



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

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

Monday, January 21, 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
Blair McDonald, Director of Community Safety Services
Anja Nurvo, Director of Corporate Services
Karen Hay, Acting Senior Planner
Tricia DeMacedo, Planner
Janany Nagulan, Planner
Rachel Dumas, Recording Secretary

Other: Chief Del Manak, Victoria Police Department
Evan Southern, Victoria/ Esquimalt Police Board

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 10. **STAFF REPORTS:** (3) Lyall Street Corridor sections, Staff Report EPW-19-003:

* Email from Melanie Plett dated January 18, 2019 Re: Lyall St.

* Email from Leanne Schultz dated January 19, 2019 Re: Lyall Street redevelopment

* Email from Mirella Colagrande dated January 21, 2019 Re: Lyall Street Corridor - staff recommendation vs protected bike lanes

* Email from Meagan Klaassen dated January 21, 2019 Re: Lyall St

Enhancement funds option

(2) Move Item 10 (3) before Item 10 (1)

3. APPROVAL OF THE AGENDA

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

4. MINUTES

- 1) [19-041](#) Minutes of the Special Meeting of Council, January 7, 2019
- 2) [19-050](#) Minutes of the Regular Meeting of Council, January 7, 2019
- 3) [19-051](#) Minutes of the Special Meeting of Council, January 14, 2019

Moved by Councillor Brame, seconded by Councillor Hundleby: That the Minutes of the Special Meeting of Council, January 7, 2019, Minutes of the Regular Meeting of Council, January 7, 2019 and Minutes of the Special Meeting of Council, January 14, 2019 be adopted. Carried Unanimously.

5. PUBLIC HEARING - REZONING APPLICATION, 1198 MUNRO STREET

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) [19-042](#) Notice of Public Hearing - Rezoning Application, 1198 Munro Street
- 2) **Background Information - Available for Viewing Separately**
- 3) **Director of Development Services - Overview of Application**
 - a) [19-038](#) Rezoning Application - 1198 Munro Street, Staff Report DEV-19-004

Planner provided an overview of rezoning application for 1198 Munro Street, presented a PowerPoint Presentation and responded to questions from Council. The applicant intends to redevelop the subject property by constructing one single family residence and retain the existing single family residence.

4) Applicant or Authorized Representative - Overview of Application

Duane Ensing, Villamar Design, provided an overview of application and presented a PowerPoint Presentation.

5) Public Input

Peter Ryan, *resident*, in support of development and community engagement with neighbours.

Lorraine Nygaard, *resident*, in support of development and small businesses.

Colin McTaggart, *resident*, in support of development and a good addition to the neighbourhood.

6) Adjournment of Hearing

Mayor Desjardins declared the public hearing for Zoning Bylaw, 1992, No. 2050, Amendment Bylaw No. 2947 closed at 7:18 PM.

Consideration of Staff Recommendation - Rezoning Application, 1198 Munro Street

Moved by Councillor Morrison, seconded by Councillor Brame:
1. That Council, upon considering comments made at the Public Hearing, resolves that Bylaw No. 2947 attached as Appendix 'A' of Staff Report DEV-19-004, which would amend Zoning Bylaw, 1992, No. 2050 by changing the zoning designation of 1198 Munro Street [PID 005-455-031, Lot 1, Section 11, Esquimalt District, Plan 44436] shown cross-hatched on the Schedule 'A' to Bylaw No. 2947 from Two Family/ Single Family Residential [RD-3] to Comprehensive District Zone No. 114 [CD No. 114] be given third reading;

2. That the owner wishes to assure Council that no further development will occur before the subdivision is approved and the subdivision will occur as per architectural drawings and proposed subdivision plan [Appendix C] and that no secondary suites will be allowed in the proposed building, and has voluntarily agreed to register a Section 219 covenant on the title of 1198 Munro Street;

That Council direct staff and legal counsel for the Township to coordinate with the property owner to ensure a Section 219 Covenant addressing the aforementioned items is registered against the property title prior to returning Amendment Bylaw No. 2947 to Council for consideration of adoption. Carried Unanimously.

