



# CORPORATION OF THE TOWNSHIP OF ESQUIMALT

## Minutes - Draft

### Council

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

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Monday, July 15, 2019

7:00 PM

Esquimalt Council Chambers

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**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  
Vicki Gannon, Director of Human Resources  
Rachel Dumas, Manager of Corporate Services  
Trevor Parkes, Senior Planner  
Tricia DeMacedo, Planner  
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

The following late items were added to the agenda:

- (1) PERTAINING to Item 5. **PUBLIC HEARING:** (3)(a) Rezoning  
Application - 916 and 920 Old Esquimalt Road, Staff Report DEV-19-067
  - Email from Terry A. Prentice, received July 15, 2019
  - Email from Alex Prescott, received July 15, 2019
- (2) PERTAINING to Item 8. **STAFF REPORTS:** (5) Rezoning Application -  
829 Admirals Road, Staff Report DEV-19-063
  - Replace Appendix A - Bylaw No. 2973 of Staff Report DEV-19-063
  - Letter from Scott Attrill, received July 15, 2019
  - Letter from Dan Sutherland, received July 15, 2019
- (3) PERTAINING to Item 8. **STAFF REPORTS:** (8) Development Variance  
Permit Application, 614 Grenville Avenue, Staff Report DEV-19-072
  - Email from Chris Edley, received July 15, 2019

(4) REMOVE Item 8. **STAFF REPORTS:** (6) 1314 Esquimalt Road, Staff Report DEV-19-064

### 3. **APPROVAL OF THE AGENDA**

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

### 4. **MINUTES**

1) [19-362](#) Minutes of the Regular Meeting of Council, July 8, 2019

Moved by Councillor Brame, seconded by Councillor Hundleby: That the Minutes of the Regular Meeting of Council, July 8, 2019 be adopted. Carried Unanimously.

### 5. **PUBLIC HEARING**

*The Public Hearing is to afford all persons who deem their interest in property affected by the Bylaw an opportunity to be heard or to present written submissions before the Municipal Council on matters contained in the Bylaw.*

1) [19-363](#) Notice of Public Hearing - Rezoning Application - 916 Old Esquimalt Road and 920 Old Esquimalt Road

2) **Background Information - Available for Viewing Separately**

3) **Director of Development Services - Overview of Application**

a) [19-353](#) Rezoning Application - 916 and 920 Old Esquimalt Road, Staff Report DEV-19-067

Planner provided an overview of the rezoning application for 916 and 920 Old Esquimalt Road, presented a PowerPoint Presentation and responded to questions from Council. The purpose of this change in zoning is to allow five new single family residences to replace the two existing houses.

4) **Applicant or Authorized Representative - Overview of Application**

David Yamamoto, Zebra Group Inc., provided an overview of rezoning application, presented a PowerPoint Presentation and responded to questions from Council.

5) **Public Input**

Gary Lonergan, *resident*, expressed concerns regarding the proposed density and alignment with OCP.

Don Reidie, *resident*, expressed concerns regarding density and parking.

David Mincey, *resident*, expressed concerns regarding density, loss of trees and privacy impact to neighbouring properties.

Alex Prescott, *resident*, expressed concerns regarding setbacks and proximity to his property, including shading and privacy impact.

Johanna Semenek, *resident*, in opposition of the development and

expressed concerns regarding alignment with the OCP.

Paul Lackumen, *resident*, in support of the proposed density and siting of the buildings.

Gary Lonergan, *resident*, expressed concerns regarding parking impact to the neighbourhood.

Elizabeth Reidie, *resident*, expressed concerns regarding setbacks and parking impact to the neighbourhood.

Gary Lonergan, *resident*, expressed concerns regarding loss of trees.

## 6) Adjournment of Hearing

Mayor Desjardins declared the Public Hearing for Bylaw No. 2948 closed at 8:03 PM.

The meeting recessed at 8:03 PM and reconvened at 8:08 PM with all members of Council present.

Moved by Councillor Brame, seconded by Councillor Vermeulen: That the agenda be amended to move Item **6. PRESENTATIONS** before consideration of Item **5.7 - Consideration of Staff Recommendation**. Carried Unanimously.

