



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

Minutes - Final

Council

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

Monday, April 23, 2018

7:00 PM

Esquimalt Council Chambers

Councillor Low 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
Bill Brown, Director of Development Services
Anja Nurvo, Director of Corporate Services
Chris Jancowski, Fire Chief
Steve Serbic, Assistant Fire Chief
Alex Tang, Planner
Rachel Dumas, Recording Secretary

Other: Lui Carvello, Registered Planning Consultant

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 5. **PUBLIC HEARING:** (3) Rezoning Application - 669 Constance Avenue, "Corvette Landing", Staff Report DEV-18-023:

- * Letter from RDH Building Science dated April 19, 2018, Re: Letter of Support - Standing Stone Developments - Corvette Landing Project
- * Email from Izabella Banuta dated April 22, 2018, Re: I support the Corvette Landing Development
- * Email from Wayne Thomas dated April 23, 2018, Re: I support the Corvette Landing Development
- * Email from Regan Forrester dated April 23, 2018, Re: I support the Corvette Landing Development

3. APPROVAL OF THE AGENDA

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

4. MINUTES

- 1) [18-169](#) Minutes of the Special Meeting of Council, March 26, 2018
- 2) [18-170](#) Minutes of the Special Meeting of Council, April 9, 2018
- 3) [18-171](#) Minutes of the Regular Meeting of Council, April 9, 2018

Moved by Councillor Morrison, seconded by Councillor Brame: That the Minutes of the Special Meeting of Council, March 26, 2018, Minutes of the Special Meeting of Council, April 9, 2018 and Minutes of the Regular Meeting of Council, April 9, 2018 be adopted. 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) [18-172](#) Notice of Public Hearing - Rezoning Application, 669 Constance Avenue
- 2) **Background Information - Available for Viewing Separately**
- 3) **Planner, Development Services - Overview of Application**
 - a) [18-161](#) Rezoning Application - 669 Constance Avenue, "Corvette Landing", Staff Report DEV-18-023

Municipal Planner provided an overview of rezoning application for 669 Constance Avenue, "Corvette Landing", presented a PowerPoint Presentation and responded to questions from Council. Lui Carvello, Registered Planner and Township Representative, responded to questions from Council.

4) Applicant or Authorized Representative - Overview of Application

Troy Grant, co-owner, provided an overview of rezoning application for 669 Constance Avenue, "Corvette Landing", presented a PowerPoint Presentation and responded to questions from Council.

Oliver Lang, Architect, responded to questions from Council.

5) Public Input

Doug Scott, *resident*, expressed concerns with increased parking.
Chris Edley, *President, Esquimalt Chamber of Commerce*, in support of development, location, increase in density and good for local businesses.
Helen Edley, *resident*, in support of rezoning application, potential commercial space on ground floor and building green checklist including lighting options.
Riel Burn, *Esquimalt property owner*, in favour of rezoning application and

amenities available for new owners.

Shawn Grotenhuis, *resident*, opposed to development and expressed concerns with shadow effect, height of building and increased traffic flow.

Kelty Harris, *non-resident*, in support of application and housing for young families in the area.

Tania Hartman, *resident*, in support of development and excited for new style building in Esquimalt.

Richard Berlin, *non-resident*, in favour of development that seems to balance everyone's requirements.

Boyd Schultz, *non-resident*, in support of development.

6) Adjournment of Hearing

Mayor Desjardins declared the Public Hearing for 669 Constance Avenue, "Corvette Landing" closed at 8:26 PM.

7) Consideration of Staff Recommendation

Council Comments:

- * Underground hydro wiring and associated costs
- * Consideration of sidewalks on Astle Street and safety of pedestrians
- * Impact of increased traffic flow on Admirals Road
- * Environmental benefits and impact on neighbourhood
- * Passive house certification
- * Due to gradient of land, the building gives the illusion of being less than 12 storeys at certain sightlines
- * Community engagement with local organisations
- * Parking availability
- * New owners incentive: transit pass for one year
- * Shadow effect and impact
- * Size of units and housing options

