



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

Minutes - Draft

Council

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

Monday, September 30, 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
Bill Brown, Director of Development Services
Ian Irvine, Director of Financial Services
Rachel Dumas, Manager of Corporate Services
Tricia DeMacedo, Planner
Jananay Nagulan, Planning Technician
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 No. 5: **PUBLIC HEARING - REZONING APPLICATION, 829 ADMIRALS ROAD - (3)(a)** Rezoning Application - 829 Admirals Road, Staff Report No. DEV-19-083
 - Email from Wei Zhang, dated September 29, 2019
 - Email from Liza Blumenthal, dated September 30, 2019
 - Email from Kirk Buckland, dated September 30, 2019
- (2) **ADD** to Agenda Item No. 11: **COMMUNICATIONS - For Council's Consideration:** (6) - Email from Susan Low, dated September 30, 2019, Re: Follow-up to Colquitz/Gorge Watershed SMA Meeting September 20, 2019
- (3) **ADD** to Agenda Item No. 11: **COMMUNICATIONS - For Council's Information:** (7) - Letter from Sean Powell, Chair, Finance Committee, Victoria & Esquimalt Police Board, Re: Request for Review of Requested Positions in the 2019 Budget

3. APPROVAL OF THE AGENDA

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

4. MINUTES

- 1) [19-434](#) Minutes of the Special Meeting of Council, September 9, 2019
- 2) [19-435](#) Minutes of the Regular Meeting of Council, September 9, 2019

Moved by Councillor Morrison, seconded by Councillor Brame: That the Minutes of the Regular Meeting of Council, September 9, 2019 and the Minutes of the Special Meeting of Council, September 9, 2019, be adopted. Carried Unanimously.

5. PUBLIC HEARING - REZONING APPLICATION, 829 ADMIRALS ROAD

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) [19-456](#) Notice of Public Hearing - Rezoning Application - 829 Admirals Road
- 2) **Background Information - Available for Viewing Separately**
- 3) **Director of Development Services - Overview of Application**
 - a) [19-417](#) Rezoning Application - 829 Admirals Road, Staff Report No. DEV-19-083

Planner provided an overview of the application, 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.

4) Applicant or Authorized Representative - Overview of Application

Jasween Singh Gujral and Akash Plaha, *applicants*, provided an overview of the application, presented a PowerPoint Presentation and responded to questions from Council.

5) Public Input

Mitchel Reilander, Kristine Hoffman and Liza Blumenthal, *residents*, expressed concerns with regard to parking, impact to neighbours, safety and overall fit in the neighbourhood.

John Scott, *resident*, expressed concerns with regard to parking, safety and overall fit in the neighbourhood.

6) Adjournment of Hearing

Mayor Desjardins declared the Public Hearing for Bylaw No. 2973 closed at 7:36 PM.

7) Consideration of Staff Recommendation - Rezoning Application, 829 Admirals Road

Council comments included:

- * Impact to neighbours including parking and proximity to Department of Nation Defence and First Nations lands.
- * Regulations for security, odour control and hours of operation.
- * Whether the business is a good fit for the neighbourhood.
- * Limited options for placement of dispensaries in Esquimalt and proximity of other proposed cannabis locations.

Moved by Councillor Morrison, seconded by Councillor Hundleby: That Council, upon considering comments made at the Public Hearing, resolves that Bylaw No. 2973 (Appendix A), which would change the zoning designation of 829 Admirals Road (PID 001-759-817, Lot A, Section 10, Esquimalt District, Plan 28540, except part in Plan VIP86936), shown cross-hatched on Schedule 'A' of Bylaw No. 2973, from the Neighbourhood Commercial Zone (C-2) to a Comprehensive Development District (CD-124), be denied third reading. Defeated.

