



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

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

Monday, June 14, 2021

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

Councillor Armour, Councillor Helliwell, and Councillor Morrison attended the meeting via conference call.

Staff: Laurie Hurst, Chief Administrative Officer
Bill Brown, Director of Development Services
Ian Irvine, Director of Financial Services
Anja Nurvo, Interim Manager of Corporate Services
Alex Tang, Planner
Alicia Ferguson, 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

(1) ADD as Item No. 10 (5): COMMUNICATIONS - For Consideration

- Letter from Ian Robertson, Chief Executive Officer, Greater Victoria Harbour Authority, dated June 11, 2021, Re: Threat of Permanent Bypass of Cruise Ships to Canada

3. APPROVAL OF THE AGENDA

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

4. MINUTES

- 1) [21-302](#) Minutes of the Regular Council meeting held April 12, 2021
2) [21-326](#) Minutes of the Special Council meeting held April 26, 2021

- 3) [21-327](#) Minutes of the Regular Council meeting held April 26, 2021
- 4) [21-328](#) Minutes of the Special Council meeting held May 3, 2021
- 5) [21-329](#) Minutes of the Regular Council meeting held May 3, 2021
- 6) [21-332](#) Minutes of the Special Council meeting held May 11, 2021
- 7) [21-339](#) Minutes of the Special Council meeting held May 17, 2021
- 8) [21-340](#) Minutes of the Regular Council meeting held May 17, 2021
- 9) [21-341](#) Minutes of the Special Council meeting held May 31, 2021

Moved by Councillor Brame, seconded by Councillor Vermeulen: That the following minutes be approved as circulated:

1. Minutes of the Regular Council meeting held April 12, 2021
2. Minutes of the Special Council meeting held April 26, 2021
3. Minutes of the Special Council meeting held May 3, 2021
4. Minutes of the Regular Council meeting held May 3, 2021
5. Minutes of the Special Council meeting held May 11, 2021
6. Minutes of the Special Council meeting held May 17, 2021
7. Minutes of the Regular Council meeting held May 17, 2021
8. Minutes of the Special Council meeting held May 31, 2021.

And that the Minutes of the Regular Council meeting held April 26, 2021 be approved with a correction to the spelling of "Doug Foords" name under Communications. Carried Unanimously.

5. PRESENTATIONS

- 1) [21-161](#) Ian Robertson, CEO & Christine Willow, Chair, Greater Victoria Harbour Authority (GVHA), Re: Update on GVHA

Ian Robertson, CEO, Mark Mawhinney, Vice-Chair, and Judith Either, CAO, Greater Victoria Harbour Authority (GVHA), attended the meeting via conference call to provide an update on the GVHA, presented a PowerPoint Presentation, and responded to questions from Council.

Highlights of the Presentation included:

- * An overview of the organization.
- * Budget and financial information.
- * Response to COVID-19 and impact on operations.
- * Resumption of cruise.
- * Maintenance and infrastructure upgrades.
- * Shore power feasibility study progress.

- 2) [21-300](#) Laura-Beth Keane, Executive Director, Esquimalt Community Arts Hub Society, Re: Esquimalt Mural Festival

Laura-Beth Keane, Executive Director, Esquimalt Community Arts Hub Society, attended the meeting via conference call to request consideration of an exemption to the sign bylaw through the Community Beautification Program clause, presented a PowerPoint Presentation, and responded to

questions from Council.

Highlights of the Presentation included an overview of the organization and the request for exemption as well as the proposed festival and sample murals.

Moved by Mayor Desjardins, seconded by Councillor Brame: That Council request a staff report for June 28 on the status of the Public Art Policy and implications of the request from ECAHS. Carried Unanimously.

6. ELECTRONIC PUBLIC INPUT ON ANY ITEMS LISTED ON THE AGENDA

Address Council on any item included on this Agenda, including Staff Reports and Communications (excluding items which are or have been the subject of a Public Hearing). Limit 2 minutes per speaker.

The following speaker requested by email or phone call to be included on the speakers list by providing their name and contact number to the Corporate Officer.