Moved by Councillor Morrison, seconded by Councillor Brame: 1. That Council, upon considering the comments made at the Public Hearing, resolves that Zoning Bylaw, 1992, No. 2050, Amendment Bylaw No. 2915, attached to Staff Report DEV-18-023 as Appendix A, which would amend Zoning Bylaw, 1992, No. 2050 by changing the zoning designation of 669 Constance Avenue [PID 004-574-451, Lot 1, Suburban Lots 43 and 44, Esquimalt District, Plan 13563] and 658 Admirals Road [PID 023-768-410, Lot A of Suburban Lots 43 and 44, Esquimalt District, Plan VIP65333] shown cross-hatched on Schedule 'A' of Amendment Bylaw No. 2915 from RM-4 [Multiple Family Residential] Zone to CD No. 107 [Comprehensive Development District No. 107], and by changing the zoning designation of 662 Admirals Road [PID 017-827-540, Lot 1, Suburban Lot 43, Esquimalt District, Plan VIP54521], also show cross hatched on Schedule 'A' of Amendment Bylaw No. 2915, from RM-1 [Multiple Family Residential] Zone to CD No. 107 [Comprehensive Development District No. 107] be given third reading; and 2. That, as the applicant wishes to assure Council that uses and development will be restricted and amenities provided as identified in Staff

Report DEV-18-023, the applicant has voluntarily agreed to register a Section 219 Covenant, and Council has accepted it as a condition of rezoning, on the titles of 669 Constance Avenue [PID 004-574-451, Lot 1, Suburban Lots 43 and 44, Esquimalt District, Plan 13563], 658 Admirals Road [PID 023-768-410, Lot A of Suburban Lots 43 and 44, Esquimalt District, Plan VIP65333], and 662 Admirals Road [PID 017-827-540, Lot 1, Suburban Lot 43, Esquimalt District, Plan VIP54521] in favour of the Township of Esquimalt providing the lands shall not be subdivided, built upon or used (as appropriate to the requirement, as drafted by the Township's solicitor at the applicant's expense) in the absence of all of the following:

- i. The design, construction, and the provision of a Statutory Right of Way for the purpose of a public access park on that portion of 700 Admirals Road [PID 001-076-346, Lot 1, Esquimalt District, Plan VIP32701] shown cross-hatched in Appendix M (which may include the provision of maintenance of this public access park be financed by the future strata corporation of the subject property)
- ii. Provision of rentals to be allowed by the future strata corporation of the subject property, as secured by a Housing Agreement
- iii. Passive House Certification be achieved for the proposed building, with security in the amount of \$1,000,000 to be used for amenities for the neighbourhood to be determined by the Township of Esquimalt
- iv. Security for the financial amount needed to bury the hydro lines directly in front of the proposed development on Admirals Road and Constance Avenue
- v. Construction of a sidewalk on the eastern side of Constance Avenue from the subject property to Astle Street
- vi. The planting of three boulevard trees on the east side of Constance Avenue as illustrated in the landscape plan, attached as Appendix C to Staff Report DEV-18-023
- vii. Removal of the existing fence, the planting of three boulevard trees and public parking improvement on the west side of Constance Avenue as illustrated in the landscape plan, attached as Appendix C to Staff Report DEV-18-023
- viii. Eight visitor parking spaces will be provided and remain as illustrated in the parking plan, attached as Appendix C to Staff Report DEV-18-023

- ix. Provision of one-year BC Transit bus passes for the Victoria Regional Transit System to all the residents
- x. Pre-construction of 10 units on the lobby level with accessible doors and other accessibility features, such units to be sold to accessible disabilities residents, as secured by a Housing Agreement
- xi. The building to be constructed with glass façade at street level that would allow views to the courtyard from Admirals Road
- xii. Provision of fire hydrants in front of the subject property on Constance Avenue and Admirals Road

Council direct staff and legal counsel for the Township to coordinate with the property owner to ensure a S.219 Covenant addressing the aforementioned issues is registered against the property titles, in priority to all financial encumbrances, and that the Statutory Right of Way for the adjacent public park is obtained, and the required Housing Agreement and its associated bylaw is prepared and advanced to third reading, prior to returning Amendment Bylaw No. 2915 to Council for consideration of adoption. Carried.

