



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

Minutes - Final

Council

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

Monday, October 1, 2018

7:00 PM

Esquimalt Council Chambers

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
Deborah Liske, Recording Secretary

Guest: Inspector Keith Lindner, Victoria Police Department

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 introduced Victoria Police Inspector Keith Lindner, who will be assuming the position of Police Inspector, Esquimalt Division upon Inspector Jamie Pearce's retirement in January 2019.

2. **LATE ITEMS**

The following late items were added to the agenda:

- (1) Add as new Item 5. **PRESENTATION:** (1) National Veterans' Week, Commander Cory Foreman, CFB Esquimalt, and re-number the balance of the Agenda accordingly.
- (2) Add as Item 6. **STAFF REPORTS:** (6) Proposed Heritage Alteration Permit Engagement Process for 1379 Esquimalt Road, Staff Report DEV-18-076.
- (3) Add as Item 8. **COMMUNICATIONS:** (2) Order in Council No. 494, Approved and Ordered October 1, 2018, Re: Appointment of Evan Derek Southern to the Victoria and Esquimalt Police Board, for the term ending December 31, 2019.
- (4) Add as Item 8. **COMMUNICATIONS:** (3) Email from Katie Hooper dated

October 1, 2018, Re: BC Housing Indigenous Housing Fund Requesting Letter of Support.

3. APPROVAL OF THE AGENDA

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

4. MINUTES

- 1) [18-421](#) Minutes of the Regular Meeting of Council, September 17, 2018
- 2) [18-422](#) Minutes of the Special Meeting of Council, September 24, 2018
- 3) [18-423](#) Minutes of the Regular Meeting of Council, September 24, 2018

Moved by Councillor Burton-Krahn, seconded by Councillor Hundleby: That the Minutes of the Regular Meeting of Council, September 17, 2018, Minutes of the Special Meeting of Council, September 24, 2018 and Minutes of the Regular Meeting of Council, September 24, 2018 be adopted as circulated. Carried Unanimously.

5. PRESENTATIONS

- 1) **18-427** National Veterans' Week, Commander Cory Foreman, CFB Esquimalt

Commander Cory Foreman, Base Administration Officer, CFB Esquimalt, presented a PowerPoint Presentation and overview of the National Veterans' Week ceremonies and events taking place from November 5 - 11, 2018.

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

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

Rozlynn Mitchell, *resident*, supports the development of strategies to ensure the building of larger accommodation such as three bedroom units that suit families.

7. STAFF REPORTS

Development Services

- 1) [18-404](#) Rezoning Application - 939 Colville Road and 825 Lampson Street, Staff Report DEV-18-072

Ryan Jabs, applicant, presented a PowerPoint Presentation for the Rezoning application for 939 Colville Road and 825 Lampson Street and responded to questions from Council.

Council comments included:

- * Size of yards
- * Family sized vehicle for Modo car share
- * Massing and densification appropriate for neighbourhood
- * Energy efficiencies

Moved by Councillor Brame, seconded by Councillor Morrison: That Council resolves that Bylaw No. 2942 [Appendix A], which would amend Zoning Bylaw, 1992, No. 2050, by changing the zoning designation of 939 Colville Road [PID 005-752-655, Lot 1, Block 1, Section 10, Esquimalt District, Plan 6277] shown cross-hatched on Schedule "A" of Bylaw No. 2942 from Single Family Bed and Breakfast [RS-4] to Comprehensive Development District No. 112 [CD. No. 112]; and by changing the zoning designation of 825 Lampson Street [PID 000-017-817, Lot 2, Block 1, Section 10, Esquimalt District, Plan 6277] shown cross-hatched on Schedule "A" of Bylaw No. 2942 from Comprehensive Development District No. 90 [CD No. 90] to Comprehensive Development District No. 112 [CD. No. 112], be given first and second reading; and

That Council authorizes the Corporate Officer to schedule a public hearing for Zoning Bylaw 1992, No. 2050, Amendment Bylaw No. 2942, and to advertise for same in the local newspaper. Carried Unanimously.