Ken Hoang, *resident*, attended the meeting via conference call to express concerns regarding the impact of development on parking at Lampson Street near Transfer Street.

7. STAFF REPORTS

Administration

- 1) [21-314](#) 2020 Draft Annual Report, Staff Report No. ADM-21-012

CAO responded to questions from Council.

Council comments included consideration of adding names to positions on the organization chart for next year's report.

Moved by Councillor Brame, seconded by Councillor Vermeulen: That Council adopt the Township of Esquimalt 2020 Annual Report at attached to Staff Report ADM-21-012. Carried Unanimously.

Finance

- 2) [21-309](#) Municipal Security Issuing Resolution - Loan Authorization Bylaw, 2021, No. 3021, Staff Report FIN-21-012

Director of Financial Services responded to questions from Council.

Moved by Councillor Hundleby, seconded by Councillor Vermeulen: That Council approve borrowing from the Municipal Finance Authority of British Columbia, as part of the 2021 Fall Borrowing Session, \$35,000,000 as authorized through the Public Safety Building Improvements Loan Authorization Bylaw, 2021, No. 3021 and that the Capital Regional District be requested to consent to our borrowing over a 30 year term and include the borrowing in a Security Issuing Bylaw. Carried Unanimously.

Development Services

- 3) [21-308](#) Development Permit Application - 916 and 920 Old Esquimalt Road, Staff Report DEV-21-042

The purpose of the application is to allow for the subdivision of the lands.

Moved by Councillor Brame, seconded by Councillor Hundleby: That Council approve Development Permit No. DP000159 authorizing subdivision of the parcels located at 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] into five, bare land strata, parcels in accordance with the BC Land Surveyors Site Plan of Proposed Subdivision prepared by Scott Pearce, representing Powell and Associates BC Land Surveyors, stamped "Received March 12, 2021", attached as Appendix A to Staff Report DEV-21-042, and instruct staff to issue the Development Permit and register a notice on title. Carried Unanimously.

- 4) [21-311](#) Heritage Alteration Permit - 727 Lampson Street, Staff Report No. DEV-21-044

The purpose of the application is to facilitate a renovation that would add a basement, a small addition to facilitate a new staircase to that basement, and a new box window at the back of the building above new doors into the basement.

Council comments included alignment with Official Community Plan guidelines and comments of the advisory committee in support of the proposal to increase usability and livability while maintaining the heritage character.

Moved by Councillor Hundleby, seconded by Councillor Brame: That Council resolves that Heritage Alteration Permit No. HAP00005 [Appendix A of staff report DEV-21-044] authorizing alterations to the heritage designated building located at 727 Lampson Street [PID 005 261 627; Amended Lot 2, Section 10, Esquimalt District, Plan 2130] in accordance with the site plan prepared by James Worton, Powell and Associates, BC Land Surveyors, and the construction drawings by Mathew Cencich Designs Inc., all stamped "Received April 6, 2021" be approved, and staff be directed to issue the permit. Carried Unanimously.

- 5) [21-313](#) OCP Amending Bylaw 3030 and Zoning Bylaw Amending Bylaw 3031, CD No. 138, Public Safety Building, Staff Report No. DEV-21-045

Director of Development Services presented a PowerPoint Presentation and responded to questions from Council.

Adam Fawkes, *architect*, presented a PowerPoint Presentation and responded to questions from Council.

CAO responded to questions from Council.

Council comments included entrenching branding into the building design rather than utilizing signage, bringing forward 3D renderings for a greater visual of the proposed massing, receiving further information on tree loss and preservation, consideration of complimentary uses for the proposed retail spaces.

The purpose of the application is to allow for the redevelopment of the subject site from a fire hall, police station and parking lot, to a fully integrated mixed use public safety building with a ground-level commercial frontage along Esquimalt Road.

