



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

Minutes - Final

Council

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

Monday, March 18, 2024

7:00 PM

Esquimalt Council Chambers

Present: 7 - Mayor Barbara Desjardins
Councillor Ken Armour
Councillor Andrea Boardman
Councillor Duncan Cavens
Councillor Jacob Helliwell
Councillor Tim Morrison
Councillor Darlene Rotchford

Staff: Dan Horan, Chief Administrative Officer
Deb Hopkins, Director of Corporate Services/Corporate Officer
Bill Brown, Director of Development Services
Joel Clary, Director of Engineering & Public Works
Ian Irvine, Director of Financial Services & IT
Matt Furlot, Fire Chief
Alex Tang, Planner
Mikaila Montgomery, Planner
Sarah Holloway, Deputy Corporate Officer/Recording Secretary

1. CALL TO ORDER

Mayor Desjardins called the Regular Council meeting to order at 7:00 PM.

Councillor Boardman acknowledged that we are on the unceded territory of the Songhees and Esquimalt Nations. We thank them for caring for this land and look forward to working with them in partnership as we continue to build this great township together.

2. INTRODUCTION OF LATE ITEMS

1) [24-164](#) Late Correspondence

1) Item 7.4 - Development Variance Permit Application - 500 Park Place,
Staff Report No. DEV-24-020

- Mike and Joan Mayer, received March 14, 2024
- Maureen and William Sherlock, received March 18, 2024

3. APPROVAL OF AGENDA

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

4. ADOPTION OF MINUTES

- 1) [24-154](#) Minutes of the Regular Council meeting held on February 26, 2024
- 2) [24-155](#) Minutes of the Regular Council meeting held on March 4, 2024

Moved by Councillor Rotchford, seconded by Councillor Cavens: That the minutes of the Regular Council meeting held on February 26, 2024, and the minutes of the Regular Council meeting held on March 4, 2024 be adopted as circulated. Carried Unanimously.

**5. BYLAWS FOR ADOPTION OR FIRST AND SECOND READING
THAT ARE SUBJECT TO A PUBLIC HEARING*****For Adoption***

- 1) [24-142](#) Rezoning Application - 884 Lampson St Amendment Bylaw Adoption - Staff Report No. DEV-24-022

Moved by Councillor Helliwell, seconded by Councillor Cavens: That Council adopt Zoning Bylaw, 1992, No. 2050, Amendment Bylaw, No. 3098 which amends Zoning Bylaw, 1992, No. 2050, by changing the zoning designation of the subject parcels illustrated within Schedule A of Amendment Bylaw No. 3098 from RS-1 [Single Family Residential], RD-3 [Two Family/Single Family Residential] and RD-1 [Two Family Residential] to CD No. 155 [Comprehensive Development District No. 155]. Carried Unanimously.

6. PUBLIC INPUT ON AGENDA ITEMS 7, 8, 9 AND 10

Item 7. 2) Housing Agreement Bylaw and Rezoning Application - 602, 608, 612 & 618 Nelson Street and 1319, 1331 & 1347 Sussex Street, Staff Report No. DEV-24-011 AND Item 7. 5) Bike Lane Street Sweeper - Contract Award and Snow Clearing, Staff Report No. EPW-24-005

Doug Scott, resident, expressed approval for the Nelson Street development but was not in support of the exemption for the parking spaces as it is already difficult to find street parking. The resident was also not supportive of the street sweeper for the bicycle lanes and felt that if the lanes were not divided by the concrete bollards a regular street sweeper would suffice.

Item 7. 2) Housing Agreement Bylaw and Rezoning Application - 602, 608,

612 & 618 Nelson Street and 1319, 1331 & 1347 Sussex Street, Staff Report
No. DEV-24-011

Tella Olser, resident, spoke on the issues with dust mitigation from the adjacent project currently under construction and also owned by Aquila Pacific, and requested more information on how to manage complaints should a developer not be in compliance with the mitigation. The resident also raised concerns with shadowing as the Lighthouse development which is next to the Nelson Street development has already reduced sunlight in their garden.

A resident [Name not Provided], spoke in frustration with the increase of noise, dust, garbage and construction work occurring on Sunday nights until 10 PM. The resident requested that one day a week without construction disturbance would be appreciated, as there needs to be a level of respect for those that are living with the disruption in the community.

Mayor Desjardins informed the public that an amendment to the Maintenance of Property and Nuisance Regulation Bylaw would be returning to Council for final reading in May and will further regulate the days and times for allowable construction noise.

