



# CORPORATION OF THE TOWNSHIP OF ESQUIMALT

## Minutes - Final

### Council

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

---

Monday, August 28, 2017

7:00 PM

Esquimalt Council Chambers

---

Councillor Morrison via conference call.

**Present:** 7 - Mayor Barbara Desjardins  
Councillor Meagan Brame  
Councillor Beth Burton-Krahn  
Councillor Lynda Hundleby  
Councillor Olga Liberchuk  
Councillor Susan Low  
Councillor Tim Morrison

**Staff:** Laurie Hurst, Chief Administrative Officer  
Jeff Miller, Director of Engineering & Public Works  
Bill Brown, Director of Development Services  
Anja Nurvo, Director of Corporate Services  
Rachel Dumas, 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

There were no late items.

#### 3. APPROVAL OF THE AGENDA

Moved by Councillor Brame, seconded by Councillor Hundleby: That the agenda be approved as circulated. Carried Unanimously.

#### 4. MINUTES

- 1) [17-342](#) Minutes of the Special Meeting of Council, August 21, 2017
- 2) [17-348](#) Minutes of the Regular Meeting of Council, August 21, 2017

Mayor Desjardins requested the second period staff reports include a Park Strategy Plan update, including Hither Green.

Moved by Councillor Burton-Krahn, seconded by Councillor Liberchuk: Minutes of the Special Meeting of Council, August 21, 2017 and Minutes of the Regular Meeting of Council, August 21, 2017 be adopted as

circulated. Carried Unanimously.

## **5. PRESENTATIONS**

- 1) [17-343](#) Courtland Sandover-Sly, Travis Lane and Alexander Robb, BC Independent Cannabis Association, Zoning Provision for Future Storefront Cannabis Retail Establishments

Courtland Sandover-Sly, Travis Lane and Alex Robb, BC Independent Cannabis Association, provided an overview of the proposed Cannabis Legalization process, encouraged Municipal collaboration and presented a PowerPoint Presentation.

## **6. PUBLIC INPUT (On items listed on the Agenda) Excluding items which are or have been the subject of a Public Hearing.**

Lorne Argyle, *resident*, in opposition of urban hen eggs being sold at the Esquimalt market or anywhere else.

## **7. STAFF REPORTS**

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

- 1) [17-317](#) Award of Various Capital Projects 2017, Staff Report EPW-17-039

Director of Engineering and Public Works responded to questions from Council. Council discussed priority of projects, quality of work and Tender process.

Moved by Councillor Hundleby, seconded by Councillor Brame: That Council approves:

1. the awarding of the Various Capital projects 2017 tender for a cost of \$416, 256.43 (not including GST) to Sparker Construction Ltd.;
2. an additional amount of \$182,181.80 be released from the Infrastructure and Revitalization Reserve; and
3. an additional amount of \$16,074.69 be released from the Community Works Fund. Carried Unanimously.

- 2) [17-332](#) Boulevard Alteration Permit - 945 Garthland Rd, Staff Report EPW-17-040

Director of Engineering and Public Works responded to questions from Council. Council discussed sightline concerns, Boulevard Alteration and Bylaw Enforcement processes and quality of work carried out on boulevard.

Moved by Councillor Low, seconded by Councillor Liberchuk: That Council approve the Boulevard Alteration Permit for 945 Garthland Road, as set out in Staff Report EPW-17-040. Carried Unanimously.

- 3) [17-334](#) Traffic Order 1258 - Mesher Place, Staff Report EPW-17-041
- 4) [17-335](#) Traffic Order 1259 - Garthland Place E at Garthland Road, Staff Report EPW-17-042
- 5) [17-336](#) Traffic Order 1260 - Garthland Place West at Garthland

Road, Staff Report EPW-17-043

- 6) [17-337](#) Traffic Order 1261 - Garthland Road at Rhoda Lane, Staff Report EPW-17-044
- 7) [17-338](#) Traffic Order 1262 - Gosper Crescent, Staff Report EPW-17-045

Moved by Councillor Brame, seconded by Councillor Morrison: That Traffic Order 1258 - Mesher Place, Staff Report EPW-17-041, Traffic Order 1259 - Garthland Place E at Garthland Road, Staff Report EPW-17-042, Traffic Order 1260 - Garthland Place West at Garthland Road, Staff Report EPW-17-043, Traffic Order 1261 - Garthland Road at Rhoda Lane, Staff Report EPW-17-044 and Traffic Order 1262 - Gosper Crescent, Staff Report EPW-17-045 be approved. Carried Unanimously.

