



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

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

Minutes - Draft

Council

Monday, October 7, 2024

6:00 PM

Esquimalt Council Chambers

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

Present: 6 - Mayor Barbara Desjardins
Councillor Ken Armour
Councillor Andrea Boardman
Councillor Duncan Cavens
Councillor Jacob Helliwell
Councillor Tim Morrison

Regrets: 1 - Councillor Darlene Rotchford

Councillor Armour attended the meeting via conference call.

Staff: Dan Horan, Chief Administrative Officer
Deb Hopkins, Director of Corporate Services/Corporate Officer
Bill Brown, Director of Development Services
Ian Irvine, Director of Financial Services
Matt Furlot, Fire Chief
Alex Tang, Planner
Jonah Ross, Recording Secretary

1) CALL TO ORDER

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

That pursuant to Section 90 (1) (a), (b), (j) and (k) 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; personal information about an identifiable individual who is being considered for a municipal award or honour, or who has offered to provide a gift to the municipality on condition of anonymity; information that is prohibited, or information that if it were presented in a document would be prohibited, from disclosure under section 21 of the Freedom of Information and Protection of Privacy Act; and, negotiations and related discussions respecting the proposed provision of a municipal

service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public.

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 Helliwell recognized and acknowledged the Songhees and Esquimalt Nations, on whose traditional territory we live, learn, and do our work.

2. INTRODUCTION OF LATE ITEMS

1) [24-465](#) Late Correspondence

1. Item 7.2 - 2025 Permissive Tax Exemptions, Staff Report FIN-24-016

- Craig Steinberg, Property Manager, City of Victoria - received September 20, 2024

2. Add COMMUNICATIONS - For Council's Consideration as Item 9.1 and renumber the agenda accordingly

- Sylvia Vink, Esquimalt 172 Legion Re: Request for Letter of Approval, Poppy Campaign - received October 2, 2024.

3. APPROVAL OF AGENDA

Moved by Councillor Morrison, seconded by Councillor Cavens: That the agenda be approved with the addition of the late communications from Sylvia Vink added as item 10.1, the agenda be renumbered accordingly and with the inclusion of the late items. Carried Unanimously.

4. ADOPTION OF MINUTES

1) [24-456](#) Minutes of the Regular Meeting of Council held on September 23, 2024

Moved by Councillor Helliwell, seconded by Councillor Cavens: That the minutes of the Regular Council meeting held September 23, 2024 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) [24-447](#) Zoning Amendment Bylaw Adoption - 734 Sea Terrace, Staff Report No. DEV-24-051

The Director of Development Services introduced the report. In response to a question from Council, the Director confirmed that the Section 219 covenant's provision for a car-share parking space requires that the space be accessible to members of the public.

Moved by Councillor Cavens, seconded by Councillor Helliwell: That Zoning Bylaw, 1992, No. 2050, Amendment Bylaw, 2023, No. 3116 be adopted. Carried Unanimously.

First and Second Reading Subject to a Public Hearing

- 2) [24-190](#) Rezoning Application - 861 & 863 Esquimalt Road, Staff Report No. DEV-24-046

The Director of Development Services introduced the report and noted that Township Planner Alex Tang was present to answer questions.

Staff provided the following responses to Council questions:

- Bylaw language prevents conversion of the live work unit to strictly residential or commercial unit, and requires commercial space to be located at the front of the building.
- Outdoor space is located above parkade level, and must be accessible to residents.
- This application can be authorized for public hearing as first reading by Council occurred prior to legislation change; being OCP-compliant, it would not be authorized for public hearing if it came forward as a new application.
- Application received feedback from Advisory Planning Commission (APC) and APC Design Review Committee (DRC) in 2022; the updated proposal does not respond to Committee feedback regarding form and character, but does include improved offer of amenities in exchange for a reduction in parking.
- The project is to be purpose-built rentals, and the number of units was increased by reducing bedrooms and square footage per unit.
- Cost of removal of the traffic island will be shared with a neighbouring application/development.
- Further information regarding construction timelines of this project, and others nearby, can be included in a subsequent report.

