



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

Minutes - Final

Council

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

Monday, November 27, 2017

7:00 PM

Esquimalt Council Chambers

Present: 6 - Mayor Barbara Desjardins
Councillor Meagan Brame
Councillor Beth Burton-Krahn
Councillor Lynda Hundleby
Councillor Susan Low
Councillor Tim Morrison

Absent: 1 - Councillor Olga Liberchuk

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
Anja Nurvo, Director of Corporate Services
Karen Hay, Planner
Alex Tang, Planning Technician
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

The following late items were added to the agenda:

- (1) Pertaining to Agenda Item 6. **STAFF REPORTS:** (9) Development Permit and Development Variance Permit - 429 Lampson Street - 'English Inn', Staff Report DEV-17-066
1. Email from Chris Ziebarth, dated November 21, 2017
 2. Letter from Charles Hoeberechts and Patricia Pakvis, dated November 22, 2017
 3. Email from Scott Banister and Dianna Banister, dated November 22, 2017, enclosing copy of August 19, 2017 letter from J. Michael Hutchison, Q.C.
 4. Petition re 429 Lampson Street [English Inn], received November 23, 2017
 5. Letter from Marjorie Sandercock and Anthony Leamon, dated

November 23, 2017

6. Letter from Marc Labelle, dated November 23, 2017
7. Letter from Terry Fiorin and Sheila Fiorin, dated November 23, 2017
8. Email from Melissa Labelle, dated November 23, 2017
9. Email from Stephen Fortner, dated November 23, 2017
10. Letter from Joanne Mickelson and Marc Taghaoussi, received November 24, 2017
11. Letter from Lorraine Nygaard, dated November 26, 2017
12. Letter from Michael McKinley, dated November 26, 2017
13. Email from Marie Fidoe, dated November 26, 2017
14. Email from Luke Ramsay, dated November 26, 2017, forwarding:
 - Letter from Michael McKinley, dated November 26, 2017
 - Letter from Stephen Fortner, (undated)
15. Letter from Mary Janack, dated February 27, 2017, received November 27, 2017
16. Letter from Christina and Dan Morgan, dated November 27, 2017
17. Email from Erin Evans, dated November 27, 2017
18. Letter from Trina White, dated November 27, 2017

- (2) Pertaining to Agenda Item 6. **STAFF REPORTS:** (2) 1066 Gosper Crescent, Boulevard Alteration Permit Extension, Staff Report EPW-17-063

1. Email from Zoe Jackson and Derek Jenkins, dated November 27, 2017

- (3) Move Item 5. **PUBLIC INPUT** after Item 6. **STAFF REPORTS** (1) Local Grant Application - Esquimalt High School

- (4) Move Item 6. **STAFF REPORTS** (9) Development Permit and Development Variance Permit - 429 Lampson Street - 'English Inn', Staff Report DEV-17-066 after Item 5. **PUBLIC INPUT**

3. **APPROVAL OF THE AGENDA**

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

4. **MINUTES**

- 1) [17-473](#) Minutes of the Special Meeting of Council, November 6, 2017
- 2) [17-474](#) Minutes of the Regular Meeting of Council, November 6, 2017
- 3) [17-475](#) Minutes of the Special Meeting of Council, November 20, 2017

Moved by Councillor Hundleby, seconded by Councillor Morrison: That the Minutes of the Special Meeting of Council, November 6, 2017, Minutes of the Regular Meeting of Council, November 6, 2017 and Minutes of the Special Meeting of Council, November 20, 2017 be adopted as circulated. Carried Unanimously.

6. STAFF REPORTS

Finance

- 1) [17-453](#) Local Grant Application - Esquimalt High School Athletics, Staff Report FIN-17-020

Esquimalt High School students requested that Council consider local grant funding to purchase new attire for athletics programs and thanked Council for their support.

Moved by Councillor Brame, seconded by Councillor Low: That Council approve a local grant in the amount of \$2,750 for the Esquimalt High School athletics program in accordance with Council Policy No. ADMIN-29. Carried Unanimously.

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

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

Director of Development Services provided an overview of DP and DVP application process, and matters before Council for consideration.

Colleen Ryan, *resident*, in opposition of DP and DVP applications for 429 Lampson Street and expressed concerns with the proposed set backs and community engagement.