## 6. PRESENTATIONS

- 1) [19-335](#) Mitzi Dean, MLA, Esquimalt-Metchosin, Re: Provincial Government Update and Budget 2019 - verbal presentation

Mitzi Dean, MLA, Esquimalt-Metchosin, provided Council with an overview of the 2019 Provincial Government budget, highlighting various initiatives as follows:

- \* Elimination of MSP premiums
- \* Enhancements to the Child Tax Benefit
- \* Tax reductions for businesses
- \* Infrastructure allocations
- \* CleanBC and climate change initiatives
- \* Reconciliation

- 2) [19-203](#) Robert Lapham, Chief Administrative Officer (CAO) and Nelson Chan, Chief Financial Officer (CFO), Capital Regional District (CRD), Re: CRD Overview - 2019 Financial Highlights

Robert Lapham, CAO, CRD and Nelson Chan, CFO, CRD provided Council with an overview of the 2019 Financial Highlights and presented a PowerPoint Presentation highlighting some facts and figures of the region; an overview of services provided by the CRD; the Board's planning framework and priorities; and budget information relating to Esquimalt.

**5. PUBLIC HEARING Continued****7) Consideration of Staff Recommendation: Rezoning Application  
- 916 and 920 Old Esquimalt Road, Staff Report DEV-19-067**

Staff responded to questions from Council and Council comments included:

- \* Creating a diverse housing inventory to address housing needs.
- \* Exploring options to address privacy concerns.
- \* Proposed replacement of trees on the site.
- \* Concerns with increased municipal street parking.

Moved by Councillor Helliwell, seconded by Councillor Vermeulen: 1. That Council, upon considering the comments made at the Public Hearing, resolves that Amendment Bylaw No. 2948, attached as Schedule 'A' to Staff Report DEV-19-067, which would amend Zoning Bylaw, 1992, No. 2050 by changing the zoning designation of PID 003-446-093, Lot C, Section 11, Esquimalt District, Plan 21636 [916 Old Esquimalt Road] and PID 003-446-395, Lot D, Section 11, Esquimalt District, Plan 21636 [920 Old Esquimalt Road] shown cross hatched on Schedule 'A' of Bylaw No. 2948, from RD-3 [Two Family/Single Family Residential] to CD No. 115 [Comprehensive Development District No. 115], be given third reading; and

2. That, as the applicant wishes to assure Council that secondary suites will be prohibited within all five homes, a fire hydrant located on the municipal boulevard in front of the proposed development will be moved to a location approved by the Esquimalt Fire Chief, five one-year BC Transit Passes will be provided to new property purchasers, an electric vehicle charging station will be installed in each garage, buildings would be constructed to meet a minimum BC Building Code Step 1, and that subdivision would occur only as proposed [as the CD No. 115 zone only works for this subdivision], the applicant has voluntarily agreed to register a Section 219 covenant on the property titles of 916 Old Esquimalt Road and 920 Old Esquimalt Road, respectively, in favour of the Township of Esquimalt, Council direct staff to coordinate with the property owner to ensure a S.219 covenant addressing the aforementioned issues is registered against each property title prior to returning Amendment Bylaw No. 2948 to Council for further consideration of adoption. Carried Unanimously.

**7. 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.**

Ryan Jabs, *resident*, in support of the development application for 614 Grenville Avenue.

Michael Simpson, *resident*, in opposition of the OCP amendment and rezoning application for 681 and 685 Admirals Road and expressed concerns regarding height, privacy, parking and overall fit in the neighbourhood.

Liza Blumenthal, *resident*, expressed concerns regarding the rezoning application for 829 Admirals Road including fit for the neighbourhood and impact to limited street parking.

Paul Silletta, *resident*, advised Council he was available to answer questions regarding his rezoning application for 614 Grenville Avenue.

Cindy Simpson, *resident*, in opposition of the OCP amendment and rezoning application for 681 and 685 Admirals Road and expressed concerns regarding the impact to her property.

Jasween Singh Gujral, *applicant representative*, provided details of the rezoning application for 829 Admirals Road including security measures, proposed business model alleviating parking concerns and support received from neighbours.