In Favour: 3 - Councillor Hundleby, Councillor Morrison, and Councillor Vermeulen

Opposed: 4 - Mayor Desjardins, Councillor Armour, Councillor Brame, and Councillor Helliwell

6. PUBLIC HEARING - ZONING TEXT AMENDMENT, 1182 COLVILLE ROAD - UNIT 15

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) [19-457](#) Notice of Public Hearing - Zoning Text Amendment - 1182 Colville Road - Unit 15
- 2) **Background Information - Available for Viewing Separately**
- 3) **Director of Development Services - Overview of Application**
 - a) [19-445](#) Zoning Text Amendment - 1182 Colville Road - Unit 15, Staff Report No. DEV 19-087

Planner provided an overview of the application and presented a PowerPoint Presentation. The application is to add and extend the Permitted Uses for "Unit 15" for use as a Group Children's Daycare.

4) Applicant or Authorized Representative - Overview of Application

Heather Bowness, *applicant*, provided an overview of the application and responded to questions from Council.

5) Public Input

Lorraine Franklin, *resident*, expressed concerns with regard to parking, safety and traffic flow.

Ava Kasedi, *non resident*, in support of the application and advised many of the parents ride bicycles and do not use vehicles to drop off and collect their children.

Toni, *resident*, in support of the application, however, expressed concerns regarding parking, safety and traffic flow.

6) Adjournment of Hearing

Mayor Desjardins declared the Public Hearing for Bylaw No. 2977 closed at 8:09 PM.

7) Consideration of Staff Recommendation - Zoning Text Amendment, 1182 Colville Road - Unit 15

Council comments included the need for child care spaces in the community and encouraged the applicant to work with neighbours and parents to address parking concerns.

Moved by Councillor Armour, seconded by Councillor Brame: That Council resolves that Bylaw No. 2977 [Appendix A], which would amend Zoning Bylaw, 1992, No. 2050, Comprehensive Development District No. 57, located at 1182 Colville Road [PID 026-875-683, Strata Lot 15, Section 10, Esquimalt District Strata Plan VIS6147 Together With An Interest In The Common Property In Proportion to the Unit Entitlement of the Strata Lot As Shown On Form V] by amending the zoning regulations to add and extend the Permitted Uses for the subject property, be given third reading and 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.

Frederique Bouchard, *Administration Council Representative, Canadian Francophone Games (CFG)*, encouraged Council to support the CFG as the event would be an asset to the community.

Christine Sullivan, *resident*, in support of the CFG opening ceremonies being held in Esquimalt.

Doug Bowen, *Esquimalt United Church Representative*, invited Council to attend the Blanket Exercise being held October 26th from 1:00 PM to 4:00 PM at the

Songhess Wellness Centre.

Casey Edmonds, *resident*, read a letter from Katrina Dwulit, Esquimalt Farmers Market, in support of the CFG opening ceremonies being held in Esquimalt.

Helene Ferguson, *resident*, in support of the CFG opening ceremonies being held in Esquimalt.

Karen Webkins, *resident*, in support of the CFG opening ceremonies being held in Esquimalt.

Larry Stevenson, *CEO, Island Corridor Foundation*, encouraged Council to approve a permissive tax exemption for the Island Corridor Foundation.

Michael Hollywood, *resident*, in support of the CFG opening ceremonies being held in Esquimalt.

Christopher Meyer, *non resident*, in support of the CFG opening ceremonies being held in Esquimalt.

Andy Telfer, *Executive Director, WITS Program Foundation*, encouraged Council to approve a permissive tax exemption for the WITS Program Foundation.

Alan Cowood, *resident*, expressed concerns regarding the proposed loss of trees at the development site located at 455 Sturdee Street.

The meeting recessed at 8:30 PM and reconvened at 8:36 PM with all members of Council present.

8. STAFF REPORTS

Finance

- 1) [19-432](#) 2020 Permissive Tax Exemptions, Staff Report FIN-19-016

Moved by Councillor Armour, seconded by Councillor Brame: That Council give first, second and third readings to the Tax Exemption (Non-Profit Organizations) Bylaw, 2019, No. 2978 as attached to Staff Report FIN-19-016, with an amendment to Schedule A to include the Island Corridor Foundation. Carried Unanimously.

Moved by Councillor Helliwell, seconded by Councillor Hundleby: That Council invite the Island Corridor Foundation to liaise with staff to schedule a presentation for a future Council meeting outlining the progress and future plans of the organization. Carried Unanimously.