Kim Belfontaine, resident, spoke in support of the development due to the 26 units of affordable housing and 15 units of accessible housing remaining in perpetuity, the increase in commercial space, the parking being underground, the community green space of 5000 square feet with a south facing playground, that both the Advisory Planning Commission and Design Review Committee recommended their support to Council, and the value of the amenity package.

7. STAFF REPORTS

- 1) [24-161](#) Request to Postpone Consideration of Applications Related to 900 Carlton Terrace & 900 Esquimalt Road to April 8, 2024, Staff Report No. ADM-24-017

Moved by Councillor Morrison, seconded by Councillor Rotchford: That Council further postpone consideration of the Development Permit and Development Variance Permit applications at 900 Carlton Terrace and 900 Esquimalt Road until April 8, 2024. Carried Unanimously.

- 2) [24-123](#) Housing Agreement Bylaw and Rezoning Application – 602, 608, 612 & 618 Nelson Street and 1319, 1331 & 1347 Sussex Street, Staff Report No. DEV-24-011

Alex Tang, Planner, presented a PowerPoint and informed Council of the following corrections:

- In Schedule A of the Housing Agreement Bylaw, 2024, No. 3127, under section 1.2 the duplicate definition of “Affordable Rent” should be deleted and in section 2.4.C, the word strata should be replaced with rental.
- In both the Zoning Bylaw, 1992, No. 2050, Amendment Bylaw, 2024, No. 3126 and the Section 219 Covenant the park dedication should be reduced from 465 square metres to 425 square metres.
- Added in the Section 219 Covenant should be a \$250,000 contribution towards a new traffic signal on Esquimalt Road and Nelson Street, and a one metre right of way on Nelson Street.

The applicant is requesting a change in zoning from a mix of RM-1 [Multiple Family Residential] and CD-150 [Commercial-Residential Mixed Use] to Comprehensive Development District No. 164. This change is required to accommodate the proposed 12-storey, 314-unit, multiple family purpose built rental residential building including 352 m² [3791 ft²] of commercial space.

The Planner responded to questions from Council.

Harsimer Rattan of Aquila Pacific, the applicant, presented a PowerPoint and responded to questions from Council.

Council comments included the following:

- It is recognized that the amount of construction in the neighbourhood has been a disruption for the community, but once complete the area will be transformed and offer services that were not available prior.
- The development is supportable due to the affordable and accessible units guaranteed in the housing agreement, and the location being both on a bus route and close to amenities.
- The trade off for the lower height of 12 storey's is the amount of massing and the high Floor Area Ratio (FAR).
- It is acknowledged that although the affordable and accessible units will be kept in perpetuity due to the housing agreement, that this will still not be accessible to all residents who are displaced. A discussion is needed on an approach on how to maintain housing for lower income residents in the Township.
- The park will add much needed green space to the neighbourhood and will be accessible to the public along Esquimalt Road.
- The shadowing will fall mainly on the Navy Base property due to the positioning of the building.

Moved by Councillor Morrison, seconded by Councillor Rotchford: That Council give first, second, and third reading to Housing Agreement Bylaw, 2024, No. 3127 as amended by revising Schedule A in section 1.2 by deleting the duplicate definition of “Affordable Rent” and in

section 2.4.C, by replacing the word strata with rental. Carried Unanimously.

Council discussion continued:

- The green space dedicated as a municipal park and public right of way is an asset to the municipality and its residents.
- The park will be as prominent as Memorial Park on Esquimalt Road. Should the plan to transition a part of Sanders Road to parkland go ahead, the area will have a nice balance of density and green space.
- The lack of parking is of concern due to the density and lack of customer parking for businesses. Commercial owners should be consulted on the impact that parking variances have on their viability.
- A strong Transportation Demand Management plan would have brought a balance to the amount of parking variances.
- There will be access to a MODO vehicle across from the development.
- The overall plan for the development and its benefits outweigh any of the parking concerns.

Moved by Councillor Morrison, seconded by Councillor Cavens: That Council give first, second, and third reading to Zoning Bylaw, 1992, No. 2050, Amendment Bylaw, 2024, No. 3126 as amended by reducing the park dedication from 465 square metres to 425 square metres. Carried Unanimously.

3) [24-126](#) Grant Application - Cybersecurity Tabletop Exercise, Staff Report FIN-24-008

The Director of Financial Services and IT introduced the report to Council.

Moved by Councillor Armour, seconded by Councillor Helliwell: That Council direct staff to submit a grant application for \$7,000 to the Community Emergency Preparedness Fund - Emergency Operations Centres Equipment and Training Stream and authorize staff to execute any agreements related to a successful grant application, as outlined in Staff Report No. FIN-24-008. Carried Unanimously.