In Favour: 6 - Mayor Desjardins, Councillor Brame, Councillor Burton-Krahn, Councillor Hundleby, Councillor Liberchuk, and Councillor Morrison

Opposed: 1 - Councillor Low

Moved by Councillor Morrison, seconded by Councillor Liberchuk: That Council indicates support for the inclusion of a ground floor commercial unit within the proposed building and directs staff to provide options for the inclusion and allowance of the commercial unit. Carried Unanimously.

Moved by Councillor Liberchuk, seconded by Councillor Hundleby: That Council direct staff to pursue further discussions with the applicant to achieve: (1) Extending the construction of the sidewalk from Constance Avenue to Esquimalt Road; and (2) Relocate the proposed sidewalk to the Western side of the roadway. Carried.

In Favour: 5 - Councillor Burton-Krahn, Councillor Hundleby, Councillor Liberchuk, Councillor Low, and Councillor Morrison

Opposed: 2 - Mayor Desjardins, and Councillor Brame

Moved by Councillor Morrison, seconded by Councillor Burton-Krahn: That Council direct staff to work with the applicant to preserve the allotment of units by number of bedrooms, as presented in the application. Carried Unanimously.

Moved by Councillor Morrison, seconded by Councillor Burton-Krahn: That Council direct staff to further negotiate and investigate (including with the developer, BC Hydro and grants) options for funding of underground power lines. Carried.

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

Opposed: 2 - Councillor Brame, and Councillor Liberchuk

Moved by Councillor Liberchuk, seconded by Councillor Burton-Krahn: That Council direct staff to investigate the traffic flow and impact of a left turn from Admirals Road, heading North on Astle Street, for appropriate solutions to possible congestion. Carried.

In Favour: 5 - Councillor Burton-Krahn, Councillor Hundleby, Councillor Liberchuk, Councillor Low, and Councillor Morrison

Opposed: 2 - Mayor Desjardins, and Councillor Brame

Councillor Low left the meeting at 8:41 PM.

6. PRESENTATIONS

- 1) [18-174](#) Fire Chief Jancowski, Assistant Chief Serbic and Kynan O'Rourke, Esquimalt Fire and First Nations Emergency Service (FNES), Re: 2018 First Nations Emergency Services Event

Fire Chief Jancowski, Esquimalt Fire, introduced Assistant Fire Chief Serbic, Esquimalt Fire and Kynan O'Rourke, Fire Service Manager for First Nations Emergency Services Society (FNESS) of BC. They provided an overview of hosting the 2018 FNESS Safety Expo at Archie Browning Sports Centre, providing an opportunity to inspire, train and lead First Nations youth.

- 2) [18-175](#) Jackie Powell, Alex Ashley and Paul Reshour, Connections Place Society, Re: Organization Update

Jackie Powell, Chair, Paul Reshour, Board Member, and Alex Ashley, Connections Place Society, provided an update of Society events and progress, including a proposed Clubhouse International facility in the Greater Victoria area for social rehabilitation for those coping with and managing mental health issues. Ms. Powell requested a letter of support for the initiative and consideration of local property for the facility.

Director of Development Services joined the meeting at 9:20 PM.

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

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

The meeting recessed at 9:25 PM and reconvened at 9:30 PM.

8. STAFF REPORTS

Development Services

- 1) [18-166](#) Request from the Canadian Chapter of the International Council for Local Environmental Initiatives (ICLEI) to have the Township of Esquimalt participate in the Together for Climate Project, Staff Report DEV-18-025

Moved by Councillor Burton-Krahn, seconded by Councillor Liberchuk: That Council authorize the Chief Administrative Officer to sign the "Letter of Support for the Together for Climate Project" (Schedule "B") and then forward it to the Manager of the British Columbia office of ICLEI Canada. Carried Unanimously.

- 2) [18-173](#) Council review of changes made to the formatting and internal consistency of the proposed Official Community Plan

Moved by Councillor Burton-Krahn, seconded by Councillor Morrison: That Council instruct staff to bring forward the suggested revisions to the OCP (Schedule "A") for Council's consideration at second reading of the OCP bylaw and further advise staff if they have any additional concerns related to the formatting and textual granularity. Carried Unanimously.