Doug Scott, *resident*, expressed concerns with parking and impact to the neighbourhood re: OCP amendment and rezoning application for 681 and 685 Admirals Road.

**8. STAFF REPORTS*****Administration***

- 1) [19-359](#) Esquimalt Community Health Needs Assessment, Staff Report ADM-19-024

Moved by Councillor Morrison, seconded by Councillor Hundleby: That Council continue to endorse, support and advocate for the following strategic priorities and objectives to achieve community wide benefit:

- Work with developers and community organizations to support research related to health and wellness
- Work with developers to incorporate health and wellness facilities in new Developments
- Support revitalization and beautification initiatives along Esquimalt Road
- Boost investment in the local economy and promote the growth and diversity of businesses. Carried Unanimously.

- 2) [19-348](#) Municipal Appointments and Amendments to Officers Bylaw, Staff Report ADM-19-023

Moved by Councillor Armour, seconded by Councillor Vermeulen: That Council:

1. Give first, second and third readings to Officers Bylaw, 2011, No. 2777, Amendment Bylaw [No. 3], 2019, No. 2972, as attached to Staff report

ADM-19-023; and,

2. Approve, effective September 1, 2019, the following appointments for Rachel Dumas, Manager of Corporate Services:

- Corporate Officer pursuant to s. 148 of the Community Charter;
- Deputy Business Licence Officer pursuant to the Township's Business Licence and Regulation Bylaw, 2013, No. 2810; and,
- Alternate Secretary for the Board of Variance, pursuant to the Township's Board of Variance Bylaw, 2014, No. 2831. Carried Unanimously.

3) [19-293](#) Exempt Staff Compensation Policy - Emergency Operations Centre (EOC) Activation, Staff Report ADM-19-019

Moved by Councillor Armour, seconded by Councillor Vermeulen: That Council approve Council Policy No. PER-06 (Exempt Staff Compensation - Emergency Operations Centre [EOC] Activation), as attached to Staff Report ADM-19-019. Carried Unanimously.

### ***Parks and Recreation***

4) [19-360](#) Contract Award - Archie Browning Sports Centre Flat Roof Replacement, Phase One, Staff Report P&R-19-007

Moved by Councillor Hundleby, seconded by Councillor Brame: That Council award the contract for the Archie Browning Sports Centre Flat Roof Replacement Phase One Project to Universal Sheet Metal Ltd. Carried Unanimously.

### ***Development Services***

5) [19-340](#) Rezoning Application - 829 Admirals Road, Staff Report DEV-19-063

Planner provided an overview of rezoning application for 829 Admirals Road, presented a PowerPoint Presentation and responded to questions from Council. The application is to allow for the retail sale of cannabis in an existing building.

Moved by Councillor Morrison, seconded by Councillor Vermeulen: That Council resolves that Bylaw No. 2973 (Appendix A), which would amend Zoning Bylaw, 1992, No. 2050, by changing the zoning designation of 829 Admirals Road (PID 001-759-817, Lot A, Section 10, Esquimalt District, Plan 28540, except part in Plan VIP86936) from the Neighbourhood Commercial Zone (C-2) to a Comprehensive Development District (CD-124), be denied first and second reading. Defeated.

In Favour: 2 - Councillor Morrison, and Councillor Vermeulen

Opposed: 5 - Mayor Desjardins, Councillor Armour, Councillor Brame, Councillor Helliwell, and Councillor Hundleby

Moved by Councillor Armour, seconded by Councillor Hundleby: 1. That Council resolves that Bylaw No. 2973 (Appendix A), which would amend Zoning Bylaw, 1992, No. 2050, by changing the zoning designation of 829

Admirals Road (PID 001-759-817, Lot A, Section 10, Esquimalt District, Plan 28540, except part in Plan VIP86936) from the Neighbourhood Commercial Zone (C-2) to a Comprehensive Development District (CD-124), be given first and second reading; and

2. That Council authorizes the Corporate Officer to schedule a Public Hearing for Zoning Bylaw 1992, No. 2050, Amendment Bylaw No.2973, and to advertise for these purposes in the local newspaper, after such time as the owner receives an occupancy permit for existing unpermitted space. Carried.