Jay Huberex, *resident*, in opposition of DP and DVP applications for 429 Lampson Street and expressed concerns with safety, privacy and set backs. Margorie Sandercock, *resident*, in opposition of DP and DVP applications for 429 Lampson Street.

Neil Brown, *resident*, in opposition of proposed set backs and variances and expressed concerns with size of development for size of land.

Scott Banister, *resident*, in opposition of DP and DVP applications for 429 Lampson Street and expressed concerns with Site A set backs and removal of oak tree.

Sheila Fiorin, *resident*, in opposition of DP and DVP applications for 429 Lampson Street and expressed concerns with safety, excess noise and increase in traffic and parking.

Terry Fiorin, *resident*, in opposition of DP and DVP applications for 429 Lampson Street.

Joseph Neron-Bilodeau, *resident*, in opposition of DP and DVP applications for 429 Lampson Street and expressed concerns with loss of sunlight for growing produce and limited solar power options.

Heidi Woods, *resident*, in opposition of DP and DVP applications for 429 Lampson Street and expressed concerns with impact on community and loss of privacy.

Sharon Moulson, *resident*, in opposition of extension for Boulevard Alteration Permit at 1066 Gosper Crescent and expressed safety concerns and delivering poor community image.

Christina Morgan, *resident*, in opposition of DP and DVP applications for 429 Lampson Street.

Tracey and Wayne Werry, *residents*, provided a brief overview for their application for BAP extension of their fence at 1066 Gosper Crescent.

Erin Evans, *resident*, in support of DP and DVP applications for 429 Lampson Street and providing housing and hotel options in the community.

Greg Sherwell, *resident*, in support of development with community engagement.

Lorraine Nygaard, *resident*, in opposition of DP and DVP applications for 429 Lampson Street and encouraged community engagement.

Chris Edley, *Esquimalt Chamber of Commerce*, in support and encouraged Council to consider economic development when discussing DP and DVP applications for 429 Lampson Street.

Wayne Werry, *resident*, provided a petition of support for the fence at 1066 Gosper Crescent.

Marie Fidoe, *resident*, in support of DP and DVP applications for 429 Lampson Street.

Kathleen Arton, *resident*, in support of DP and DVP applications for 429 Lampson Street.

John Shields, *resident*, in opposition of DP and DVP applications for 429 Lampson Street and expressed parking and noise concerns.

Tony Leamon, *resident*, in opposition of DP and DVP applications for 429 Lampson Street and expressed privacy concerns for neighbours.

Lorraine Nygaard, *resident*, encouraged more public consultation.

Development Services

- 9) [17-463](#) Development Permit, Development Variance Permit - 429 Lampson Street - 'English Inn', Staff Report No.: DEV-17-066

Graham Fligg, Merrick Architecture, provided an overview of DP and DVP applications for 429 Lampson Street, presented a PowerPoint Presentation and responded to questions from Council.

Luke Ramsay, on behalf of Aragon, agreed to allow the DVP application to be separated.

Moved by Councillor Brame, seconded by Councillor Morrison: That the DVP application for 429 Lampson street be separated to Site A and Site B variances. Carried Unanimously.

Moved by Councillor Brame, seconded by Councillor Low: That Council deny Development Variance Permit No. DVP00049 [Appendix A] as shown on the B.C. Land Surveyor's Building Location Certificate prepared by J.E. Anderson and Associates, and the architectural drawings prepared by Merrick Architecture, both stamped 'Received October 27, 2017', and including the following relaxations to Zoning Bylaw, 1992, No. 2050 and Parking Bylaw, 1992, No. 2011, of the property located at PID 023-009-331, Lot B, Esquimalt District, Plan VIP60066 [429 Lampson Street];

Zoning Bylaw 1992, No. 2050, Section 67.71 B. Site A (7)(a) Siting Requirements - Principal Building - A variance to the permitted perimeter of the existing principal building [Manor house], as shown in the Land Surveyor's Certificate prepared by McElhanney Consulting Services, stamped 'Received September 9, 2013' by allowing the new Manor house [English Inn] wing footprint as illustrated the B.C. Land Surveyor's Certificate prepared by J.E. Anderson and Associates, stamped 'Received October 27, 2017'. Carried Unanimously.