Moved by Councillor Brame, seconded by Councillor Hundleby:

1. That Council resolves that Official Community Plan Bylaw, 2018, No. 2922, Amendment Bylaw, 2021, No. 3030, attached to Staff Report No. DEV-21-045 as Appendix A, which would:

- Add a policy under Section 9.2 that would support the development of a Public Safety Building at 500 Park Place.
- Replace the policy under Section 9.2 so that the primary emergency operations centre would move from the Municipal Hall to the new Public Safety Building when it becomes operational.
- Amend Section 17.3.20 by adding the Public Safety Building to the list of developments exempted from requiring a development permit.
- Amend Schedule "B" being the "Proposed Land Use Designations" map, by designating all of PID 031-165-788, legally described as Lot A Suburban Lot 40 Esquimalt District Plan EPP103969 [500 Park Place] as "Institutional", noting that:
 - the portion shown cross-hatched on attached Schedule "A" of Bylaw No. 3030 is approximately the area previously legally defined as the Lots 273, 274, and 275 Suburban Lot 40 Esquimalt District Plan 2854 and is changing from "Commercial/Commercial Mixed-use" to "Institutional"; and
 - the portion previously legally defined as the Lot 1 Suburban Lot 40 Esquimalt District Plan EPP36750 is already designated "Institutional".
- Amend Schedule "F" being the "Public Parks and Facilities" map, by labelling all PID 031-165-788, legally described as Lot A Suburban Lot 40 Esquimalt District Plan EPP103969 [500 Park Place] as "Public Facilities" noting that:
 - the portion shown cross-hatched on attached Schedule "B" of Bylaw No. 3030 is approximately the area previously legally defined as the Lots 273, 274, and 275 Suburban Lot 40 Esquimalt District Plan 2854 and is changing from no designation to "Public Facilities"; and
 - the portion previously legally defined as the Lot 1 Suburban Lot 40 Esquimalt District Plan EPP36750 is already labelled "Public Facilities".
- Amend Schedule "H" being the "Development Permit Areas" map, by colour-coding all PID 031-165-788, legally described as Lot A Suburban

Lot 40 Esquimalt District Plan EPP103969 [500 Park Place] as white, noting that:

- the portion shown cross-hatched on attached Schedule "C" of Bylaw No. 3030 is approximately the area previously legally defined as the Lots 273, 274, and 275 Suburban Lot 40 Esquimalt District Plan 2854 and is removing the Development Permit Area "6 - Multi-Family Residential" designation; and
 - the portion shown hatched on Schedule "C" previously legally defined as the Lot 1 Suburban Lot 40 Esquimalt District Plan EPP36750 is already colour-coded as white.
- be given first and second readings.

2. That Council resolves that Zoning Bylaw, 1992, No. 2050, Amendment Bylaw No. 3031, attached to Staff Report DEV-21-045 as Appendix B, which would amend Zoning Bylaw, 1992, No. 2050 by changing the zoning designation of PID 031-165-788, legally described as Lot A Suburban Lot 40 Esquimalt District Plan EPP103969 [500 Park Place], to CD-138 [Comprehensive Development District No. 138], noting:

- the portion shown cross-hatched on attached Schedule 'A' of Bylaw No. 3031 is approximately the area previously legally defined as the Lots 273, 274, and 275 Suburban Lot 40 Esquimalt District Plan 2854 and is changing from C-3 [Core Commercial] to CD No. 138 [Comprehensive Development District No. 138]; and
- the portion shown hatched on attached Schedule 'A' of Bylaw No. 3031 is approximately the area previously legally defined as the Lot 1 Suburban Lot 40 Esquimalt District Plan EPP36750 and is changing from P-1 [Public/Institutional] to CD No. 138 [Comprehensive Development District No. 138].

be given first and second readings.

3. That Council authorizes the Corporate Officer to schedule a Public Hearing for Official Community Plan Bylaw, 2018, No. 2922, Amendment Bylaw No. 3030, and Zoning Bylaw, 1992, No. 2050, Amendment Bylaw No. 3031, mail notices and advertise for same in the local newspaper. Carried Unanimously.

The meeting recessed at 9:06 PM and reconvened at 9:09 PM with all members of Council present.

6) [21-315](#) Development Permit Application – 457 Sturdee Street, Staff Report No. DEV-21-046

The purpose of the application is to ensure compliance with the development guidelines in Development Permit Area No. 2 "Protection of Development from Hazardous Conditions.