4) [24-125](#) Development Variance Permit Application - 500 Park Place, Staff Report No. DEV-24-020

Mikaila Montgomery, Planner, presented a PowerPoint and responded to questions from Council.

The application is for a variance to Zoning Bylaw, 1992, No. 2050 to accommodate the development of Esquimalt's new Public Safety Building. The request is for a variance to the south setback, the height, and the parking requirement.

Mackenzie Sinclair and Carly Abrahams, applicants presented a Powerpoint and responded to questions from Council.

Council comments included the following:

- There should be parking for all Municipal staff as some reside further away from work and others work a variety of shifts. Parking alternatives should be discussed at another time.
- The variance is minor and the Advisory Planning Commission recommended approval therefore it is supportable.

Moved by Councillor Rotchford, seconded by Councillor Armour: That Council approve Development Variance Permit No. DVP00144 and direct staff to register the notice on the title of the property. Carried Unanimously.

5) [24-147](#) Bike Lane Street Sweeper - Contract Award and Snow Clearing, Staff Report No. EPW-24-005

The Director of Engineering and Public Works introduced the report and responded to questions from Council.

Council commented that although snow is not a frequent occurrence the street sweeper can assist in clearing of the leaves which can be slippery, so will be a benefit.

Moved by Councillor Cavens, seconded by Councillor Helliwell: That Council:

- a) award a contract to Cubex Ltd. in the amount of \$247,015.73, excluding GST, for a bike lane street sweeper with snow blade; and
- b) direct staff to update the Salting/Sanding/Snow Clearing Council Policy No. E&PW - 08 to include up to 3" of snow clearing in protected bike lanes;

as described in Staff Report EPW-24-005. Carried Unanimously.

6) [24-148](#) Wurtele Place Residential Parking Only, Staff Report No. EPW-24-006

The Director of Engineering and Public Works introduced the report and responded to questions from Council.

Council comments were directed to all of the Residential Parking request Staff Reports:

- The current bylaw complaint process is not working so the plan to provide permits is welcome.
- The issue of enforcement should be discussed further to reduce complaints as it is difficult to manage the issues after hours.
- Residential Only Parking and the provision of permits will not solve the parking challenges that affect visitors, delivery vehicles and commercial

patrons. The parking strategy will hopefully outline some ideas to address the parking needs in the community.

- In fairness to the applicants the process can not be changed midstream.
- The requests for Residential Only Parking highlight the problem areas in the Township.

Moved by Councillor Morrison, seconded by Councillor Armour: That Council approve the implementation of Traffic Order 1346 for "Residential Parking Only" signage to be installed on the south side of Wurtele Place commencing 9m west of the intersection of Wurtele Place and Lampson Street and extending west to the terminus of Wurtele place, as set out in EPW-24-006. Carried.

In 6 - Councillor Armour, Councillor Boardman, Councillor
Favour: Cavens, Councillor Helliwell, Councillor Morrison, and
Councillor Rotchford

Opposed: 1 - Mayor Desjardins

7) [24-149](#) Fleming Street Residential Parking Only, Staff Report No. EPW-24-007

Moved by Councillor Morrison, seconded by Councillor Armour: That Council approve the implementation of Traffic Order 1347 for "Residential Parking Only" signage be installed on both sides of Fleming Street commencing 9m north of the intersection of Fleming Street and Colville Road and extending north 74m on the eastside of Fleming Street and 83m on the west side of Fleming Street as set out in EPW-24-007. Carried with Mayor Desjardins Opposed.

In 6 - Councillor Armour, Councillor Boardman, Councillor
Favour: Cavens, Councillor Helliwell, Councillor Morrison, and
Councillor Rotchford

Opposed: 1 - Mayor Desjardins

8) [24-150](#) Dunsmuir Road Residential Parking Only, Staff Report No. EPW-24-008

Moved by Councillor Morrison, seconded by Councillor Armour: That Council approve the implementation of Traffic Order 1348 for "Residential Parking Only" signage to be installed on both sides of Dunsmuir Road commencing 9m east of the intersection of Dunsmuir Road and Macaulay Street and extending east to 9m west of the intersection of Dunsmuir Road and Head Street as set out in EPW-24-008. Carried with Mayor Desjardins Opposed.

In 6 - Councillor Armour, Councillor Boardman, Councillor
Favour: Cavens, Councillor Helliwell, Councillor Morrison, and
Councillor Rotchford

Opposed: 1 - Mayor Desjardins

- 9) [24-151](#) Highrock Avenue School Zone, Staff Report No. EPW-24-009

The Director of Engineering and Public Works introduced the report and responded to questions from Council.