Moved by Councillor Burton-Krahn, seconded by Councillor Hundleby: That Council resolves that Development Variance Permit No. DVP00049 [Appendix A] authorizing the development as shown as on the B.C. Land Surveyor's Building Location Certificate prepared by J.E. Anderson and Associates, and the architectural drawings prepared by Merrick Architecture, both stamped 'Received October 27, 2017', and including the following relaxations to Zoning Bylaw, 1992, No. 2050 and Parking Bylaw, 1992, No. 2011, be approved, and staff be directed to issue the permit and register the notice on the title of the property located at PID 023-009-331, Lot B, Esquimalt District, Plan VIP60066 [429 Lampson Street];

Zoning Bylaw 1992, No. 2050, Section 67.71 - C. Site B (17)(a) Lot Coverage - An increase to the requirement that all Principal Buildings, Accessory Buildings and Structures combined shall not cover more than 50% of the area of Site B, allowing the building foundations and the underground parking structure to cover up to 60% of Site B;

Zoning Bylaw 1992, No. 2050, Section 67.71 - C. Site B (18)(a) Siting Requirements - Principal Building - (ii) Eastern Lot Line setback, (iii) Northern Lot Line setback and (iv) Southern Lot Line setback - A 0.30 metre decrease to the 7.5 metre minimum setback requirement for Building Elements over 11 metres in height; allowing the edge of the balconies on 'Level 4' to be located within the setback [i.e. from 7.5 metres to 7.2 metres];

Zoning Bylaw 1992, No. 2050 Section 67.71 - C. Site B (18)(a)(ii) Siting Requirements -Principal Building - Eastern Lot Line setback - A variance to the 3.5 metre minimum setback requirement for building elements up to 11 metres in height; allowing Building Elements (roof peaks) up to 15.0 metres in height with a minimum setback of 3.5 metres from the Eastern

lot line, for 'Level 4' of the eastern most end of 'Building 3' [the Southern Building], [i.e. from 11 metres to 15.0 metres];

Zoning Bylaw 1992, No. 2050 Section 67.71 - C. Site B (18)(a)(iii) Siting Requirements - Principal Building - Northern Lot Line setback - A variance to the 4.5 metre minimum setback requirement for Building Elements up to 11 metres in height; allowing building elements up to 16.0 metres in height with a minimum setback of 4.5 metres from the Northern lot line, to allow for the 'Level 4' exterior corridor, and a portion of 'Building 1' [the Northern Building], [i.e. from 11 metres to 16.0 metres];

Zoning Bylaw 1992, No. 2050 Section 67.71 - C. Site B (18)(a)(iv) Siting Requirements - Principal Building - Southern Lot Line setback - A variance to the 4.5 metre minimum setback requirement for Building Elements up to 11 metres in height; allowing building elements up to 15.5 metres in height with a minimum setback of 4.5 metres from the Southern lot line, to allow for the 'Level 4' southern most portion of 'Building 3' [the Southern Building], [i.e. from 11 metres to 15.5 metres];

Zoning Bylaw 1992, No. 2050 Section 16. (1)(b)&(e) - Siting Exceptions - A 0.3 metre increase to the exception; thereby allowing setbacks to be reduced by not more than 0.6 metres only, for certain features if projecting beyond the face of a building and into a setback; allowing portions of the gutters, sills, eaves, and ornamental features [heavy timber trellis elements] to project 0.9 metres into the required Setbacks [i.e. from 0.6 metres to 0.9 metres];

Parking Bylaw, 1992, No. 2011, Section 14. (4) Dimensions Of Off-Street Parking Spaces - An exemption to the requirement that where any Parking Space abuts any portion of a fence or Structure, the minimum stall width shall be increased by 0.3 metres for that Parking Space, for those Parking Spaces abutting a structural column within the parking garage. Carried Unanimously.

Luke Ramsay, on behalf of Aragon, agreed to allow the DP application to be separated for Site A and Site B.

Moved by Councillor Low, seconded by Councillor Morrison: That Council separate Site A and Site B of Development Permit application for 429 Lampson Street. Carried Unanimously.

