



# CORPORATION OF THE TOWNSHIP OF ESQUIMALT

## Minutes - Final

### Council

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

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Monday, December 3, 2018

7:00 PM

Esquimalt Council Chambers

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**Present:** 7 - Mayor Barbara Desjardins  
Councillor Ken Armour  
Councillor Meagan Brame  
Councillor Jacob Helliwell  
Councillor Lynda Hundleby  
Councillor Tim Morrison  
Councillor Jane Vermeulen

**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, Acting Senior Planner  
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.

Mayor Desjardins acknowledged a well attended Celebration of Lights Parade and Santa Paws event and thanked everyone for their support.

Mayor Desjardins and Council members attended the Long Term Service Recognition event for Township employees and acknowledged their commitment to the community.

#### 2. LATE ITEMS

The following late items were added to the agenda:

- (1) Add to Item 7. **STAFF REPORTS:** (8) Single Use Plastic Bag Reduction, Staff Report DEV-18-084:
- Email from Ilka Abbott dated December 2, 2018
  - Email from Chris Ziebarth dated December 2, 2018
  - Email from Ayre-anna Aitchison dated December 2, 2018
  - Email from Helly Hansen dated December 3, 2018

#### 3. APPROVAL OF THE AGENDA

Moved by Councillor Morrison, seconded by Councillor Brame: That the

agenda be approved as amended with the inclusion of the late items. Carried Unanimously.

#### 4. MINUTES

- 1) [18-488](#) Minutes of the Regular Meeting of Council, November 26, 2018

Moved by Councillor Hundleby, seconded by Councillor Morrison: That the Minutes of the Regular Meeting of Council, November 26, 2018 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) [18-485](#) Notice of Public Hearing - Rezoning Application - 1109 Lyall Street

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

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

Acting Senior Planner presented a PowerPoint Presentation, provided an overview of rezoning application for 1109 Lyall Street and responded to questions from Council.

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

Kim Colpman, applicant, presented a PowerPoint Presentation, provided an overview of rezoning application for 1109 Lyall Street and responded to questions from Council.

- 5) **Public Input**

Richard Rennie, *resident*, in opposition of rezoning application and pan-handle lots.

Saira Waters, *resident*, in support of rezoning application, keeping existing home and constructing a duplex for new families in the rear of the lot.

Chelsea Young, *resident*, in support of rezoning application, keeping existing home and adding homes in the neighbourhood.

Richard Rennie, *resident*, expressed concerns with design and poor quality of proposed development.

Doug Scott, *resident*, in support of development, as existing home will remain on the lot.

- 6) **Adjournment of Hearing**

Mayor Desjardins declared the Public Hearing for Zoning Bylaw, 1992, No. 2050, Amendment Bylaw No. 2940 closed at 7:38 PM.

**7) Consideration of Staff Recommendation**

- a) [18-461](#) Rezoning Application - 1109 Lyall Street, Staff Report DEV-18-083

Moved by Councillor Morrison, seconded by Councillor Hundleby:

1. That Council, upon considering comments made at the Public Hearing, resolves that Bylaw No. 2940 [Appendix A], which would amend Zoning Bylaw, 1992, No. 2050, by changing the zoning designation of 1109 Lyall Street [PID 006-001-009; Amended Lot 3 (DD 148436I), Section 11, Esquimalt District, Plan 4729] shown cross-hatched on Schedule "A" of Bylaw No. 2940 from RD-3 [Two Family/ Single Family Residential] to CD No. 111 [Comprehensive Development District No. 111], 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-18-083, the applicant has voluntarily agreed to register a Section 219 Covenant on the title of 1109 Lyall Street [PID 006-001-009; Amended Lot 3 (DD 148436I), Section 11, Esquimalt District, Plan 4729] 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:

- The number of dwelling units in the new development will remain at no more than three [3] units, as stated in Bylaw No. 2940
- The units will not be used for secondary suites or tourist accommodations (short term rentals)
- An electric vehicle charging station would be provided for each of the three dwelling units
- A constraint on the future strata corporation that the rental of units will not be restricted

Council direct staff and legal counsel for the Township to coordinate with the property owner to ensure a Section 219 Covenant addressing the aforementioned issues is registered against the property title, in priority to all financial encumbrances, prior to returning Amendment Bylaw No. 2940 to Council for consideration of adoption. Carried.

In Favour: 6 - Councillor Armour, Councillor Brame, Councillor Helliwell, Councillor Hundleby, Councillor Morrison, and Councillor Vermeulen

Opposed: 1 - Mayor Desjardins

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

Doug Scott, *resident*, encouraged Council to consider consulting local business owners before implementing process on single use plastic bag reduction in Esquimalt.

Rachel Montgomery, *resident*, in support of single use plastic bag reduction, encouraged Council to proceed with consideration of timelines and process and SurfRider available to assist with community engagement.

Amanda Broad, *resident*, in support of single use plastic bag reduction in Esquimalt.

Margaret McCullough, *non-resident*, in support of single-use plastic bag reduction and encouraged Council to engage with students in Esquimalt to act as ambassadors for the cause.

Katrina Dwulit, *resident*, in support of single-use plastic bag reduction in Esquimalt.

Kelly Moncrief, *resident*, in support of single use plastic bag reduction in Esquimalt.

Doug Scott, *resident*, in support of "No Parking" traffic order for Parklands Drive.

**7. STAFF REPORTS**

***Administration***

- 1) [18-482](#) Transfer of Lots 18 and 19 - Yarrow Place, Staff Report ADM-18-032

Moved by Councillor Brame, seconded by Councillor Hundleby: That Council approve of the transfer of Lots 18 and 19, Section 2, Esquimalt District, Plan 45523, and authorize the Mayor and Corporate Officer to execute the Transfer Agreement attached to Staff Report ADM-18-032 and any other documents required to effect the transfer of the Lots from Progressive Construction Ltd. to the Township of Esquimalt. Carried Unanimously.

