



# CORPORATION OF THE TOWNSHIP OF ESQUIMALT

## Minutes - Final

### Council

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

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Monday, June 12, 2017

7:00 PM

Esquimalt Council Chambers

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**Present:** 6 - Mayor Barbara Desjardins  
Councillor Meagan Brame  
Councillor Beth Burton-Krahn  
Councillor Lynda Hundleby  
Councillor Olga Liberchuk  
Councillor Susan Low

**Absent:** 1 - Councillor Tim Morrison

**Staff:** Laurie Hurst, Chief Administrative Officer  
Jeff Miller, Director of Engineering & Public Works  
Bill Brown, Director of Development Services  
Ian Irvine, Director of Financial Services  
Blair McDonald, Director of Community Safety Services  
Trevor Parkes, Senior Planner  
Rachel Dumas, Deputy Corporate Officer/ Recording Secretary

**Staff:** Acting Chief, Del Manak, VicPD  
Acting Deputy Chief, Colin Watson, VicPD  
Acting Inspector, Jason Laidman, VicPD, Esquimalt Division  
Inspector Jamie Pearce, VicPD, Esquimalt Division

#### 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.

Mayor Desjardins encouraged attendance at the Memorial Park MusicFest event on June 13, opening with the Esquimalt High Band at 5:00 PM.

#### 2. **LATE ITEMS**

The following late items were added to the agenda:

- (1) Pertaining to Agenda Item 5. **PUBLIC HEARING** (1) Notice of Public Hearing - Rezoning Application, 101 Island Highway
  - Replacement Schedule K, Terms of Instrument - Part 2

- (2) Pertaining to Agenda Item 9. **STAFF REPORTS** (6) Proposal from Gorge Vale Golf Course to remove a 5.0 hectare parcel from the ALR, Staff Report DEV-17-021

- Letter from Lisa Hayward, resident, dated June 11, 2017
- Email from Lisbet Rygnestad, resident, dated June 12, 2017
- Email from Chris Edley, resident, dated June 12, 2017

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

Moved by Councillor Burton-Krahn, seconded by Councillor Brame: That the agenda be approved as amended with the inclusion of the late items and flexibility to move Item 7. DELEGATIONS (1) as required. Carried Unanimously.

### 4. **MINUTES**

- 1) [17-229](#) Minutes of the Special Meeting of Council, May 15, 2017
- 2) [17-230](#) Minutes of the Regular Meeting of Council, May 15, 2017
- 3) [17-231](#) Minutes of the Special Meeting of Council, May 23, 2017

Moved by Councillor Liberchuk, seconded by Councillor Brame: That the Minutes of the Special Meeting of Council, May 15, 2017, Minutes of the Regular Meeting of Council, May 15, 2017 and Minutes of the Special Meeting of Council, May 23, 2017 be adopted as circulated. 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) [17-232](#) Notice of Public Hearing - Rezoning Application, 101 Island Highway, PID 000-025-569, Lot A, Section 2, Esquimalt District, Plan 39273

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

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

Senior Planner provided an overview of application, presented a PowerPoint Presentation and responded to questions from Council. Senior Planner advised, that late item (1) pertaining to the Covenant document was still under negotiation and recommended Council not give third reading to Bylaw No. 2893 at this time.

- a) [17-226](#) Rezoning Application, 101 Island Highway, Staff Report DEV-17-035

Councillor Liberchuk expressed concerns with continuing the Public Hearing without the executed Covenant document. Director of Development Services advised, if substantial changes were made to the document, then

any new information would be brought back to Council for consideration at a future scheduled Public Hearing.

Councillor Hundleby expressed concerns regarding process timelines and impact to the developer.

Moved by Councillor Liberchuk, seconded by Councillor Burton-Krahn: That Council adjourn the Public Hearing for 101 Island Highway until Monday June 26, 2017 at 7:00 PM.

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

Peter Hardcastle, Hillel Architecture, provided an overview of application, presented a PowerPoint Presentation and responded to questions from Council.

Jordan Milne advised delaying the Public Hearing would delay the tentative construction start date of June 19 and further the occupancy and rental of units and responded to questions from Council.

Council comments included:

- \* Parking stall concerns pertaining to tourist units

**5) Public Input**

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

**6) Adjournment of Hearing**

The vote was called on the Motion and declared defeated.

Mayor Desjardins, Councillor Brame, Councillor Hundleby and Councillor Low opposed.

Mayor Desjardins declared the Public Hearing closed at 8:00 PM.

**7) Consideration of Staff Recommendation**

Moved by Councillor Hundleby, seconded by Councillor Brame: That Council, upon considering the comments made at the Public Hearing, direct staff to prepare a staff report for Council consideration at a future Council meeting, addressing concerns pertaining to the Covenant and Statutory Right of Way for 101 Island Highway rezoning application; and at that time further consider third reading of Bylaw No. 2893. Carried.