In Favour: 5 - Mayor Desjardins, Councillor Armour, Councillor Brame, Councillor Helliwell, and Councillor Hundleby

Opposed: 2 - Councillor Morrison, and Councillor Vermeulen

6) [19-346](#) Rezoning Application - 1314 Esquimalt Road, Staff Report DEV-19-064

This item was removed from the agenda.

Moved by Councillor Hundleby, seconded by Councillor Helliwell: That the Regular Council meeting be extended to 10:30 PM. Carried Unanimously.

7) [19-355](#) Official Community Plan Amendment and Rezoning Application - 681 and 685 Admirals Road, Staff Report DEV-19-071

Planner provided an overview of OCP amendment and rezoning application for 681 and 685 Admirals Road, presented a PowerPoint Presentation and responded to questions from Council.

Frank Limshue, WestUrban Developments, provided an overview of the rezoning application, presented a PowerPoint Presentation and responded to questions from Council.

Director of Development Services responded to questions from Council regarding proceeding with a request to refine the proposal.

Councillor Vermeulen left the meeting at 9:58 PM and returned at 10:00 PM.

Council comments included:

- \* Restricted covenant for housing options.
- \* Parking options with 1 to 1 ratio.
- \* Site plan with inclusion of neighbouring properties.
- \* Traffic management options.

Moved by Councillor Armour, seconded by Councillor Brame: 1. That Council resolves that Official Community Plan Bylaw, 2018, No. 2922, Amendment Bylaw No. 2967, attached to Staff Report DEV-19-071 as Appendix A, which would amend Official Community Plan Bylaw, 2018, No. 2922 by changing Schedule 'H', being the Development Permit Areas Map by changing the designation of 681 Admirals Road [PID 007-801-963



Lot 25 Block 4 Suburban Lot 50 Esquimalt District Plan 1153] + [PID 007-801-980 Lot 26 Block 4 Suburban Lot 50 Esquimalt District Plan 1153], and 685 Admirals Road [PID 007-802-013 Lot B (DD G17083), Suburban Lot 50, Esquimalt District, Plan 1153], all shown cross hatched on Schedule 'A' of Bylaw No. 2967, from Development Permit Area No. 3 - Enhanced Design Control Residential to Development Permit Area No. 6 - Multi-Family Residential, be given first reading;

2. That Council resolves that Zoning Bylaw, 1992, No. 2050, Amendment Bylaw No. 2968, attached to Staff Report DEV-19-071 as Appendix B, which would amend Zoning Bylaw, 1992, No. 2050 by changing the zoning designation of 681 Admirals Road [PID 007-801-963 Lot 25 Block 4 Suburban Lot 50 Esquimalt District Plan 1153] + [PID 007-801-980 Lot 26 Block 4 Suburban Lot 50 Esquimalt District Plan 1153], and 685 Admirals Road [PID 007-802-013 Lot B (DD G17083), Suburban Lot 50, Esquimalt District, Plan 1153], all shown cross hatched on Schedule 'A' of Bylaw No. 2968, from RD-3 [Two Family/Single Family Residential] to CD No. 123 [Comprehensive Development District No. 123], be given first reading. Carried Unanimously.

Moved by Councillor Hundleby, seconded by Councillor Armour: That the Regular Council meeting be extended to 11:00 PM. Carried Unanimously.

8) [19-357](#) Development Variance Permit, 614 Grenville Avenue, Staff Report DEV- 19-072

Moved by Councillor Armour, seconded by Councillor Helliwell: That Council resolves that Development Variance Permit No. DVP00092 [Appendix A] permitting the reduction of the number of vehicle parking spaces required as per the Proposed Parking Plan prepared by Steller Architectural Consulting and stamped "Received June 28, 2019" to include the following variance to Parking Bylaw, 1992, No. 2011 for the property located at 614 Grenville Avenue [PID: 000-756-962, Lot 221, Suburban Lot 42, Esquimalt District, Plan 2854, Except that part included in Plan 4668 and except that part lying north of the southerly boundary of Lot A, Plan 19331], be approved, and staff be directed to issue the permit and register the notice on the title: Parking Bylaw, 1992, No. 2011, Part 5 - Parking Requirements, Section 13 - Number of Off-Street Parking Spaces (b) Commercial (Mixed Commercial/ Residential) - A reduction to the number of required parking spaces by 14 (i.e from 24 required parking spaces to 10).