***Finance***

- 2) [18-475](#) Local Grant Application - Esquimalt High School Athletics, Staff Report FIN-18-014

Moved by Councillor Morrison, seconded by Councillor Hundleby: That Council allow students from Esquimalt High School to address Council. Carried Unanimously.

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

- 3) [18-481](#) 2019-2023 Financial Plan and Budget Schedule, Staff Report FIN-18-015

Moved by Councillor Brame, seconded by Councillor Armour: That

Council approve the 2019-2023 Financial Plan and Budget Schedule attached to Staff Report FIN-18-015. Carried Unanimously.

### **Engineering and Public Works**

- 4) [18-472](#) Traffic Order 1291 - Colville Road Playground Zone, Staff Report EPW-18-031

Moved by Councillor Hundleby, seconded by Councillor Brame: That Council approves the implementation of Traffic Order 1291 "Playground Speed Restriction" along Colville Road from Lampson Street to Dominion Road and rescinds Traffic Orders 736 and 900, as set out in Staff Report EPW-18-031. Carried Unanimously.

- 5) [18-474](#) Traffic Order 1292 - Ellery Street Playground Zone, Staff Report EPW- 18-032

Moved by Councillor Brame, seconded by Councillor Armour: That Council approves the implementation of Traffic Order 1292 "Playground Speed Restriction" along Ellery Road as set out in Staff Report EPW-18-032. Carried Unanimously.

- 6) [18-476](#) Traffic Order 1293 - Aral Rd "Residential Parking Only", Staff Report EPW-18-033

Moved by Councillor Armour, seconded by Councillor Helliwell: That Council approves the implementation of Traffic Order 1293 "Residential Parking Only" along Aral Road, as set out in Staff Report EPW-18-033. Carried Unanimously.

- 7) [18-477](#) Traffic Order 1294 - Parklands Drive Parking Restriction, Staff Report EPW-18-034

Director of Engineering and Public Works responded to questions from Council. Comments from Council included:

- \* Sidewalk plan
- \* BC Transit access to Parklands Drive
- \* ICBC and accident rate on street
- \* Removal of parking spaces and traffic count
- \* Traffic Order process and timelines

Moved by Councillor Armour, seconded by Councillor Brame: That Council does not approve the implementation of Traffic Order 1294 "No Parking" along Parklands Drive, as set out in Staff Report EPW-18-034.

No vote was called.

Moved by Councillor Vermeulen, seconded by Councillor Hundleby: That Council refer the matter back to staff to prepare a report for Council consideration with the inclusion of input from BC Transit and ICBC.

Moved by Councillor Helliwell, seconded by Councillor Hundleby: That the Main Motion be amended to include a parking survey on Parklands Drive.

Moved by Councillor Morrison, seconded by Councillor Hundleby: That the Main Motion as amended be amended to included timelines for the

sidewalk plan on Parklands Drive. Carried Unanimously.

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

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

### **Development Services**

- 8) [18-455](#) Single Use Plastic Bag Reduction, Staff Report DEV-18-084

Moved by Councillor Morrison, seconded by Councillor Helliwell: 1. That Council direct staff to prepare a timeline, work plan and budget related to regulating retail checkout bags, using the City of Victoria's Checkout Bag Regulation Bylaw (Appendix A) as a model for implementation; and

2. That Council direct staff to prepare a public engagement process related to implementation of a bylaw regulating retail checkout bags. Carried Unanimously.

### **8. REPORTS FROM COMMITTEES**

- 1) [18-483](#) Adopted Minutes from the Environmental Advisory Committee, September 27, 2018
- 2) [18-484](#) Draft Minutes from the APC Design Review Committee, November 14, 2018

Moved by Councillor Brame, seconded by Councillor Hundleby: That the Draft Minutes from the APC Design Review Committee, November 14, 2018 and Adopted Minutes from the Environmental Advisory Committee, September 27, 2018 be received. Carried Unanimously.

### **9. COMMUNICATIONS**

- 1) [18-486](#) Letter from Patrick Nangle, CEO, Modo, received November 22, 2018, Re: Increased Use of Sustainable Transportation Modes

Moved by Councillor Brame, seconded by Councillor Morrison: That the Letter from Patrick Nangle, CEO, Modo, received November 22, 2018, Re: Increased Use of Sustainable Transportation Modes be received and Council direct staff to invite Modo representatives to present a Presentation before Council. Carried Unanimously.

- 2) [18-487](#) Email from the BC Achievement Foundation, dated November 26, 2018, Re: 2019 Community Achievement Awards - Nominate Today

Moved by Councillor Morrison, seconded by Councillor Brame: That the Email from the BC Achievement Foundation, dated November 26, 2018, Re: 2019 Community Achievement Awards - Nominate Today be

received and forward to community groups and staff post to social media channels and Municipal website. Carried Unanimously.

- 3) [18-489](#) Letter from Jason Gammon, GVTA President, dated November 29, 2018, Re: Police Liaison Officers

Moved by Councillor Brame, seconded by Councillor Morrison: That the Letter from Jason Gammon, GVTA President, dated November 29, 2018, Re: Police Liaison Officers be received, forward to the Victoria / Esquimalt Police Board for action and respond to author accordingly. 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.**

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

**11. ADJOURNMENT**

Moved by Councillor Brame, seconded by Councillor Hundleby: That the Regular Council meeting be adjourned at 8:37 PM. Carried Unanimously.

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MAYOR BARBARA DESJARDINS  
THIS 17TH DAY OF DECEMBER, 2018

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ANJA NURVO, CORPORATE OFFICER  
CERTIFIED CORRECT