Moved by Councillor Brame, seconded by Councillor Hundleby:

1. That Council approves an amendment to Development Permit No. DP000125 [Appendix A], and staff be directed to issue the permit, and register the notice on the title of the property located at PID 031-023-916,

Strata Lot C Suburban Lot 48 Esquimalt District Strata Plan EPS5951 together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on form V [457 Sturdee Street].

2. That Council approves Development Permit No. DP000154 [Appendix B], for a single-family dwelling as illustrated on the architectural drawings by Victoria Design Group, stamped "Received December 24, 2020", and staff be directed to issue the permit, and register the notice on the title of the property located at PID 031-023-916, Strata Lot C Suburban Lot 48 Esquimalt District Strata Plan EPS5951 together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on form V [457 Sturdee Street]. Carried Unanimously.

7) 21-316 Development Permit Application – 612 Constance Avenue, Staff Report No. DEV-21-047

Planner presented a PowerPoint Presentation and responded to questions from Council.

Mark Holland, *applicant*, Harsimer Rattan, *owner*, and Michael Farrar, *architect*, presented a PowerPoint Presentation and responded to questions from Council.

Council comments included increasing rental stock in the community and appreciation for the proposed amenity.

The purpose of the application is to construct a mixed-use commercial-residential building.

Moved by Councillor Vermeulen, seconded by Councillor Brame:

1. That Council approves an amendment to Development Permit No. DP000125 [Appendix A], and staff be directed to issue the permit, and register the notice on the title of the property located at PID 031-023-916, Strata Lot C Suburban Lot 48 Esquimalt District Strata Plan EPS5951 together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on form V [457 Sturdee Street].

2. That Council approves Development Permit No. DP000154 [Appendix B], for a single-family dwelling as illustrated on the architectural drawings by Victoria Design Group, stamped "Received December 24, 2020", and staff be directed to issue the permit, and register the notice on the title of the property located at PID 031-023-916, Strata Lot C Suburban Lot 48 Esquimalt District Strata Plan EPS5951 together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on form V [457 Sturdee Street].

That Council approves Development Permit No. DP000162, attached as Appendix A to Staff Report DEV-21-047, consistent with the architectural plans provided by Formed Alliance Architecture Studio, stamped "Received March 30, 2021", the landscape plan by Scatliff + Miller + Murray landscape architects, stamped "Received March 30, 2021", and

sited in accordance with the site plan provided by McElhanney Consulting Services, stamped "Received April 6, 2021", to be located at 612 Constance Avenue [PID 031-206-379 Lot A, Suburban Lots 44 and 45, Esquimalt District, Plan EPP86051]. Carried Unanimously.

- 8) [21-330](#) Development Permit Application - 851 Lampson Street, Staff Report DEV-21-043

Director of Development Services responded to questions from Council and comments included the proposals fit within the neighbourhood and consideration of installing signage at Esquimalt Lions Park to direct users to park their vehicles in the allocated parking near the high school.

The purpose of the application is to construct a four-unit townhouse (in a row house configuration), on a 731 square metre parcel.

Moved by Councillor Brame, seconded by Councillor Vermeulen: That Council resolve that Development Permit No. DP000158, attached as "Appendix A" of staff report DEV-21-043, authorizing the form and character of the proposed development of a 4-unit townhouse (in a row house configuration), as sited on the survey plan prepared by James Worton, BCLS, representing Powell and Associates BC Land Surveyors, stamped "Received January 26, 2021", consistent with the architectural plans, landscape plan and colour board prepared by Zebra Design, stamped "Received May 6, 2021", be approved, and, subject to receipt of the required landscape security, staff be directed to issue the permit, and register the notice on the title of 851 Lampson Street [PID 005-778-441, Parcel A (DD 19978W) of Lot 12, Section 10, Esquimalt District, Plan 7500]. Carried Unanimously.

8. BYLAWS

- 1) [21-321](#) Zoning Bylaw, 1992, No. 2050 and Parking Bylaw, No. 2011, 1992, Amendment Bylaw No. 3013, 2021 (detached Accessory Dwelling Units) - For Adoption

Moved by Councillor Brame, seconded by Councillor Vermeulen: That the Zoning Bylaw, 1992, No. 2050 and Parking Bylaw, No. 2011, 1992, Amendment Bylaw No. 3013, 2021 (detached Accessory Dwelling Units), be adopted. Carried Unanimously.