Moved by Councillor Brame, seconded by Councillor Hundleby: That the applicant bring forward a revised Development Permit application for Site A of 429 Lampson Street, without presenting to the Advisory Planning Commission or Design Review Committee prior to Council consideration. Carried Unanimously.

Moved by Councillor Hundleby, seconded by Councillor Low: That Council resolves that Development Permit No. DP000072 [Appendix B] authorizing the development as shown on the B.C. Land Surveyor's Building Location Certificate prepared by J.E. Anderson and Associates, stamped 'Received November 21, 2017'; the Architectural Drawings, Colourboard, Site Circulation Plan and Exterior Corridors Condition

Perspective Views prepared by Merrick Architecture stamped 'Received October 27, 2017', and the Landscape Plans prepared by Small and Rossell, Landscape Architects, stamped 'Received November 17, 2017', be approved for Site B, 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 PID 023-009-331, Lot B, Esquimalt District, Plan VIP60066 [429 Lampson Street]. Carried Unanimously.

Council recessed at 9:18 PM and reconvened at 9:26 PM with all members of Council present, except Councillor Liberchuk.

Engineering and Public Works

- 2) [17-459](#) 1066 Gosper Crescent Boulevard Alteration Permit Extension, Staff Report EPW-17-063

Moved by Councillor Morrison, seconded by Councillor Brame: That Council does not approve the extension of the Boulevard Alteration Permit for 1066 Gosper Crescent for a three year period, and revokes the Boulevard Alteration Permit with direction to staff to begin the process for the removal of the fence. Carried.

In Favour: 5 - Mayor Desjardins, Councillor Brame, Councillor Burton-Krahn, Councillor Hundleby, and Councillor Morrison

Opposed: 1 - Councillor Low

Absent: 1 - Councillor Liberchuk

- 3) [17-461](#) Traffic Order 1272 - Lugin Place at Lockley Road, Staff Report EPW-17-065
- 4) [17-462](#) Traffic Order 1273 - Rockcrest Place at Rockcrest Avenue, Staff Report EPW-17-066
- 5) [17-464](#) Traffic Order 1274 - Fernhill Place at Fernhill Road, Staff Report EPW-17-067
- 6) [17-465](#) Traffic Order 1275 - Astle Street at Constance Avenue, Staff Report EPW-17-068
- 7) [17-466](#) Traffic Order 1276 - Miles Street at Constance Avenue, Staff Report EPW-17-069
- 8) [17-467](#) Traffic Order 1277 - Glengarry Place at Kindersley Road, Staff Report EPW-17-070

Moved by Councillor Brame, seconded by Councillor Morrison: That Council approve:

Traffic Order 1272 that "Stop" sign and road markings be installed on Lugin Place at the intersection of Lockley Road;

Traffic Order 1273 that "Stop" sign and road markings be installed on Rockcrest Place at the intersection of Rockcrest Avenue;

Traffic Order 1274 that "Stop" sign and road markings be installed on

Fernhill Place at the intersection of Fernhill Road;
Traffic Order 1275 that "Stop" sign and road markings be installed on Astle Street at the intersection of Constance Avenue;
Traffic Order 1276 that "Stop" signs and road markings be installed on Miles Street (east and west bound legs) at the intersection of Constance Avenue; and
Traffic Order 1277 that "Stop" sign and road markings be installed on Glengarry Place at the intersection of Kindersley Road. Carried Unanimously.

Development Services

- 10) [17-452](#) Rezoning Application - 615 Fernhill Road, Staff Report DEV-17-065

Mikail Wilkin, applicant and owner, provided an overview of Rezoning Application for 615 Fernhill Road, presented a Powerpoint Presentation and responded to questions from Council.

Moved by Councillor Burton-Krahn, seconded by Councillor Morrison: 1. That Council resolves that Zoning Bylaw, 1992, No. 2050, Amendment Bylaw No. 2906, attached to Staff Report DEV-17-065 as Appendix A, which would amend Zoning Bylaw, 1992, No. 2050 by changing the zoning designation of PID 004-757-742, Lot B, Section 11, Esquimalt District, Plan 12446 [615 Fernhill Road] shown cross hatched on Schedule 'A' of Bylaw No. 2906, from RD-1 [Two Family Residential] to CD No. 105 [Comprehensive Development District No. 105], be given first and second reading; and

2. That Council authorizes the Corporate Officer to schedule a Public Hearing for Zoning Amendment Bylaw No. 2906, mail notices and advertise for same in the local newspaper. Carried Unanimously.