The proponent presented a PowerPoint presentation and provided the following responses to Council questions:

- Outdoor space will be accessible to residents.
- Removal of boulevard trees is to achieve engineering standards for extension of bike lanes.
- Bedrooms and square footage per-unit were reduced to maximize the number of residents who can live in the building, and promote affordability of

rents.

- Car share has been considered, but remains dependent on interest from service providers; at minimum, dedicated stalls are provided, and shrubbery has been planned such that car share stalls are visible from the street.
- Loading zone is to be accessible 24/7 to garbage trucks and service vehicles.
- Potential for indoor amenity space to be defined as a fitness space.

Council comments included:

- Application has been improved since earlier rounds of Advisory Committee feedback.
- Implementation of Tenant Assistance Policy is appreciated.
- Adjustment of the landscape plan, including consideration of larger trees, is appreciated.
- Proposed parking ratio remains a concern.
- Removal of 3-bedroom units, and replacement with micro-units raises concerns due to potential impacts on livability and affordability for renters.

Moved by Councillor Cavens, seconded by Councillor Helliwell: That Council:

1. Further amend Zoning Bylaw, 1992, No. 2050, Amendment Bylaw, 2022, No. 3078 as outlined in Staff Report DEV-24-046;
2. Re-read Zoning Bylaw, 1992, No. 2050, Amendment Bylaw, 2022, No. 3078 a second time as amended; and
3. Authorize the scheduling of a Public Hearing. Carried Unanimously.

6. PUBLIC INPUT ON AGENDA ITEMS 7, 8 AND 9

Ian Wiggs, President, Royal Canadian Legion Esquimalt-Dockyard Branch 172, expressed appreciation for the Township's support of the Legion throughout its closure and re-opening; noted that the Local Grant Committee's recommendation of a 50% annual property tax exemption would help in reducing monthly expenses, but as volunteer-run organization, any additional funding that could be provided through an increased tax exemption would assist with monthly property tax costs.

7. STAFF REPORTS

- 1) [24-448](#) Risk Analysis of Community Bonfire Event, Staff Report No. FIRE-24-005

The Fire Chief introduced the report, and provided the following responses to Council questions:

- While historical practice of accepting community wood donations for the burn resulted in a lack of control for pesticides and other chemicals, a transition to untreated wood would still produce smoke that is toxic.

Council provided the following comments:

- Halloween Spooktacular event hosted by the Fire Department has been enjoyed by many as an alternative to the bonfire, and there may be opportunities for additional events at other venues in the Township.
- Given the impacts of wildfires and climate change on communities across the province, pursuing alternative Halloween events is supportable.
- Health risks of smoke to community members and firefighters are of concern.
- The bonfire has historically attracted a broader spectrum of attendees than other Halloween events, and provided valuable opportunity for interaction between youth, police and fire staff; there is interest in identifying alternatives which preserve these features.
- The bonfire tradition has been appreciated by the community, and will be missed should it not continue.

Moved by Councillor Morrison, seconded by Councillor Armour: that the Risk Analysis of Community Bonfire Event, Staff Report No. FIRE-24-005 be received for information. Carried Unanimously.

2) [24-408](#) Development Permit Application - 899 Esquimalt Road, Staff Report No. DEV-24-048

The Director of Development Services introduced the report, and noted that the purpose of the Development Permit application was to request approval for a proposed mural at the ongoing 899 Esquimalt Road project.

The applicant provided the following responses to Council questions:

- A small wall was added to the balconies to allow installation of electrical and mechanical components.
- Changes to walls and insulation have improved the building's Carbon Step Code rating from step 2 to step 3.
- In order to minimize potential impacts on road-users, bright colours were avoided and the proposed mural will not have additional lighting at night.
- Construction of the development is expected to be completed in the first half of 2025.