6. PUBLIC HEARING - REZONING APPLICATION, 471 KINVER STREET

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) [19-043](#) Notice of Public Hearing - Rezoning Application, 471 Kinver Street
- 2) **Background Information - Available for Viewing Separately**
- 3) **Director of Development Services - Overview of Application**
 - a) [19-033](#) Rezoning Application - 471 Kinver Street, Staff

Report DEV-19-006

Acting Senior Planner provided an overview of rezoning application for 471 Kinver St, presented a PowerPoint Presentation and responded to questions from Council.

4) Applicant or Authorized Representative - Overview of Application

Shawn Ayde, applicant, provided an overview of application, presented a PowerPoint Presentation and responded to questions from Council. The applicant intends to redevelop the subject property and construct two new single family residences to replace the existing house.

5) Public Input

Collin Reynolds, *resident*, in support of the development and community engagement by applicant.

Lorraine Nygaard, *resident*, in support of the development.

6) Adjournment of Hearing

Mayor Desjardins declared the public hearing for Zoning Bylaw, 1992, No. 2050, Amendment Bylaw No. 2946 closed at 7:33 PM.

7) Consideration of Staff Recommendation - Rezoning Application, 471 Kinver Street

Moved by Councillor Hundleby, seconded by Councillor Morrison: That Council, upon considering comments made at the Public Hearing, resolves that Bylaw No. 2946 [Appendix A] of staff report DEV-19-006, which would amend Zoning Bylaw, 1992, No. 2050, by changing the zoning designation of 471 Kinver Street [Parcel A (DD 187668I) of Lots 1 and 2, Block 3 Section 11, Esquimalt District, Plan 6016; PID 005-918-545], shown cross-hatched on the Schedule A of Bylaw No. 2946, from RD-3 [Two Family/ Single Family Residential] to CD No. 113 [Comprehensive Development District No. 113] be given third reading and adoption. Carried Unanimously.

7. PRESENTATIONS

1) [19-044](#) Chief Del Manak, Victoria Police Department, Victoria Police Department 2019 Provisional Budget

Shawn Powell, Chair, Finance Committee, Victoria/ Esquimalt Police Board, provided an overview of Board Budget process and introduced Chief Del Manak.

Chief Manak provided an overview of Victoria/ Esquimalt Police Department provisional budget request, presented a PowerPoint presentation and responded to questions from Council. Steve Hurcombe, Controller, Finance Division, VicPD, also responded to questions from Council. Budget staff requests included:

- 1) Community Response Team in Victoria; 4 additional officers
- 2) Esquimalt Division Traffic Officer (1)

- 3) Cybercrime Investigations Coordinator; 1 additional officer
- 4) Information Analyst, 1 civilian position

Council comments included:

- * School liaison officers reinstatement
- * Calls for Service statistics
- * Traffic calming options
- * Regional Communication Centre transition costs
- * Implementation of Employees Health Tax

The meeting recessed at 8:42 PM and reconvened at 8:50 PM with all members of Council present.

8. DELEGATIONS

- 1) [19-046](#) Patrick Mothersill, Re: Lyall Street Redesign Project

Patrick Mothersill provided input for the Lyall Street Redesign Project including requests to completely remove the decommissioned bike lane and signage erected accordingly.

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

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

Doug Scott, *resident*, encouraged Council not to amend the OCP for 899 Esquimalt Road and stick to 6 storeys.

Rebecca Wolf-Gage, *resident*, in support of new bike lanes on Lyall Street and encouraged an environmentally friendly community.

Scott Griffiths, *resident*, in opposition of option 1 for Lyall Street project; however, in support of improvements including bike lanes.