In Favour: 4 - Mayor Desjardins, Councillor Brame, Councillor Hundleby, and Councillor Liberchuk

Opposed: 2 - Councillor Burton-Krahn, and Councillor Low

Absent: 1 - Councillor Morrison

**6. PRESENTATIONS**

- 1) [17-234](#) Councillor Marianne Alto, Councillor Pamela Madoff and Mr. Randy Joynt, City of Victoria & Royal and McPherson Theatre Society, Re: The Future of the Royal and McPherson Theatre Society

Councillor Pamela Madoff, City of Victoria and Randy Joynt, City of Victoria and Royal McPherson Theatre Society, provided an overview of Society history and work, presented a PowerPoint Presentation and invited Council to participate in discussion with other Municipalities in support of the Society.

Mayor Desjardins requested further information and feedback from Presentations made to other Municipalities.

**7. DELEGATIONS**

- 1) [17-236](#) Corey Burger, Greater Victoria Cycling Coalition, Re: Urban Design Guidelines and Protected Bike Lanes for Esquimalt Road

Edward Pullman, President, Greater Victoria Cycling Coalition, in support of Urban Design Guidelines, expressed concerns regarding removing bike lanes on Esquimalt Road and encouraged Council to seek further public input for all methods of transportation including cycling.

- 2) [17-243](#) Ryan and Julie Stotesbury, Re: Gorge Vale Golf Course Application for Land Removal from Agricultural Land Reserve

Ryan and Julie Stotesbury, residents, expressed concerns and spoke in opposition of the Gorge Vale Golf Course application for land removal from the Agricultural Land Reserve.

- 3) [17-235](#) Acting Chief Del Manak, Victoria Police Department, Re: Introduction of Inspector Jamie Pearce - Officer in Charge, Esquimalt Division

Acting Chief Del Manak, VicPD acknowledged the work of Acting Inspector Jason Laidman, Esquimalt Division and thanked him for his contribution to the community. Acting Inspector Jason Laidman thanked the Township for their support and looks forward to his next role as Head of Patrol in Victoria.

Acting Chief Del Manak, VicPD, introduced Inspector Jamie Pearce, as the new Esquimalt Division Officer in Charge. Inspector Pearce has served 28 years with VicPD, a third generation highly decorated Police Officer and has served international UN peacekeeping duties in Kosovo.

Mayor Desjardins welcomed Inspector Pearce to the community and thanked Acting Inspector Laidman for his service.

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

1. Terry Barker, resident, spoke in opposition of the Gorge Vale Golf Course application to remove land from the Agricultural Land Reserve and suggested changing the zoning to create housing.
2. Sandy Fraser, President, Gorge Vale Golf Course, spoke in support of application and clarified the area being proposed for removal is a parking lot and advised any future development proposal would only enhance the community.
3. Howard Dixon, Director, Gorge Vale Golf Course and resident, advised the proposed land is not arable and homeowners can't protect themselves from loss of property view due to development.
4. David Coney, resident, spoke in opposition of application and encouraged Council to consider future environmental and farmland impact.
5. Shannon McCloskey, resident, spoke in opposition of application and expressed concerns regarding loss of property view and increased traffic flow.
6. Derek Bussanich, resident, spoke in opposition of application and expressed concerns with losing green space and suggested alternate business model options.
7. Kathryn Bussanich, resident, spoke in opposition of application and expressed concerns with losing property view, further green space and increased traffic flow.
8. Korene Torney, resident, spoke in opposition of application and encouraged consideration towards the value of ALR land.
9. Sandy Fraser, President, Gorge Vale Golf Course, clarified the proposed area for removal is asphalt and the clubhouse is open to the public.
10. Terry Barker, resident, encouraged Golf Course owners to consider alternate business model options.
11. Chris Edley, resident, spoke in opposition of application and encouraged Council to consider the value of the property to the community and seek alternate business model options.
12. Korene Torney, resident, expressed concerns with the results of the soil report and relevance to this discussion.
13. Howard Dixon, Director, Gorge Vale Golf Course and resident, would welcome retirement housing options for future development.
14. Helen Edley, resident, expressed concerns with the application being considered for financial reasons and whether community engagement is valued.

The meeting recessed at 9:01 PM and reconvened at 9:08 PM with all members of Council present, except Councillor Morrison.

## 9. STAFF REPORTS

### *Finance*

- 1) [17-219](#) Socially Responsible Investments, Staff Report FIN-17-010

Director of Financial Services responded to questions from Council.

Councillor Low accepted the role as Township representative to participate in an advisory group re: SRI type fund, offered by MFA. Council expressed concerns investing tax payer dollars, suggested a 1% investment and requested further information for future discussion.

