Application - 914 McNaughton Avenue**

Ann Doll, resident and president of the Gorge Pointe Strata Council, spoke in favour of the Temporary Use Permit (TUP) as it would help alleviate potential issues with accessing the property at 1083 Tillicum Road and the anticipated congestion in the neighbourhood caused by the upcoming active transportation improvements on Tillicum and other nearby developments.

Jeanette Kelly, resident, acknowledged that the neighbourhood will be inconvenienced by the amount of development and traffic improvements that will occur for the next 2-3 years but that the Temporary Use Permit remains supportable as it would help to alleviate traffic congestion.

A resident requested that the applicant respect residential parking bylaws and construction hours of operation regulations to minimize the inconvenience that will be experienced by residents.

A resident expressed frustration with the lack of neighbour consultation and the potential impact and disruption on the neighbourhood over the next 2 years.

A resident expressed concerns with the size of the lot to provide onsite parking, a sales office and for a truck turnaround. The resident also questioned whether the applicant would receive parking permits to park on the residential parking only road that is already very narrow and pedestrian traffic heavy.

Item 7.2) 405 Treebank - Development Permit and Development Variance Permit

Ray Stone, resident, expressed concern with limited on street parking and the possibility of further parking issues due to the property being suspected to be used for short term rental.

7. STAFF REPORTS

- 1) [23-175](#) Esquimalt High Turf Field Community Project, Staff Report No. P&R-23-006

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

Council comments included:

- A turf field in Esquimalt is needed to allow for year round play.
- The turf field is in alignment with the Township's Climate Action plan to "Shift Beyond the Car", as car use would decrease because residents would not have to drive to other turf fields in the region.
- The vision for the project is supportable in principal but the agreements and business case need to be reviewed first.
- Concerns were raised over the \$3.6 million funding needed and what recreation programming would be lost in order to mitigate the cost.

Moved by Councillor Armour, seconded by Councillor Rotchford: That Council support in principle the development of a community artificial turf field located at Esquimalt High by directing staff to complete an options analysis report and feasibility study including:

- a) Draft agreements for construction and operations with SD61 for Council consideration; and
- b) A draft business case including options for funding, construction and annual operation. Carried Unanimously.

- 2) [23-284](#) 405 Treebank - Development Permit and Development Variance Permit, Staff Report No. DEV-23-038

The Manager of Development Services presented a PowerPoint and in response to questions from Council regarding concerns brought up by a resident, outlined that short term tenancy regulations will be brought to Council in the form of a bylaw at a later date.

Moved by Councillor Cavens, seconded by Councillor Armour:

1. That Council approve Development Variance Permit No. DVP00132 and Development Permit No. DP000212 for the property located at 405 Treebank Rd E.
2. That staff be directed to register a Section 219 Covenant on the property containing the Flood Hazard Assessment Report. Carried Unanimously.
- 3) [23-287](#) Temporary Use Permit Application – 914 McNaughton Avenue, Staff Report No. DEV-23-039

Alex Tang, Planner introduced the report and responded to questions from Council.

The application is to request a temporary use permit at the subject site to allow for use as construction access, construction parking, and construction site office.

Adam Cooper, Director of Community Planning with Abstract Developments, the applicant, presented a PowerPoint and responded to questions from Council.

At the request of Council, the applicant confirmed that a phone number for residents to report issues 7 days a week to Abstract would be provided; and, that a full construction management plan that includes parking options for the trades would be implemented.

Council comments included:

- The work made by the applicant and staff to implement guidelines and set expectations for the construction site is appreciated.
- Comments provided by the Advisory Planning Commission in recognizing that the TUP is not the ideal solution as McNaughton Avenue is not designed for construction vehicles, but is nonetheless, a better solution than the alternative of using Tillicum Road access exclusively, were noted.

Moved by Councillor Cavens, seconded by Councillor Armour: That Temporary Use Permit No. TUP00013 be approved and issued. Carried Unanimously.

- 4) [23-289](#) Development Permit - 1124 Norma Court , Staff Report No. DEV-23-041

Councillor Boardman recused herself and left the meeting at 7:44 PM due to personal interest in the subject property.

Mikaila Montgomery, Planner, introduced the report to Council.

Council comments included:

- The Board of Variance already approved the reduction in the distance between the principal building and the accessory building.
- The development permit is required in order to issue a building permit.
- At the upcoming housing workshop a review of the development permit process for this type of application should be discussed to consider that approvals be delegated to staff by Council.

Moved by Councillor Morrison, seconded by Councillor Helliwell: That Council approve development permit DP000213 for an accessory building located at 1124 Norma Court. Carried Unanimously.

8. **BYLAW READINGS NOT SUBJECT TO A PUBLIC HEARING**

Councillor Boardman returned to the meeting at 7:48 PM.