### ***Development Services***

- 8) [17-333](#) Development Permit and Development Variance Permit - 860 Esquimalt Road ("A&W"), Staff Report DEV-17-051

Moved by Councillor Brame, seconded by Councillor Liberchuk: That Council allow the applicant's representative to address Council. Carried Unanimously.

James Kerr, Architect, AIBC, and Jim Partlow, Principal Landscape Architect, Lombard North Group, provided an overview of Development Permit and Development Variance Permit applications for 860 Esquimalt Road ("A&W"), presented a PowerPoint Presentation and responded to questions from Council. Jonathan Murray, A&W Franchisee, responded to questions from Council. Council discussed lighting, landscaping maintenance and signage concerns.

Moved by Councillor Brame, seconded by Councillor Hundleby: That Council resolves that Development Permit No. DP000090 [Appendix A] authorizing the development and signage as shown on the architectural drawings and site plan prepared by James Kerr, Architect AIBC, all stamped "Received July 19, 2017" (attached as Schedule 'A'), the landscaping plan prepared by Lombard North Group, and the 'Conceptual Artwork' prepared by Pattison Sign Group both stamped "Received July 19, 2017" (attached as Schedule 'B'), be approved, and staff be directed to issue the permit (subject to receipt of the required landscape security), and register the notice on the title of the property located at 860 Esquimalt Road, [PID 001-122-134, Lot A Section 11 Esquimalt District Plan VIP42081]; and

That Council resolves that Development Variance Permit No. DVP00067 [Appendix B] authorizing the signage as shown on the architectural drawings and site plan prepared by James Kerr, Architect AIBC, all stamped "Received July 19, 2017" (attached as Schedule 'A'), the landscaping plan prepared by Lombard North Group, and the 'Conceptual Artwork' prepared by Pattison Sign Group both stamped "Received July 19, 2017" (attached as Schedule 'B'), and including the following

relaxations to Sign Regulation Bylaw, 1996 No. 2252, be approved, and staff be directed to issue the permit and register the notice on the title of the property located at 860 Esquimalt Road, [PID 001-122-134, Lot A Section 11 Esquimalt District Plan VIP42081]:

Sign Regulation Bylaw, 1996, No. 2252, - Canopy Signs - Section 9.4.2 (b) Location - An increase to the allowed height of a sign on a canopy from 1.0 meters to 1.6 metres;

Sign Regulation Bylaw, 1996, No. 2252 - Section 6.1 (i) Prohibitions - A variance to the restriction that no more than 3 types of signs be allowed per business, to allow up to 4 types of signs (canopy, fascia, freestanding and posters) at this location;

Sign Regulation Bylaw, 1996, No. 2252 - Section 6.1 (c) Prohibitions - A variance to allow 'posters' to be placed on a commercial location, allowing the 3 posters on the West elevation adjacent to the drive thru window;

Sign Regulation Bylaw, 1996, No. 2252 - 9.8.2 (a) Freestanding Signs - Location - A variance to the requirement that a freestanding sign shall not be located within 30 metres of a residential zone to allow a freestanding sign not less than 19 metres from a residential zone (the building located across Esquimalt Road);

Sign Regulation Bylaw, 1996, No. 2252 - 9.8.2 (b) Freestanding Signs - Location - A variance to the requirement that a freestanding sign shall not be located within 2 metres of any intersecting property lines, to allow a freestanding sign to be located not less than 0.15 metres from an intersecting property line;

Sign Regulation Bylaw, 1996, No. 2252 - 9.8.3 (b) Freestanding Signs - Location - A variance to allow a freestanding sign to exceed the 0.3 ratio of sign area per lineal metre of street frontage to allow a sign area of 0.45 per lineal metre of street frontage [i.e. where the sign area = 13.54 m<sup>2</sup>, and the street frontage = 30.5 m]. Carried Unanimously.

## 8. COMMUNICATIONS

- 1) [17-323](#) Email from Lisa Helps, Mayor, City of Victoria, dated July 28, 2017, Re: Smart South Island Plan

Councillor Low provided an overview of the Smart Cities Challenge and Smart South Island Plan and further sought input from Council on community issues and opportunities as outlined in the 2016 Victoria Vital Signs report.

Council discussed priorities including transportation and environmental sustainability and suggested creating a name to incorporate the geographical region for this initiative.

Moved by Councillor Brame, seconded by Councillor Liberchuk: That the Email from Lisa Helps, Mayor, City of Victoria, dated July 28, 2017, Re: Smart South Island Plan be received and Councillor Low represent Council at the SIPP meeting on September 6, 2017. Carried Unanimously.