Moved by Councillor Armour, seconded by Councillor Rotchford: That Council approve the implementation of Traffic Order 1349 for "School Zone" on both sides of Highrock Avenue commencing at the west boundary of Lot 35, Plan 12875 to the west boundary of Lot 6, Plan 32271 and rescind Traffic Order 971, as set out in EPW-24-009. Carried Unanimously.

8. **BYLAW READINGS NOT SUBJECT TO A PUBLIC HEARING**

- 1) [24-152](#) Speed Limit Reduction Implementation, Staff Report No. EPW-24-004

The Director of Engineering and Public Works introduced the report and responded to questions from Council.

Council comments included the following:

- The majority of the Township's streets are 40 km/hour so the recommendation will provide some consistency and clarity.
- Historically the mindset has been that roads belong to cars, but pedestrians and cyclists are now being recognized as shared users so their safety needs should be addressed.
- Prior to adoption the Navy Base and the graving dockyard should be notified to provide communications to their staff members.
- The speed limit reduction implementation has been a regional approach and is in alignment with our neighbouring municipalities in the Capital Regional District.

Moved by Councillor Cavens, seconded by Councillor Morrison: That Council:

- a) give first, second and third readings to the Streets and Traffic Regulation Bylaw, 2017, No. 2898, Amendment Bylaw, 2024, No. 3134; and
- b) direct staff to implement speed limit signage on major roads, collector roads, and gateway signage for local roads; as described in Staff Report EPW-24-004. Carried Unanimously.

9. **REPORTS / MINUTES FROM COMMITTEES**

- 1) [24-160](#) Recommendations from the Committee of the Whole Meeting held March 11, 2024

Moved by Councillor Armour, seconded by Councillor Rotchford: That the recommendations from the Committee of the Whole Meeting of March 11, 2024 be ratified:

1. Liquor License Application - 505 Park Place, Staff Report No. DEV-24-016

"That the Committee of the Whole recommend to Council that the application for a Liquor Primary License at 101-505 Park Place (Saxe Point Public House) be supported as the location is appropriate, this use has long been planned at this site, and the applicant has sufficiently addressed noise concerns."

2. Budget 2024 Options Analysis, Staff Report No. FIN-24-005

"That the Committee of the Whole recommends to Council that staff be directed to prepare the financial plan bylaw that reflects a revenue increase of 7.72%, aligning with the priorities, initiatives and levels of service articulated by Council."

3. 2024-2028 Financial Plan Policies and Objectives, Staff Report FIN-24-006

"That the Committee of the Whole recommends to Council that staff be directed to include a 1% annual cumulative increase to infrastructure reserve transfers in an updated Revenue, Tax, and Financial Sustainability Policy document and prepare a separate Reserve Fund Policy for Council's approval."

4. Discussion Related to Small Scale Multi-Unit Housing Zoning Bylaw Amendments

"That Committee of the Whole recommend to Council that Staff prepare Zoning Bylaw amendments incorporating the Committee's comments to accommodate the Provincial Small-Scale Multi-Unit Housing (SSMUH) legislation as required of all BC municipalities by the Housing Statutes (Residential Development) Amendment Act, 2023 (Bill 44), and that these amendments be referred to the Advisory Planning Commission and APC Design Review Committee for feedback. Carried Unanimously.

10. COMMUNICATIONS

For Council's Consideration

- 1) [24-158](#) Email from Victoria and Vancouver Island Greek Community Society (V&VIGCS) dated March 11, 2024
Re: Greek Independence Day Proclamation and Light Up.

Moved by Councillor Armour, seconded by Councillor Morrison: That Council proclaim March 25, 2024 as Greek Heritage Day and that the Archie Browning Sports Centre and Waterpark be illuminated with blue & white lights.

Carried Unanimously.

11. PUBLIC COMMENT PERIOD

Doug Scott, resident, expressed that the number of parking spaces exempted for developments is causing a lack of parking and penalizing those who don't have permits such as employees of businesses, delivery vehicles and residential guests.

Marie Fidoie, resident, thanked Council for the progress on the Active Transportation Plan, such as the the pedestrian controled lights on Lyall Street, the improved safety with the installment of bike lanes with buffers on Lampson Street, and the speed limit change.

Lynda O'Keefe, resident, requested that the streets be swept of the small gravel that is occurring from road works and construction. The resident also expressed disappointment with residents not picking up after their pets.

12. ADJOURNMENT

Moved by Councillor Rotchford, seconded by Councillor Helliwell: That the Regular Council meeting be adjourned at 8:54 PM. Carried Unanimously.

MAYOR BARBARA DESJARDINS

THIS 8TH DAY OF APRIL, 2024

DEB HOPKINS,
CORPORATE OFFICER
CERTIFIED CORRECT