Council comments included:

- The mural is supportable as an improvement to the building's exterior.
- Positive impact of murals on the community's aesthetics has been appreciated, and this mural will make a great addition.

Moved by Councillor Helliwell, seconded by Councillor Morrison: That Council approve Development Permit No. DP000135, Amendment No. 4. Carried Unanimously.

3) [24-450](#) Financial Reporting and Analysis, Staff Report
FIN-24-017

The Director of Financial Services & IT introduced the report as an overall financial summary, including supplementals and capital approved in 2024. As well, it was noted that the next report to come forward will be preliminary year-end financial results.

Staff provided the following responses to Council questions:

- Departments are given option to forecast, and are provided with assistance and tools to do so.
- Development revenues have exceeded budgets in previous years, and a shortfall is expected this year based on feedback and reporting from Development Services.

4) [24-452](#) Draft Township of Esquimalt Accessibility Plan, Staff
Report No. ADM-24-066

The Director of Corporate Services introduced the staff report, and provided the following responses to Council questions:

- Establishing a barrier-free community requires sensitivity, as community members experience barriers differently.
- Accessibility Plans of other partner communities will vary, but will be built around the same legislative standards.
- Discussions with province and accessibility community have provided clarification regarding the intent of provincial legislation, and informed the prioritization outlined in the report.

Moved by Councillor Morrison, seconded by Councillor Boardman: That Council receive the draft Accessibility Plan for information and direct staff to make the plan available for public feedback for at least 30 days. Carried Unanimously.

8. BYLAW READINGS NOT SUBJECT TO A PUBLIC HEARING

1) [24-434](#) 2025 Permissive Tax Exemptions, Staff Report
FIN-24-016

The Director of Financial Services & IT introduced the report, outlining recommendations from the Local Grant Committee meeting of September 9, 2024. The Director noted that the leasing agreement between BC Hydro and the City of Victoria for the Hereward Green Park property requested by the Committee has not been located, but correspondence from the City of Victoria regarding the lease was included as a late item. Councillor Armour, Chair of the Local Grant Committee, provided background on the Committee's recommendations and historical approach to Permissive Tax Exemptions.

Committee members provided the following as background:

- Committee recommendation of a one-year approval for the City of Victoria's application takes into account the need for further review once leasing and long-term plans are clarified for the Hereward Green Park property.
- Places of worship receive a 100% exemption rate as mandated by the province; if organizations have additional portions of land classified as commercial or recreational, exemptions are Council's discretion.

Moved by Councillor Armour and seconded by Councillor Boardman: That Council:

1. Give first, second, and third reading to Permissive Tax Exemption Bylaw (Non-Profit Organizations), 2024, No. 3147; and
2. Give first, second, and third reading to Permissive Tax Exemption Bylaw (Places of Worship), 2024, No. 3148.

Moved by Councillor Morrison and seconded by Councillor Helliwell: That the motion be separated into two motions. Carried Unanimously.

Council comments included:

- Interest in exploring possibility of reallocating funds for Permissive Tax Exemptions to Local Grant program, removing current emphasis on land ownership and assessments, and evaluating all applicants based on community impact.
- While loss of tax revenue through exemptions is of concern for some properties, their location in high-value, core commercial spaces may have economic development implications also worth considering.
- A balanced approach is needed to ensure community organizations are supported in their work, while also being conscious of the limited revenue sources available to municipalities.

Moved by Councillor Armour and seconded by Councillor Boardman: That Council give first, second, and third reading to Permissive Tax Exemption Bylaw (Non-Profit Organizations), 2024, No. 3147. Carried Unanimously.

Council discussion continued:

- Places of worship engage in a variety of initiatives and work which benefit the broader community, and supporting their contributions is of interest.
- Providing ample warning regarding incoming funding reductions is supportable.
- If Permissive Tax Exemptions are to be reduced, Council could explore reallocating funds as Local Grants to ensure programs and services are

adequately supported.