- 1) [23-019](#) Tree Protection Bylaw, Staff Report No. P&R - 23 - 001

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

The Acting Manager of Parks summarized that the bylaw update provides further clarification and additional definitions that outline the requirements for applicants on the removal and replacement of trees and the necessity for arborist reports in construction situations.

Council comments included:

- The commitment to protect the trees in the Township by the Parks and Recreation department was appreciated.
- The improved definitions will allow for clarity in the bylaw for residents and is welcomed.

Moved by Councillor Armour, seconded by Councillor Rotchford: That Council give first, second, and third readings to Tree Protection Bylaw, 2023, No. 3076. Carried Unanimously.

- 2) [23-232](#) Proposed Amendment to Officers Bylaw, 2011, No. 2777, Staff Report ADM-23-019

The Deputy Corporate Officer introduced the report to Council noting the proposed amendments were housekeeping changes.

Moved by Councillor Armour, seconded by Councillor Rotchford: That Council give first, second, and third readings to Officers Bylaw, 2011, No. 2777, Amendment Bylaw, 2023, No. 3111. Carried Unanimously.

- 3) [23-302](#) Administrative Amendments to "Housing Agreement Bylaw (880 Fleming Street) Bylaw, 2023, No. 3106", Staff Report No. DEV-23-045

The Manager of Development Services introduced the report to Council.

Moved by Councillor Helliwell, seconded by Councillor Rotchford: That Council give first, second, and third readings to Housing Agreement (880 Fleming Street) Bylaw, 2023, No. 3106, Amendment Bylaw, 2023, No. 3113. Carried Unanimously.

9. REPORTS / MINUTES FROM COMMITTEES

- 1) [23-292](#) Draft Minutes of the APC Design Review Committee, May 10, 2023

The item was received for information.

- 2) [23-300](#) Draft Minutes from the Advisory Planning Commission, May 16, 2023

The item was received for information.

10. COMMUNICATIONS

For Council's Consideration

- 1) [23-301](#) Letters from the Honourable David Eby, Premier, and the Minister of Municipal Affairs Anne Kang dated May 24, 2023 Re: 2023 UBCM Convention meeting request and the Provincial Appointment Book.

Council agreed via consensus to direct staff to set up a meeting during the 2023 UBCM Convention with the Minister of Public Safety and Solicitor General to discuss policing and the order in council; the Minister of Municipal Affairs to discuss grant opportunities for the Esquimalt High turf field; the Minister of Health to discuss how Esquimalt can assist in attracting nurse practitioners and other medical practitioners to the municipality to help address the doctor shortage; and the Minister of Housing and/or the Premier to discuss the *Housing Supply Act* targets.

For Council's Information

- 2) [23-294](#) Letter from the Mayor of the District of Coldstream to the Minister of Housing, dated May 9, 2023 Re: Homes for People Action Plan

The item was received for information.

11. NOTICE OF MOTION

- 1) [23-297](#) Notice of Motion - For Introduction - Supporting Biodiversity in Local Communities – UBCM Resolution Submission

Councillor Morrison presented the following Notice of Motion to be considered at the Regular Council meeting on June 19, 2023.

WHEREAS: British Columbia and Canada have committed to protecting and restoring biological diversity, including in the Convention on Biological Diversity and the Together for Wildlife Strategy;

AND WHEREAS: protecting and restoring biological diversity contributes toward more resilient and healthy local communities, as well as ecosystem health, while helping to contain emergency management and infrastructure costs in the context of climate change;

THEREFORE BE IT RESOLVED: that the Province work with local governments and First Nations to support the protection and restoration of biological diversity in local communities, including establishing a Local Natural Areas Protection Fund to support local efforts to acquire land for biodiversity and ecosystem health.

AND THEREFORE BE IT FURTHER RESOLVED: The Township of Esquimalt submit the above resolution to the Union of British Columbia Municipalities (UBCM) for consideration of 2023 UBCM resolutions by the June 30th submission deadline, and that copies be shared with local governments within the Capital Regional District, requesting favourable consideration and resolutions of support.

12. PUBLIC COMMENT PERIOD

Janet McDonald, resident, requested that Council advocate for a more proactive response to tree pruning by the Parks and Recreation department and residents. The resident is concerned for tree health and would like there to be more preventative pruning.

13. ADJOURNMENT

Moved by Councillor Rotchford, seconded by Councillor Boardman: That the Regular Council meeting be adjourned at 8:16 PM. Carried Unanimously.

MAYOR BARBARA DESJARDINS
THIS DAY OF , 2023

DEBRA HOPKINS,
CORPORATE OFFICER
CERTIFIED CORRECT