Development Services

- 2) [19-430](#) Development Permit - 455 Sturdee Street, Staff Report No. DEV-19-085

Director of Development Services provided an overview of the application, presented a PowerPoint Presentation and responded to questions from Council. He provided details regarding the potential loss of trees on site and a summary of their condition and permit process. The application is for a three-lot residential subdivision.

Moved by Councillor Brame, seconded by Councillor Armour: That Council resolves that Development Permit No. DP000125, attached as Appendix B to Staff Report DEV-19-085, consistent with survey plan certification for Strata Plan EPS5951 (Appendix C) digitally signed by Scott Pearce on

July 2, 2019 be approved, and staff be directed to issue the Permit and register the notice on the titles of the properties located at 455 Sturdee Street legally described as:

Most Northerly Lot: PID 008-290-113, Lot 22 Suburban Lot 48 Esquimalt District Plan 822; and

Most Southerly Lot: PID 030-656-672, Lot A Suburban Lot 48 Esquimalt District Plan EPP86766. Carried Unanimously.

- 3) [19-447](#) Development Variance Permit Application - 455 Sturdee Street, Staff Report DEV-19-086

Director of Development Services provided an overview of the application and presented a PowerPoint Presentation. The application is for height and setback variances for a proposed three-lot residential subdivision.

Moved by Councillor Armour, seconded by Councillor Brame: That Council resolves that Development Variance Permit No. DVP00094 [Appendix B] allowing for Strata Lot Specific Variances associated with Proposed Strata Lots "B" and "C" for Strata Plan EPS5951 as prepared by Powell & Associates B.C. Land Surveyors, [Appendix C] including the following variances be approved, and staff directed to issue a permit and register the notice on the relevant title(s) at the time of registration.

For proposed Strata Lots "B" and "C", Strata Plan EPS5951:

Zoning Bylaw, 1992, No. 2050, Section 36 (6)(a) -Building Height - Principal Building - that the Building Height of the Principal Buildings be varied from a maximum Height for 7.3 metres to a maximum height of 16.3 metres geodetic (7.3 metres + 9.0 metres Tsunami Hazard Zone) as measured from the 9.0 m geodetic elevation.

For Proposed Lot "B" only, Strata Plan EPS5951:

Zoning Bylaw, 1992, No. 2050, Section 36 (9)(a)(i) - Siting Requirements - Principal Building - Front Setback: a 3.9 metre reduction from 7.5 metres to 3.6 metres.

For Proposed Lot "C" only, for Strata Plan EPS5951

Zoning Bylaw, 1992, No. 2050, Section 36 (9)(a)(iii) - Siting Requirements - Principal Building - Rear Setback: a 6.0 metre reduction from 7.5 metres to 1.5 metres. Carried Unanimously.

- 4) [19-452](#) Development Permit - 880 A Esquimalt Road, Staff Report DEV-19-088

Darryl Finlan, *applicant*, provided an overview of the application and responded to questions from Council.

Moved by Councillor Armour, seconded by Councillor Brame: That Council resolves that Development Permit No. DP000124 [Appendix A] authorizing the change to the form and character of the existing commercial building as per colour elevations and site plans provided by Lovick Scott Architects stamped "Received July 26, 2019" and "September 20, 2019" be approved with the condition that the applicant provide a comprehensive landscape plan and landscape security, and staff be directed to issue the

permit, and register the notice on title of the property located at 880 A Esquimalt Road [PID: 013-004-247, Lot 2 Section 11, Esquimalt District, Plan 47946]. Carried Unanimously.

9. MAYOR'S AND COUNCILLORS' REPORTS

- 1) [19-453](#) Updates from Mayor Barbara Desjardins

Moved by Councillor Brame, seconded by Councillor Hundleby: That Council approve the appointment of Councillor Veremuelen as the Council Liaison to the Art of Reconciliation Project with Councillor Brame as the alternate. Carried Unanimously.

10. REPORTS FROM COMMITTEES

- 1) [19-441](#) Adopted Minutes from the Environmental Advisory Committee, May 23, 2019

This item was received.