Moved by Councillor Burton-Krahn, seconded by Councillor Brame: That Council provides direction regarding the completion of the MFABC survey on Socially Responsible Investing and direct staff to revise the current Council Policy FIN-04 Investment of All Surplus Funds. Carried Unanimously.

### *Engineering and Public Works*

- 2) [17-228](#) Streets and Traffic Regulation Bylaw, Staff Report EPW-17-026

Moved by Councillor Brame, seconded by Councillor Hundleby: That Council repeal Streets and Traffic Regulation Bylaw, 2005, No. 2607 and give 1st, 2nd and 3rd readings to Streets and Traffic Regulation Bylaw, 2017, No. 2898. Carried Unanimously.

- 3) [17-223](#) 445 Head Street Entrance Sign, Staff Report EPW-17-025

Mayor Desjardins declared a conflict of interest as her husband works for the engineering company contracted by the land owner and left Council Chambers at 9:26 PM. Acting Mayor Brame assumed the Chair.

Moved by Councillor Liberchuk, seconded by Councillor Burton-Krahn: That Council approve:

- (a) The construction of the proposed sign within the municipal boulevard;
- (b) That staff negotiate with the Proponent to enter into an encroachment agreement;
- (c) That the encroachment agreement does not need to be registered with the Land Title office; and
- (d) The design of the proposed sign. Carried Unanimously.

Mayor Desjardins returned to the Regular Council meeting at 9:26 PM and resumed the Chair.

### *Development Services*

- 4) [17-224](#) Development Permit and Development Variance Permit for a new two-unit dwelling at 1151 Colville Road, Staff Report DEV-17-032

Director of Development Services advised the applicants were present.

Moved by Councillor Hundleby, seconded by Councillor Burton-Krahn: That the applicant be allowed to address Council. Carried Unanimously.

Baldev Lalli and Daniel Brewster, applicants, provided an overview of the Development Permit and Development Variance Permit application for a new two-unit dwelling at 1151 Colville Road.

Moved by Councillor Liberchuk, seconded by Councillor Brame: That Council resolves that Development Permit No. 000081 [Schedule B] authorizing the development as shown on the architectural drawings prepared by Virtual Home Design stamped received January 31, 2017, [Schedule C] and the landscape plan prepared by Shan Marcus Thrive Gardens & Living Spaces stamped received May 11, 2017 [Schedule D], and sited as detailed on the survey plan prepared by Explorer Land Surveying Inc., stamped received January 31, 2017, [Schedule E] 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 1151 Colville Road; and legally described as Lot 10, Block 17, Section 10, Esquimalt District, Plan 2546; and having a PID of 006-327-800.

Furthermore, that Council resolves that Development Variance Permit No. DVP00064 [Schedule F] authorizing the development as shown on the architectural drawings prepared by Virtual Home Design stamped received January 31, 2017, [Schedule C] and sited as detailed on the survey plan prepared by Explorer Land Surveying Inc., stamped received January 31, 2017 [Schedule E] and including the following variance to the Zoning Bylaw, 1992, No. 2050, be approved, and staff be directed to issue the permit and register the notice on the title of the property located at 1151 Colville Road; and legally described as Lot 10, Block 17, Section 10, Esquimalt District, Plan 2546; and having a PID of 006-327-800:

Zoning Bylaw, 1992, No. 2050, Section 40 (9) (a) (ii) Siting Requirements - Principal Building - Side Setback. A 0.7 metre reduction to the requirement that, "in the case where a Parcel is not served by a rear lane, one (1) Side Yard shall not be less than 3 metres" from 3.0 metres to 2.3 metres. Carried Unanimously.

**5) [17-220](#) Development Variance Permit - 398 Constance Avenue, Staff Report DEV-17-033**

Moved by Councillor Liberchuk, seconded by Councillor Brame: That Council resolves that Development Variance Permit No. DVP00056 [Appendix A] authorizing the construction as shown on plans prepared by MTG Drafting, stamped "Received April 27, 2017", and sited as detailed on the surveyor's site plan prepared by Kenneth Ng, BCLS, stamped "Received April 27, 2017, and including the following relaxations to Zoning Bylaw, 1992, No. 2050, be approved, and staff be directed to issue the permit and register the notice on the title of the property located at PID

009-337-288, Lot 6, Suburban Lot 51, Esquimalt District, Plan 61A [398 Constance Avenue]:

Zoning Bylaw, 1992, No. 2050, Section 36. (9)(a)(ii) - Siting Requirements - Principal Building - A 2.9 metre decrease to the requirement that no principal building shall be located within 3.0 metres of an Interior Side Lot Line, specifically for the deck located at the rear of the principal building, [ie. from 3.0 metres to 0.1 metres]. Carried Unanimously.