- 2) [17-344](#) Letter from Tara Faganello, Assistant Deputy Minister,

Ministry of Municipal Affairs and Housing, dated August 17, 2017, Re: Capital Integrated Services and Governance Initiative Report

This Communication item was referred to the Committee of the Whole meeting scheduled for September 18, 2017 for discussion.

Moved by Councillor Burton-Krahn, seconded by Councillor Hundleby: That the Letter from Tara Faganello, Assistant Deputy Minister, Ministry of Municipal Affairs and Housing, dated August 17, 2017, Re: Capital Integrated Services and Governance Initiative Report be received. Carried Unanimously.

- 3) [17-345](#) Letter from Lisa Helps, Mayor, City of Victoria, dated August 18, 2017, Re: McPherson Playhouse and Royal Theatre Governance and Operations Plan Conversations

Moved by Councillor Liberchuk, seconded by Councillor Hundleby: That the Letter from Lisa Helps, Mayor, City of Victoria, dated August 18, 2017, Re: McPherson Playhouse and Royal Theatre Governance and Operations Plan Conversations be received.

Moved by Councillor Burton-Krahn, seconded by Councillor Liberchuk: That the Main Motion be amended to include; Councillor Low be appointed as Esquimalt liaison to the Royal and McPherson Theatres discussion group. Carried Unanimously.

The vote was called on the Main Motion as amended and declared Carried Unanimously.

- 4) [17-346](#) Email from Bruce Cuthbert and Marilyn Mair, dated August 19, 2017, Re: Urban Hens

Moved by Councillor Hundleby, seconded by Councillor Low: That the Email from Bruce Cuthbert and Marilyn Mair, dated August 19, 2017, Re: Urban Hens be received. Carried Unanimously.

## 9. NOTICE OF MOTION

- 1) [17-304](#) Notice of Motion - Amendment to Animal Management Bylaw re Urban Hens, Mayor Barbara Desjardins and Councillor Olga Liberchuk - For Discussion

Moved by Mayor Desjardins, seconded by Councillor Liberchuk:

WHEREAS: The Township has passed the Animal Management Bylaw, 2015, No. 2841, which provides in Section 32 that no more than 7 urban hens may be kept on any parcel zoned for Single Family Residential or Two Family Residential Use;

AND WHEREAS: Clause 32(13) of Bylaw 2841 states that urban hens may be kept for personal use only and no sale of eggs, manure, meat or other products delivered from hens is permitted;

THEREFORE BE IT RESOLVED: That Council directs staff to prepare a

Staff Report for Council's consideration, including options and implications for making an amendment to the Animal Management Bylaw, 2015, No. 2841, to permit local eggs to be sold. Carried Unanimously.

- 2) [17-341](#) Notice of Motion, Meeting with Minister at UBCM, Councillor Burton-Krahn - For Discussion

The Notice of Motion was introduced to Council and referred to the September 11, 2017 Regular Council meeting for discussion.

#### 10. RISE AND REPORT

- 1) [17-339](#) Rise & Report - 2017 Committee Appointments

At it's In Camera meeting held on August 21, 2017, Council made the following appointments:

(1) Advisory Committee Appointments

\* Ben Barnes to the Parks & Recreation Advisory Committee for a one year term from September 1, 2017 to June 30, 2018

\* Elyse Norgaard Kituri to the Parks & Recreation Advisory Committee for a two year term from September 1, 2017 to June 30, 2019

\* Andrea Boardman to the Parks & Recreation Advisory Committee for a two year term from September 1, 2017 to June 30, 2019

#### 11. PUBLIC QUESTION AND COMMENT PERIOD

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

Lynda O'Keefe, *Esquimalt Photography Club*, encouraged everyone to visit the Summer photo display in the library.

Lorne Argyle, *resident*, encouraged everyone to attend the Celebration of Lights Cars, Rods and Rides Show on September 9, 2017 at the Archie Browning Sports Centre parking lot.

Marilyn Day, *resident*, in support of Councils' decision not to co-host the 2022 Commonwealth Games.

#### 12. ADJOURNMENT

Moved by Councillor Burton-Krahn, seconded by Councillor Brame: That the Regular Council meeting be adjourned at 8:12 PM. Carried Unanimously.

---

MAYOR BARBARA DESJARDINS  
THIS 11th DAY OF SEPTEMBER, 2017

---

ANJA NURVO, CORPORATE OFFICER  
CERTIFIED CORRECT