- Slowing the rate at which funding is reduced may be helpful to applicant organizations.
- Further feedback from applicants would be of benefit.

The Chief Administrative Officer clarified that further feedback opportunities are not possible given the October 31 deadline for bylaw adoption and compliance with the Council Procedure Bylaw that limits public input on bylaws for adoption.

Council discussion continued:

- Proposed exemption rates could be amended to ease the transition to lower funding.
- Applicant organizations are engaged in this process and made aware of opportunities for input regarding decisions.
- Capacity to accommodate funding changes and to engage in input opportunities vary depending on the organization.

Moved by Councillor Armour, seconded by Councillor Boardman: That Council give first, second, and third reading to Permissive Tax Exemption Bylaw (Places of Worship), 2024, No. 3148. Carried Unanimously.

- 2) [24-449](#) Proposed Amendments to Officers Bylaw, Staff Report No. ADM-24-065

The Director of Corporate Services introduced the report, noting it as a companion piece to Council's recent amendment of Council Policy PER-05.

Moved by Councillor Helliwell, seconded by Councillor Cavens: That Council give three readings to Officers Bylaw, 2011, No. 2777, Amendment Bylaw, 2024, No. 3149. Carried Unanimously.

9. REPORTS / MINUTES FROM COMMITTEES

- 1) [24-458](#) Recommendations from the September 23, 2024 Special Committee of the Whole for Ratification

Moved by Councillor Cavens, seconded by Councillor Helliwell: That the recommendations from the Special Committee of the Whole meeting of February 27, 2024 be ratified:

1. 2022-2026 Council Priorities Mid-Term Refresh, Staff Memo ADM-24-062

"That the Committee of the Whole recommend that Council direct staff to report back with an impact assessment on the Improved Township Budget Documentation proposal."

"That the Committee of the Whole recommend that Council direct staff

to report back with an impact assessment on the Front Yard Deer Fencing Policy/Bylaw proposal."

"That the Committee of the Whole recommend that Council direct staff to report back with an impact assessment on the Ground-Oriented Small Developments proposal."

"That the Committee of the Whole recommend that Council direct staff to schedule the Official Community Plan Changes or Updates proposals to an upcoming Committee of the Whole meeting for further consideration."

"That the Committee of the Whole recommend that Council direct staff to report back with an impact assessment on the Affordable Housing Plan proposal."

"That the Committee of the Whole recommend that Council direct staff to report back with an impact assessment on policy development to understand parkland placement, how land is acquired and a parkland management plan for the Township."

"That the Committee of the Whole recommend that Council direct staff to report back with an impact assessment on implementing the Esquimalt Together Against Graffiti group." Carried Unanimously.

- 2) [24-459](#) Minutes from the Special Capital West Accessibility Advisory Committee meeting held September 4th, 2024.

The minutes were received for information.

10. COMMUNICATIONS

For Council's Consideration

- 1) **24-474** Letter from Sylvia Vink, Esquimalt-Dockyard Branch 172 Legion, received October 2, 2024 Re: Request for Letter of Approval, Poppy Campaign.

Moved by Councillor Helliwell, seconded by Councillor Morrison: That Council authorize the request by the Esquimalt-Dockyard Branch 172 Legion to distribute Remembrance Day poppies within the Township of Esquimalt, from October 24 - November 10, 2024. Carried Unanimously.

11. PUBLIC COMMENT PERIOD

There was no public input.

12. ADJOURNMENT

Moved by Councillor Helliwell, seconded by Councillor Boardman: That the Regular Council meeting be adjourned at 9:22 PM. Carried Unanimously.

MAYOR BARBARA DESJARDINS

THIS DAY OF , 2024

DEB HOPKINS,
CORPORATE OFFICER
CERTIFIED CORRECT