Lorraine Nygaard, *resident*, in opposition of option 1 for Lyall Street project, expressed safety concerns and suggested tiered parking options.

Connor McLeod, *resident*, in support of option 1 and increased enforcement on Lyall Street.

Amanda Broad, *resident*, in support of protected inclusive bike lane infrastructure on Lyall Street and encouraged climate action awareness.

Andrew Gage, *resident*, encouraged Council to consider alternate options for Lyall Street project.

Harold Butler, *resident*, in opposition of bike lanes on Lyall Street.

Leanne Schultz, *resident*, encouraged Council to consider alternate options for Lyall Street project instead of solely paving.

Meagan Klaassen, *resident*, encouraged Council to consider alternate options for Lyall Street and provided a overview of community engagement events.

Duncan Cavens, *resident*, in support of safe bike lanes on Lyall Street and encouraged Council to consider alternate improvement options.

Corey Berger, *resident*, in opposition of option 1 for Lyall Street and encouraged Council to consider protected bike lanes and traffic calming options.

David Coney, *resident*, in opposition of option 1 and encouraged Council to consider active transportation options including new bike lane that interconnects with other lanes in the community.

Daniel Arias, *resident*, expressed concerns with Lyall street as a truck route and suggested consideration of rapid transit.

John Lukas, *resident*, in opposition of bike lanes on Lyall Street and expressed concerns with the impact to garbage collection if lanes installed.

Sara McGuigan, *resident*, in support of option 1 and encouraged climate action awareness with minimal financial impact.

Lorraine Nygaard, *resident*, expressed safety concerns and encouraged outdoor activity.

Amanda Broad, *resident*, encouraged safe active transportation in the community.

Harold Butler, *resident*, encouraged sidewalk improvements on Lyall Street, advised Council that neighbours did not receive notice of community engagement events and suggested a "no" option on the survey.

Sara McGuigan, *resident*, advised not all households received a survey therefore results not representative of local residents input and consider accessibility options.

Scott Griffiths, *resident*, expressed drainage and safety concerns on Lyall Street.

10. STAFF REPORTS

Engineering and Public Works

- 1) [19-036](#) Lyall Street Corridor Cross Sections, Staff Report EPW-19-003

Director of Engineering and Public Works provided an overview of financial implications of Lyall Street Corridor Cross Sections and responded to questions from Council.

Moved by Councillor Brame, seconded by Councillor Morrison: That Council defer further discussion on the Lyall Street Corridor Cross Sections to a future Committee of the Whole meeting. Carried Unanimously.

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

Community Safety Services

- 2) [19-039](#) Request for Council Resolution in Support of Grant Application, Staff Report CSS-19-002

Moved by Councillor Hundleby, seconded by Councillor Brame: That Council support by way of resolution a \$25,000 application for the Community Emergency Preparedness Fund - Emergency Operations Centre and Training Stream, and authorize the Mayor and Corporate Officer to execute any agreements related to a successful grant application. Carried Unanimously.

Engineering and Public Works

- 3) [19-035](#) Wordsley Street Residential Parking Only Petition, Traffic Order 1297, Staff Report EPW-19-002

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

Moved by Councillor Hundleby, seconded by Councillor Morrison: That Council approves the implementation of Traffic Order 1297 "Residential Parking Only" along Wordsley Street, as set out in Staff Report EPW-19-002. Carried.

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

Opposed: 2 - Mayor Desjardins, and Councillor Brame

- 4) [19-037](#) Fernhill Road Truck Traffic Restriction Petition, Staff Report EPW-19-004

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

Moved by Councillor Armour, seconded by Councillor Brame: That Council does not implement a truck traffic restriction on Fernhill Road, as set out in Staff Report EPW-19-004. Carried Unanimously.

Development Services

- 5) [19-009](#) Checkout Bag Regulation Bylaw, Staff Report DEV-19-005

Planner responded to questions from Council.