- 2) [18-409](#) Official Community Plan Amendment and Zoning Amendment - 1379 Esquimalt Road / 520 Foster Street (St. Peter and St. Paul's Church), Staff Report DEV-18-073

Director of Development services provided an overview of the Official Community Plan Amendment and Zoning Amendment for 1379 Esquimalt Road and 520 Foster Street (St. Peter and St. Paul's Church) and responded to questions from Council.

Moved by Councillor Liberchuk, seconded by Councillor Low:

1. That Council, resolves that Bylaw No. 2932 attached as Appendix 'A' to Staff Report DEV-18-073, which would amend Official Community Plan Bylaw, 2018, No. 2922 by adding a new section to 'Section 5. Housing and Residential Land Use', changing Schedule 'A' being the 'Present Land Use Designations' map, Schedule 'B' being the 'Proposed Land Use Designations' map, thereby changing the designation of 1379 Esquimalt Road / 520 Foster Street, [PID 024-848-905; Lot A (DD EP75276), Suburban Lot 27, Esquimalt District, Plan 5092] shown cross-hatched on Schedule 'A', from 'Institutional' to 'St. Peter and St. Paul's' be adopted; and
2. That Council, resolves that Bylaw No. 2933 attached as Appendix 'B' to Staff Report DEV-18-073, which would amend Zoning Bylaw, 1992, No. 2050 by changing Comprehensive Development District No. 23 [CD No. 23] (the existing zoning designation) of 1379 Esquimalt Road / 520 Foster Street, [PID 024-848-905; Lot A (DD EP75276), Suburban Lot 27,

Esquimalt District, Plan 5092] shown cross-hatched on Schedule 'A', to accommodate a new ministry centre with twenty-four (24) residential units above be adopted; and

3. That Council, resolves that, as there is now a Section 219 Covenant registered against the property restricting further development, the active Development Permits, [DP No. 16/98 and DP No. 16/99 - Appendix C] be cancelled and staff be directed to remove the notice from the title of the property located at 1379 Esquimalt Road / 520 Foster Street [PID 024-848-905; Lot A (DD EP75276), Suburban Lot 27, Esquimalt District, Plan 5092]. Carried Unanimously.

- 3) [18-410](#) Cemetery Operation - 1379 Esquimalt Road [St. Peter and St. Paul's Church], Staff Report DEV-18-074

Director of Development Services provided an overview of the approval required for the continued operation of a cemetery at 1379 Esquimalt Road.

Moved by Councillor Brame, seconded by Councillor Burton-Krahn: That Council approve the operation of a Cemetery (for the internment of cremated remains), in the area adjacent to the property line fronting Esquimalt Road and north of St. Peter and St. Paul's Church, as identified in Appendix A of Staff Report DEV-18-074, and authorize staff to provide the property owner with a letter confirming the use is permitted.

Moved by Councillor Hundleby, seconded by Councillor Burton-Krahn: That Council allow Peter Daniel to address Council. Carried Unanimously.

Mr. Daniel confirmed the cemetery continues to be an active cemetery and has been used within the past year.

The vote was taken on the Main Motion and declared Carried Unanimously.

- 4) [18-414](#) Rezoning Application - 460 Head Street, Staff Report DEV-18-059

Director of Development Services advised Council the applicant has entered into a Section 219 Covenant with the municipality.

Moved by Councillor Liberchuk, seconded by Councillor Hundleby: That Council, resolves that Zoning Bylaw, 1992, No. 2050, Amendment Bylaw No. 2896 (as amended), attached to Staff Report DEV-18-059 as Appendix "A", which would amend Zoning Bylaw, 1992, No. 2050 by changing the zoning designation of 460 Head Street [PID 009-174-851, Lot 10, Block H, Section 11, Esquimalt District, Plan 292] , shown cross hatched on Schedule 'A' of Amendment Bylaw No. 2896, from West Bay Commercial [C-7] Zone to Comprehensive Development District No. 103 [CD No. 103] and by changing the zoning designation of 464 Head Street [PID 009-174-869, Lot 9, Block H, Section 11, Esquimalt District, Plan 292], shown cross hatched on Schedule 'A' of Amendment Bylaw No. 2896, from Single Family Residential [RS-1] Zone, to Comprehensive

Development District No. 103 [CD No. 103], be adopted. Carried Unanimously.