9. MAYOR'S AND COUNCILLORS' REPORTS

- 1) [18-168](#) Economic Development Partnership with Chamber, Mayor Barbara Desjardins

Chris Edley, President, Esquimalt Chamber of Commerce, responded to questions from Council.

Moved by Mayor Desjardins, seconded by Councillor Hundleby: That Council approve funding of \$450.00 plus taxes for printing materials to be provided to cruise staff, crew, and contract workers who arrive and stay on the ship during refits at Esquimalt graving dock. Carried Unanimously.

Moved by Councillor Hundleby, seconded by Councillor Burton-Krahn: That funding for the printing materials be allocated from the contingency fund. Carried Unanimously.

10. REPORTS FROM COMMITTEES

- 1) [18-176](#) Adopted Minutes from the Parks and Recreation Advisory Committee, November 11, 2017

Moved by Councillor Brame, seconded by Councillor Burton-Krahn: That the Adopted Minutes from the Parks and Recreation Advisory Committee, November 11, 2017 be received. Carried Unanimously.

11. COMMUNICATIONS

- 1) [18-177](#) Letter from Rhonda Rioux, Director, Cultural, Heritage and International Relations Office, dated March 15, 2018, Re: Francophone and Francophile Cities Network Official Membership Certificate

Moved by Councillor Brame, seconded by Councillor Liberchuk: That the Letter from Rhonda Rioux, Director, Cultural, Heritage and International Relations Office, dated March 15, 2018, Re: Francophone and Francophile Cities Network Official Membership Certificate be received. Carried Unanimously.

- 2) [18-178](#) Letter from Kiersten Enemark, Manager, Government and Regulatory Affairs, Shaw Communications Inc., dated March 28, 2018, Re: Shaw Kindness Sticks Program

Moved by Councillor Brame, seconded by Councillor Hundleby: That the Letter from Kiersten Enemark, Manager, Government and Regulatory Affairs, Shaw Communications Inc., dated March 28, 2018, Re: Shaw Kindness Sticks Program be received, and staff be directed to forward to local schools and communicate via social media. Carried Unanimously.

- 3) [18-179](#) Letter from Edith Loring-Kuhanga, Board Chair, Greater Victoria School District, dated April 4, 2018, Re: Liaison Trustee

Moved by Councillor Burton-Krahn, seconded by Councillor Hundleby: That the Letter from Edith Loring-Kuhanga, Board Chair, Greater Victoria School District, dated April 4, 2018, Re: Liaison Trustee be received and Council direct staff to prepare and respond with a letter of appreciation. Carried Unanimously.

- 4) [18-180](#) Email from Councillor Meagan Brame, dated April 4, 2018, Re: MS Month Proclamation Request

Moved by Councillor Brame, seconded by Councillor Burton-Krahn: That the Email from Councillor Meagan Brame, dated April 4, 2018, Re: MS Month Proclamation Request be received and Council proclaim June as MS Awareness Month within the Township. Carried Unanimously.

- 5) [18-181](#) Email from Cari Taylor, dated April 9, 2018, Re: World Elder Abuse Awareness Day

Moved by Councillor Morrison, seconded by Councillor Hundleby: That the Email from Cari Taylor, dated April 9, 2018, Re: World Elder Abuse Awareness Day be received and Council proclaim June 15th, 2018 as World Elder Abuse Day within the Township. Carried Unanimously.

- 6) [18-182](#) Letter from Councillor Charlayne Thornton-Joe, City of Victoria & Canada Day Celebration Organizer, received April 10, 2018, Re: 2018 Canada Day Celebration

Moved by Councillor Morrison, seconded by Councillor Burton-Krahn: That Council deny the funding request of \$1500 from Councillor Charlayne Thorton-Joe, City of Victoria, towards Victoria Celebrates Canada Day event, due to process protocol. Defeated.

In Favour: 2 - Councillor Burton-Krahn, and Councillor Morrison

Opposed: 5 - Mayor Desjardins, Councillor Brame, Councillor Hundleby, Councillor Liberchuk, and Councillor Low

Moved by Councillor Hundleby, seconded by Councillor Brame: That the Letter from Councillor Charlayne Thornton-Joe, City of Victoria & Canada Day Celebration Organizer, received April 10, 2018, Re: 2018 Canada Day Celebration be received and Council approve funding of \$1000 from the Local Grant Fund. Carried Unanimously.