- 2) [19-451](#) Draft Minutes from the Advisory Planning Commission, August 20, 2019

This item was received.

- 3) [19-449](#) Adopted Minutes from the APC Design Review Committee, August 14, 2019

This item was received.

- 4) [19-450](#) Draft Minutes from the APC Design Review Committee, September 11, 2019

This item was received.

- 5) [19-448](#) Draft Minutes from the Local Grant Committee (Permissive Tax Exemptions), September 10, 2019

Moved by Councillor Armour, seconded by Councillor Morrison: That Council receive the Minutes from the Local Grant Committee (Permissive Tax Exemptions), September 10, 2019, for information. Carried Unanimously.

11. COMMUNICATIONS

For Council's Consideration

- 1) [19-436](#) Email from Terri Van Steinburg, President, Federation of Post-Secondary Educators of BC, dated September 11, 2019, Re: Fair Employment Week

Moved by Councillor Armour, seconded by Councillor Hundleby: That the letter from Terri Van Steinburg dated September 11, 2019, regarding fair employment week be received for information. Carried Unanimously.

- 2) [19-437](#) Letter from Marie-Pierre Lavoie, Board Chair, Canadian Francophone Games, dated September 23, 2019, Re: Opening Ceremonies Proposal

Council comments included:

- * Determining an appropriate level of funding given the size of Esquimalt in comparison to other contributing municipalities.
- * Benefits for the community and residents.
- * Receiving a detailed cost analysis for the proposed event.

Moved by Councillor Armour, seconded by Mayor Desjardins: That Council approve funding up to \$20,000 including all ancillary costs from the local grant and contingency funds to the Canadian Francophone Games, contingent on the opening ceremonies being held in Esquimalt. Carried.

In Favour: 6 - Mayor Desjardins, Councillor Armour, Councillor Brame, Councillor Helliwell, Councillor Morrison, and Councillor Vermeulen

Opposed: 1 - Councillor Hundleby

- 3) [19-442](#) Email from Colin Plant, Chair, Capital Regional District Board, dated September 18, 2019, Re: UBCM Housing Needs Reports Program Grant

Moved by Councillor Brame, seconded by Councillor Armour: That the Township of Esquimalt support the Capital Regional District to apply for, receive, and manage UBCM grant funding to complete a housing needs report in partnership with the Township of Esquimalt. Carried Unanimously.

- 4) [19-454](#) Email from Sissi Bruch, Mayor of Port Angeles, dated September 17, 2019, Re: Charter of Compassion

Moved by Councillor Brame, seconded by Councillor Hundleby: That Council defer consideration of implementation of a Charter of Compassion until Strategic Planning discussions in early 2020. Carried Unanimously.

- 5) [19-455](#) Email from Ange-Christelle Irakarama, BC Utilities Commission, dated September 24, 2019, Re: Municipal Utilities Inquiry

Council referred the email from BC Utilites, dated September 24, 2019, regarding a municipal inquiry to staff.

- 6) [19-461](#) Email from Susan Low, dated September 30, 2019, Re: Follow-up to Colquitz/Gorge Watershed SMA Meeting September 20, 2019

Moved by Councillor Helliwell, seconded by Councillor Brame: That consideration of the email from Susan Low, dated September 30, 2019, regarding the Colquitz/Gorge Watershed be deferred for discussions until the October 7, 2019, Council meeting. Carried Unanimously.

For Council's Information

- 7) [19-462](#) Letter from Sean Powell, Chair, Finance Committee, Victoria & Esquimalt Police Board, Re: Request for Review

of Requested Positions in the 2019 Budget

This item was received.

12. 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.

Mayor Desjardins called three times for public comment and there was none.

13. ADJOURNMENT

Moved by Councillor Helliwell, seconded by Councillor Brame: That the Regular Council meeting be adjourned at 9:44 PM. Carried Unanimously.

MAYOR BARBARA DESJARDINS
THIS DAY OF , 2019

RACHEL DUMAS, CORPORATE OFFICER
CERTIFIED CORRECT