- 5) [18-419](#) Development Permit Application - (West Bay Quay), 460 and 464 Head Street, Staff Report DEV-18-060

Peter Hardcastle, project Architect and applicant representative provided a PowerPoint Presentation, overview of the development permit application (West Bay Quay), 460 and 464 Head Street and responded to questions from Council.

Moved by Councillor Burton-Krahn, seconded by Councillor Brame: That Council resolves that Development Permit No. DP000092, attached as Schedule "B" to Staff Report DEV-18-060, respecting the character of the development, including landscaping, and the siting, form, exterior design and finish of the five-storey commercial and residential mixed use building containing ground floor commercial space oriented toward Head Street and 12 residential units, proposed to be located on the "West Bay Quay" lands, shown on architectural plans provided by Hillel Architecture stamped "Received July 21, 2017"; the site finishes plan provided by Hillel Architecture stamped "Received August 28, 2017"; and the landscape plan prepared by LADR Landscape Architects stamped "Received August 28, 2017", and sited as detailed on the survey plan prepared by McIlvaney Riley Land Surveying Inc. stamped "Received July 21, 2017" be approved and staff be directed to issue the Permit, subject to the receipt of the required landscape security, and register of the notice of Permit on each of the following parcels:

- 460 Head Street [Lot 10, Block H, Section 11, Esquimalt District, Plan 292] [PID 009-174-851]
- 464 Head Street [Lot 9, Block H, Section 11, Esquimalt District, Plan 292] [PID 009-174-869].

Carried Unanimously.

The meeting recessed at 8:05 PM and reconvened at 8:08 PM with all members of Council present.

- 6) [18-428](#) Proposed Heritage Alteration Permit Engagement Process for 1379 Esquimalt Road, Staff Report DEV-18-076

Director of Development Services provided an overview of the proposed Heritage Alteration Permit engagement process for 1379 Esquimalt Road and responded to questions from Council.

Peter Daniel also responded to questions from Council.

Moved by Councillor Brame, seconded by Councillor Liberchuk: That Council direct staff to have City Spaces change "Esquimalt Volunteer Archivist" to "Esquimalt Archivist" and "Member of the public at Large" to "Member of the public at large from Esquimalt" in the list of committee members in the proposed process outlined by City Spaces as attached to

Staff Report DEV-18-076. Carried Unanimously.

8. BYLAWS

- 1) [18-412](#) Business Licence and Regulation Bylaw, 2013, No. 2810, Amendment Bylaw [No. 3], 2018, No. 2943 - For Adoption

Moved by Councillor Brame, seconded by Councillor Liberchuk: That Business Licence and Regulation Bylaw, 2013, No. 2810, Amendment Bylaw [No. 3], 2018, No. 2943 be adopted. Carried Unanimously.

- 2) [18-413](#) Bylaw Notice Enforcement Bylaw, 2014, No. 2839, Amendment Bylaw [No. 7], 2018, No. 2944 - For Adoption

Moved by Councillor Low, seconded by Councillor Brame: That Bylaw Notice Enforcement Bylaw, 2014, No. 2839, Amendment Bylaw [No. 7], 2018, No. 2944 be adopted. Carried Unanimously.

- 3) [18-415](#) Tax Exemption (Non-Profit Organizations) Bylaw, 2018, No. 2945 - For Adoption

Moved by Councillor Hundleby, seconded by Councillor Burton-Krahn: That Tax Exemption (Non-Profit Organizations) Bylaw, 2018, No. 2945 be adopted. Carried.