- 2) [21-331](#) Checkout Bag Regulation Bylaw, 2019, No. 2953 - For Adoption

Moved by Councillor Brame, seconded by Councillor Hundleby: That the Checkout Bag Regulation Bylaw, 2019, No. 2953, be adopted. Carried Unanimously.

9. REPORTS FROM COMMITTEES

- 1) [21-307](#) Adopted Minutes of the Environmental Advisory Committee, April 22, 2021

This item was received.

- 2) [21-342](#) Draft Minutes of the Parks and Recreation Advisory Committee, May 20, 2021

This item was received.

10. COMMUNICATIONS

For Council's Information

- 1) [21-317](#) Email from the Honourable Bruce Ralston, Minister of Energy, Mines and Low Carbon Innovation, the Honourable Josie Osborne, Minister of Municipal Affairs, and the Honourable George Heyman, Minister of Environment and Climate Change Strategy, dated May 12, 2021, Re: Help Cities Lead Campaign

This item was received.

- 2) [21-319](#) Email from Recreation Sites and Trails BC, dated May 20, 2021, Re: Trails Strategy for BC

This item was received.

- 3) [21-322](#) Email from Dawn Sheppard, Acting Executive Services Coordinator, Capital Regional District, dated June 2, 2021, Re: Capital Regional District Regional Transportation Priorities

Moved by Councillor Hundleby, seconded by Councillor Brame: That Council direct staff to prepare a letter in response to the email from Dawn Sheppard, Acting Executive Services Coordinator, Capital Regional District, dated June 2, 2021, Re: Capital Regional District Regional Transportation Priorities outlining concerns regarding the letter sent to the Minister, specifically with regards to the attention given to advocacy for a feasibility study on a Westshore ferry and maintenance and upgrade of E & N rail corridor. Carried Unanimously.

- 4) [21-324](#) Letter from Shannon Salter, Chair, Civil Resolution Tribunal, dated May 28, 2021, Re: Information for Motor Vehicle Accident Disputes

This item was received.

For Consideration

- 5) [21-343](#) Letter from Ian Robertson, Chief Executive Officer, Greater Victoria Harbour Authority, dated June 11, 2021, Re: Threat of Permanent Bypass of Cruise Ships to Canada

Moved by Councillor Morrison, seconded by Councillor Brame: That Council authorize the Mayor to send a joint letter with other Mayors across the region to the Prime Minister advocating for the cruise order to be rescinded as outlined in the Letter from Ian Robertson, Chief Executive

Officer, Greater Victoria Harbour Authority, dated June 11, 2021, Re: Threat of Permanent Bypass of Cruise Ships to Canada. Carried Unanimously.

11. NOTICE OF MOTION

- 1) [21-344](#) Regulation for Fences in Esquimalt, Councillor Meagan Brame - For Consideration

This item was received and referred to the June 28, 2021 Council meeting for consideration.

12. RISE AND REPORT

- 1) [21-318](#) Salish Seaside RV Haven Zoning

At the In Camera meeting held on May 17, 2021, Council passed the following resolution:

That Council direct staff to initiate a Zoning application for the Salish Seaside RV Haven property on behalf of the Township, in conjunction with the OCP Amendment process initiated by the property owner.

13. ELECTRONIC PUBLIC COMMENT PERIOD

Address Council on any topic that impacts Esquimalt (excluding items which are or have been the subject of a Public Hearing). Limit 2 minutes per speaker.

There was no electronic public comment.

14. ADJOURNMENT

Moved by Councillor Brame, seconded by Councillor Hundleby: That the Regular Council meeting be adjourned at 10:00 PM. Carried Unanimously.

MAYOR BARBARA DESJARDINS
THIS 28TH DAY OF JUNE, 2021

ANJA NURVO, INTERIM
CORPORATE OFFICER
CERTIFIED CORRECT