- 11) [17-468](#) Housing Agreement Application, 101 Island Highway, Staff Report DEV-17-067

Moved by Councillor Hundleby, seconded by Councillor Morrison: That Council resolves to rescind third reading of Housing Agreement (101 Island Highway) Bylaw, 2017, No. 2897.

That Council resolves that Housing Agreement (101 Island Highway) Bylaw, 2017, No. 2897, be amended and read anew at second reading as detailed in Schedule "A" of Staff Report DEV-17-067.

That Council resolves that Housing Agreement (101 Island Highway) Bylaw, 2017, No. 2897 (as amended), detailed in Schedule "A" of Staff Report DEV-17-067, be read a third time. Carried Unanimously.

7. MAYOR'S AND COUNCILLORS' REPORTS

- 1) [17-460](#) Report on Vancouver Island Economic Alliance Summit 2017 and South Island Prosperity Project 2017 Index, Mayor Barbara Desjardins

Moved by Mayor Desjardins, seconded by Councillor Brame: That the Report on Vancouver Island Economic Alliance Summit 2017 and South Island Prosperity Project 2017 Index, Mayor Barbara Desjardins be received. Carried Unanimously.

8. REPORTS FROM COMMITTEES

- 1) [17-458](#) Adopted Minutes from the APC Design Review Committee, October 11, 2017
- 2) [17-469](#) Draft Minutes of the Advisory Planning Commission, October 17, 2017

Moved by Councillor Hundleby, seconded by Councillor Brame: That the Adopted Minutes from the APC Design Review Committee, October 11, 2017 and Draft Minutes of the Advisory Planning Commission, October 17, 2017 be received. Carried Unanimously.

9. COMMUNICATIONS

- 1) [17-476](#) Letter from Dell Marie Wergeland, President, Compassionate Resource Warehouse, dated November 8, 2017, Re: Letter of Appreciation

Moved by Councillor Brame, seconded by Councillor Low: That the Letter from Dell Marie Wergeland, President, Compassionate Resource Warehouse, dated November 8, 2017, Re: Letter of Appreciation be received. Carried Unanimously.

- 2) [17-477](#) Letter from Mayor Lisa Helps, City of Victoria, dated November 16, 2017, Re: Resolution of Support for Fixing the Regional Transportation System

Moved by Councillor Low, seconded by Councillor Brame: That Council receive the Letter from Mayor Lisa Helps, City of Victoria, dated November 16, 2017, Re: Resolution of Support for Fixing the Regional Transportation System; and,

WHEREAS improved coordination, resources and governance are required to provide an efficient and multi-modal transportation system for the movement of people and goods in the Capital Region;

AND WHEREAS the Township of Esquimalt is ready to work with other local governments, the Capital Regional District and the Province of BC to fix the regional transportation system;

THEREFORE BE IT RESOLVED THAT the Government of British Columbia and British Columbia Transit work with the Capital Regional District and local governments to introduce an effective Regional Transportation Authority in the Capital Region, with responsibilities including the governance and operations of public transit;

AND BE IT RESOLVED THAT the Township of Esquimalt is committed to working with the Ministry of Transportation, the Capital Regional District, and the Transit Commission to fix transit in the region, including rapid

transit from Downtown Victoria to the Westshore, without delay. Carried Unanimously.

10. 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, *resident*, enjoyed the English Inn tour and advised of Photo Show on display in the library until January 2, 2018.

Marilyn Day, *resident*, encouraged everyone to attend the Christmas Sing Along on Friday December 1st, 6:30 PM in the Recreation Centre.

11. ADJOURNMENT

Moved by Councillor Hundleby, seconded by Councillor Low: That the Regular Council meeting be adjourned at 9:53 PM. Carried Unanimously.

MAYOR BARBARA DESJARDINS
THIS 11TH DAY OF DECEMBER, 2017

ANJA NURVO, CORPORATE OFFICER
CERTIFIED CORRECT