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

Opposed: 2 - Councillor Liberchuk, and Councillor Low

9. COMMUNICATIONS

- 1) [18-424](#) Email from Rozlynn Mitchell and Carole Witter, dated September 3, 2018, Re: Design Guidelines Letter to Esq Mayor and Council

Council comments:

- * Task force to identify terms of reference and direction
- * Comprehensive Community Planning
- * Neighbourhood / community level leadership

Moved by Councillor Hundleby, seconded by Councillor Morrison: That the email from Rozlynn Mitchell and Carole Witter, dated September 3, 2018, Re: Design Guidelines Letter to Esquimalt Mayor and Council be received and referred to Strategic Planning. Carried Unanimously.

- 2) [18-431](#) Order in Council No. 494, Approved and Ordered October 1, 2018, Re: Appointment of Evan Derek Southern to the Victoria and Esquimalt Police Board, for the Term Ending December 31, 2019

Moved by Councillor Brame, seconded by Councillor Morrison: That the Order in Council No. 494, Approved and Ordered October 1, 2018, Re: Appointment of Evan Derek Southern to the Victoria and Esquimalt Police Board, for the term ending December 31, 2019 be received. Carried

Unanimously.

- 3) [18-432](#) Email from Katie Hooper dated October 1, 2018, Re: BC Housing Indigenous Housing Fund Requesting Letter of Support

Moved by Councillor Burton-Krahn, seconded by Councillor Liberchuk: That the email from Katie Hooper dated October 1, 2018, Re: BC Housing Indigenous Housing Fund requesting letter of support be received and a letter of support for Esquimalt Nation's proposal to the BC Housing Indigenous Housing fund for new housing units be endorsed. Carried Unanimously.

10. NOTICE OF MOTION

- 1) [18-405](#) Three Bedroom Units, Councillor Olga Liberchuk - For Discussion

Moved by Councillor Liberchuk, seconded by Councillor Burton-Krahn:

WHEREAS: Esquimalt has an increasing number of young families moving into the community,

AND WHEREAS: new multi-unit residential developments rarely include larger units with three bedrooms that can accommodate families with children,

AND WHEREAS: Section 5.6 of our Official Community Plan recognizes "the shortage of family and child friendly housing in Esquimalt" and has a policy to "encourage the provision of medium and high density commercial mixed-use developments designed for families with children",

THEREFORE BE IT RESOLVED: that Council direct staff to draft a bylaw that requires a minimum of 10% of units in new multi-unit residential developments to be three bedroom units,

AND THEREFORE BE IT FURTHER RESOLVED: that Council direct staff to include provisions in the bylaw to ensure that three bedroom units do not have age restrictions.

Moved by Councillor Morrison, seconded by Councillor Hundleby: That the Main Motion be amended to read:

THEREFORE BE IT RESOLVED: that Council direct staff to prepare a report regarding options for a bylaw that requires a minimum of 10% of units in new multi-unit residential developments to be three bedroom units.

The motion was Defeated.

In Favour: 3 - Mayor Desjardins, Councillor Hundleby, and Councillor Morrison

Opposed: 4 - Councillor Brame, Councillor Burton-Krahn, Councillor Liberchuk, and Councillor Low

The vote was taken on the Main Motion and declared Carried.

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

Opposed: 1 - Mayor Desjardins

- 2) [18-411](#) Notice of Motion re Esquimalt High School Sports Field Grant, Councillor Meagan Brame and Councillor Olga Liberchuk - For Discussion

The Notice of Motion was referred to the Regular Council meeting on November 26, 2018.

11. PUBLIC QUESTION AND COMMENT PERIOD

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

Marilyn Day, *resident*, expressed appreciation for the work of Mayor and Council.

Roslynne Mitchell, *resident*, expressed appreciation for the work, dedication and accomplishments of Mayor and Council.

Doug Scott, *resident*, expressed appreciation to Council and staff.

12. ADJOURNMENT

Moved by Councillor Brame, seconded by Councillor Liberchuk: That the Regular Council meeting be adjourned at 9:09 PM. Carried Unanimously.

MEAGAN BRAME
ACTING MAYOR
THIS 26TH DAY OF NOVEMBER, 2018

ANJA NURVO,
CORPORATE OFFICER
CERTIFIED CORRECT