Moved by Councillor Hundleby, seconded by Councillor Morrison: That the applicant be invited to address Council and respond to questions. Carried Unanimously.

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



- 9) [19-356](#) Council Response to Capital Regional Growth Strategy Amendment for Population, Dwelling Unit and Employment Projections, Staff Report DEV-19-069

Moved by Councillor Brame, seconded by Councillor Morrison: That Council authorizes the Mayor to send a letter to Colin Plant, Chair, Capital Regional District Board, indicating that Council does not believe that the model used to project population, dwelling units, and employment accurately reflects the situation in Esquimalt and therefore, Esquimalt will not be able to align its projections for population and dwelling units with the sub-regional projections. Carried Unanimously.

- 10) [19-361](#) Consent to Cancellation of Strata Plan VIS509 and wind up of the Strata Corporation, Staff Report DEV-19-070

Moved by Councillor Armour, seconded by Councillor Brame: That Council authorize the Mayor and Chief Administrative Officer to execute the Consent Form (Appendix A) that will allow the cancellation of Strata Plan VIS509 (Appendix B) and the registration of Plan EPP77112 (Appendix C), as attached to Staff Report DEV-19-070. Carried Unanimously.

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

- 11) [19-349](#) Coles Street Residential Parking Only - Traffic Order 1304, Staff Report EPW-19-022
- 12) [19-350](#) Glen Vale Road "Residential Parking Only" - Traffic Order 1307, Staff Report EPW-19-025
- 13) [19-351](#) Coles Street Traffic Order 1305 - No Parking Restriction, Staff Report EPW-19-023

Moved by Councillor Morrison, seconded by Councillor Hundleby: That Council approve the implementation of:

1. Traffic Order 1304 "Residential Parking Only" along Coles Street, as set out in Staff Report EPW-19-022,
2. Traffic Order 1307 "Residential Parking Only" along Glen Vale Road, as set out in Staff Report EPW-19-025
3. Traffic Order 1305 "No Parking Restriction" along Coles Street, as set out in Staff Report EPW-19-023. Carried Unanimously.

- 14) [19-352](#) Intersection of Lampson Street and Craigflower Road, Limited No Left Hand Turn Restriction - Traffic Order 1306, Staff Report EPW-19-024

Moved by Councillor Hundleby, seconded by Councillor Brame: That Council approve Traffic Order 1306 "No Left Hand Turn - Time Limited Restriction" at the Lampson Street leg of the Lampson Street/Craigflower Road intersection, as set out in Staff Report EPW-19-024. Carried Unanimously.

**9. COMMUNICATIONS*****For Council's Consideration***

- 1) [19-364](#) Email from Ela Ersä Gunad, #LostVotes Campaign Team, dated July 9, 2019, Re: Advocacy for Permanent Residents Voting Rights

Moved by Councillor Armour, seconded by Councillor Vermeulen: That Council support in principle the #Lost Votes Campaign in requesting the Provincial Government make necessary changes to allow permanent residents in Canada to vote in Municipal elections. Carried Unanimously.

***For Council's Information***

- 2) [19-365](#) Letter from S. Sader, Captain (N) Commander - National Defence, dated July 9, 2019, Re: Invitation to Public Information Session

This item was received.

**10. 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.**

Doug Scott, *resident*, expressed concerns with parking and transportation options regarding the OCP amendment and rezoning application for 681 and 685 Admirals Road.

**11. ADJOURNMENT**

Moved by Councillor Brame, seconded by Councillor Hundleby: That the meeting be adjourned at 10:32 PM. Carried Unanimously.

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MAYOR BARBARA DESJARDINS  
THIS date DAY OF month, 2019

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ANJA NURVO, CORPORATE OFFICER  
CERTIFIED CORRECT