- 6) [17-222](#) Proposal from the Gorge Vale Golf Course to remove a 5.0 hectare parcel from the Agricultural Land Reserve, Staff Report DEV-17-021

Director of Development Services provided comments to procedural process, housing project options, environmental, transportation and traffic concerns and responded to questions from Council.

Council expressed concerns with impact on community, future development proposals, increased traffic, loss of green space and food security options.

Moved by Councillor Hundleby, seconded by Councillor Brame: That Council allow Mr. Fraser, President, Gorge Vale Golf Course, to address Council and respond to questions. Carried Unanimously.

Moved by Councillor Liberchuk, seconded by Councillor Brame: That Council not pass the resolution, attached as schedule "A" to staff Report DEV-17-021, and authorize staff to advise the Agricultural Land Commission forthwith.

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

The vote was taken on the previous Motion and declared defeated.

Mayor Desjardins, Councillor Burton-Krahn, Councillor Hundleby and Councillor Low opposed.

Moved by Councillor Low, seconded by Councillor Hundleby: Be it resolved that the Council of the Corporation of the Township of Esquimalt direct staff to advise the Agricultural Land Commission of its support for the removal of lands north of the main drain only and conditional on no further parking areas be constructed on existing green space. Carried.

In Favour: 4 - Mayor Desjardins, Councillor Burton-Krahn, Councillor Hundleby, and Councillor Low

Opposed: 2 - Councillor Brame, and Councillor Liberchuk

Absent: 1 - Councillor Morrison



- 7) [17-233](#) Request for Council acceptance of the proposed non-binding dispute resolution process for the Regional Growth Strategy and appointment of Township Representatives to participate in the process, Staff Report DEV-17-031

Moved by Councillor Brame, seconded by Councillor Burton-Krahn: That Council accept the proposed non-binding dispute resolution process as outlined in Schedule B and appoint Councillor Burton-Krahn, the Chief Administrative Officer, and the Director of Development Services as the Township's representatives in the process and notify the Capital Regional District forthwith. Carried Unanimously.

#### **10. MAYOR'S AND COUNCILLORS' REPORTS**

- 1) [17-237](#) Federation of Canadian Municipalities (FCM) 2017 Conference, Councillor Meagan Brame

Moved by Councillor Brame, seconded by Councillor Hundleby: That the report from Councillor Meagan Brame re: Federation of Canadian Municipalities (FCM) 2017 Conference be received. Carried Unanimously.

#### **11. REPORTS FROM COMMITTEES**

- 1) [17-238](#) Draft Minutes from the APC Design Review Committee, March 8, 2017
- 2) [17-239](#) Draft Minutes from the Parks and Recreation Advisory Committee, April 26, 2017
- 3) [17-240](#) Draft Minutes from the Advisory Planning Commission, May 16, 2017

Moved by Councillor Brame, seconded by Councillor Hundleby: That the Draft Minutes from the APC Design Review Committee, March 8, 2017, Draft Minutes from the Parks and Recreation Advisory Committee, April 26, 2017 and Draft Minutes from the Advisory Planning Commission, May 16, 2017 be received. Carried Unanimously.

#### **12. COMMUNICATIONS**

- 1) [17-241](#) Letter from Emilie Gorman, Capital Regional District, dated May 19, 2017, Re: Bylaw No. 4127, Arts and Culture Support Service Establishment Bylaw No. 1, 2001, Amendment Bylaw No. 4, 2017

Moved by Councillor Liberchuk, seconded by Councillor Brame: That Council receive the Letter from Emilie Gorman, Capital Regional District, dated May 19, 2017, Re: Bylaw No. 4127, Arts and Culture Support Service Establishment Bylaw No. 1, 2001, Amendment Bylaw No. 4, 2017 and to the CRD Board that Bylaw No. 4127, "Arts and Culture Support Service Establishment Bylaw No. 1, 2001, Amendment Bylaw No. 4, 2017" be introduced and read a first, a second time and a third time. Carried

Unanimously.

- 2) [17-242](#) Email from Marie Albertson, Francophone and Francophile Cities Network, dated June 2, 2017, Re: Updated Program for July's Meeting

Moved by Councillor Hundleby, seconded by Councillor Brame: That the Email from Marie Albertson, Francophone and Francophile Cities Network, dated June 2, 2017, Re: Updated Program for July's Meeting be received. Carried Unanimously.

**13. PUBLIC QUESTION AND COMMENT PERIOD**

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

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

**14. ADJOURNMENT**

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

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MAYOR BARBARA DESJARDINS  
THIS 26TH DAY OF JUNE, 2017

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ANJA NURVO, CORPORATE OFFICER  
CERTIFIED CORRECT