- 7) [18-183](#) Letter from Most Reverend Bishop Gary Gordon, Bishop of Victoria, Catholic Diocese of Victoria, dated April 10, 2018, Re: Housing the Poor and Social Justice in the CRD

Moved by Councillor Brame, seconded by Councillor Hundleby: That the Letter from Most Reverend Bishop Gary Gordon, Bishop of Victoria, Catholic Diocese of Victoria, dated April 10, 2018, Re: Housing the Poor and Social Justice in the CRD be received. Carried Unanimously.

12. NOTICE OF MOTION

- 1) [18-167](#) Notice of Motion Re: Fibre Optik Network, Mayor Barbara Desjardins

This Notice of Motion was introduced to Council and will be discussed at the May 7, 2018 Council meeting.

Moved by Councillor Morrison, seconded by Councillor Burton-Krahn: That Council approve that the Regular Council meeting be extended to 10:15 PM. Carried Unanimously.

- 2) [18-140](#) Notice of Motion re First Nations Reconciliation - Next Steps, Mayor Barbara Desjardins and Councillor Beth Burton-Krahn - For Discussion

Staff responded to questions from questions.

Moved by Councillor Burton-Krahn, seconded by Mayor Desjardins: WHEREAS: Council passed the following resolution on November 6, 2017:

WHEREAS: in 2008 the Federal Government and the members of the Indian Residential Schools Settlement Agreement established the Truth and Reconciliation Commission as part of a comprehensive response to the abuses inflicted upon Indigenous Peoples through the residential school system;

AND WHEREAS: the Truth and Reconciliation Commission released its final report in December of 2015 along with 94 Calls to Action to further

the possibilities of healing between parties (Indigenous Peoples and Settlers) through acts of reconciliation;

THEREFORE BE IT RESOLVED: that the Township of Esquimalt explore the Calls to Action in partnership with both the Esquimalt First Nation and the Songhees First Nation in a dialogue of mutual respect so that the Township can honour the spirit of the Truth and Reconciliation Commission in actions;

AND THEREFORE BE IT FURTHER RESOLVED: that out of the dialogue with both the Esquimalt and Songhees First Nation we can enact actions that truly foster healing based on actions that come out of that dialogue rather than any one act arbitrarily and unilaterally decided by the Township alone.

AND WHEREAS: as Mayor I met with Chief Sam of Songhees First Nation and Chief Thomas of Esquimalt First Nation;

THEREFORE BE IT RESOLVED: that a small working group be formed with representation from Songhees Nation, Esquimalt Nation and Township of Esquimalt community plus an Esquimalt Council representative, and be given a budget of \$5,000 for 2018;

AND THEREFORE BE IT FURTHER RESOLVED: that the working group, modeled on the "City Family" of the City of Victoria, provide guidance and recommendation to Esquimalt Township Council regarding reconciliation initiatives, and to bear witness when initiatives have been determined, and that Council to Council meetings will be sought to present this initiative and to develop further understanding of what the working group goals are with relation to our communities. Carried Unanimously.

13. RISE AND REPORT

1) [18-165](#) Rise and Report - 2018 Committee Re-appointments

At the April 9, 2018 *In Camera* meeting, Council made the following re-appointments to Committees, Commissions and Boards, for the terms indicated below:

Parks & Recreation Advisory Committee:

Gillian Larsen	2 years to June 30, 2020
Ben Barnes	2 years to June 30, 2020
Jacob Helliwell	2 years to June 30, 2020

Environmental Advisory Committee:

Susan Low	2 years to June 30, 2020
Brenda Bolton	2 years to June 30, 2020

Board of Variance:

Douglas Crowder	3 years to June 30, 2021
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Design Review Committee:

Robert Schindelka	2 years to June 30, 2020
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14. 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.

15. ADJOURNMENT

Moved by Councillor Liberchuk, seconded by Councillor Brame: That the Regular Council meeting be adjourned at 10:01 PM. Carried Unanimously.

MAYOR BARBARA DESJARDINS
THIS 28TH DAY OF MAY, 2018

ANJA NURVO, CORPORATE OFFICER
CERTIFIED CORRECT