Moved by Councillor Hundleby, seconded by Councillor Morrison: That Council give first reading to the Checkout Bag Regulation Bylaw, No.2953 (Appendix A) and endorse the workplan, timeline, budget and engagement strategy as outlined in Staff Report DEV-19-005. Carried Unanimously.

- 6) [19-022](#) OCP Amendment Consultation List - 899 Esquimalt Road, Staff Report DEV-19-003

Director of Development Services responded to questions from Council.

Moved by Councillor Helliwell, seconded by Councillor Armour: That Council, having considered Sections 475 and 476 of the Local Government Act, authorize staff to circulate the Official Community Plan and Zoning Bylaw Amendment concept plan, attached as Appendix 'B' to Staff Report DEV-19-003, detailing the proposed development for 899 Esquimalt Road [PID 030-151-562, Lot A, Section 11, Esquimalt District, Plan EPP69557] to those persons, organizations, and authorities identified in Appendix 'A' of Staff Report DEV-19-003. Carried Unanimously.

11. BYLAWS

- 1) [19-024](#) Housing Agreement (622 Admirals Road) Bylaw, 2013, No. 2799, Amendment Bylaw, 2018, No. 2949 - For Adoption

Moved by Councillor Hundleby, seconded by Councillor Morrison: That Housing Agreement (622 Admirals Road) Bylaw, 2013, No. 2799, Amendment Bylaw, 2018, No. 2949 be adopted. Carried Unanimously.

12. COMMUNICATIONS

- 1) [19-047](#) 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

Moved by Councillor Morrison, seconded by Councillor Hundleby: That 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 be received and, Council defer discussion to a future Council meeting when further information has been received from the Capital Regional District. Carried Unanimously.

- 2) [19-048](#) Letter from Minister Rob Fleming, Ministry of Education, dated January 7, 2019, Re: 2019 Premier's Awards for Excellence in Education

Moved by Councillor Brame, seconded by Councillor Armour: That the Letter from Minister Rob Fleming, Ministry of Education, dated January 7, 2019, Re: 2019 Premier's Awards for Excellence in Education be received and Council direct staff to post to Municipal website and social media channels for information. Carried Unanimously.

13. NOTICE OF MOTION

- 1) [19-023](#) Notice of Motion re Food Truck at 1237-1243 Esquimalt Road, Councillor Meagan Brame - For Discussion

This Notice of Motion was referred to the next Council meeting for discussion.

14. RISE AND REPORT

- 1) [19-025](#) Rise and Report re Appointment to Design Review Committee

At the January 7, 2019 In Camera meeting, Council made the following appointment:

Advisory Planning Commission and Design Review Committee
David van Stolk (nominee from BC Society of Landscape Architects)
Starting immediately to June 30, 2020

15. PUBLIC QUESTION AND COMMENT PERIOD

Excluding items which are or have been the subject of a Public Hearing. Limit of two minutes per speaker.

Andrew Gage, *resident*, sought clarity of CRD resolutions regarding climate action.
Robert Evans, *non-resident*, advised Council of change for proposed development at Esquimalt Rd and Head St regarding a medical facility to service Victoria West and Esquimalt residents.

Ricker Dwyer, *resident*, advised Council that Eagles Club members will be voting

tomorrow on revised proposed development for a medical facility located at Esquimalt Rd and Head St.

Doug Scott, *resident*, encouraged community engagement before a proposed development is brought forward.

Lynda O'Keefe, *resident*, inquired why Esquimalt "residential parking only" signs are 24/7 and not limited time periods.

16. ADJOURNMENT

Moved by Councillor Brame, seconded by Councillor Hundleby: That the Regular Council meeting be adjourned at 10:23 PM. Carried Unanimously.

MAYOR BARBARA DESJARDINS
THIS 4TH DAY OF FEBRUARY, 2019

ANJA NURVO, CORPORATE OFFICER
CERTIFIED CORRECT