



# CORPORATION OF THE TOWNSHIP OF ESQUIMALT

## Minutes - Final

### Council

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

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Monday, April 15, 2019

7:00 PM

Esquimalt Council Chambers

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**Present:** 6 - Mayor Barbara Desjardins  
Councillor Ken Armour  
Councillor Meagan Brame  
Councillor Jacob Helliwell  
Councillor Lynda Hundleby  
Councillor Tim Morrison

**Absent:** 1 - 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  
Alex Tang, Planner  
Janany Nagulan, 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.

#### 2. LATE ITEMS

The following late items were added to the agenda:

(1) Add to Item 5. **PUBLIC HEARING:** (3) Rezoning Application, 901 Selkirk Avenue, Staff Report DEV-19-036:

- Email from L. Denise Kors dated April 15, 2019 Re 901 Selkirk Ave Letters of Support for tonight's public hearing, attaching letters from:
  - o Molly Pilchar, 915 Arcadia St
  - o Richard Farrell, 910 Selkirk Ave
  - o Maurine Karagianis, 864 Selkirk Ave
  - o Harry Nedland, 911 Arcadia St
  - o Scot Tremblay, 925 Arcadia St
  - o Lizanne Chicanot, 866 Selkirk Ave
  - o Giles Collins, 866 Selkirk Ave
  - o Lindsay McLoughlin, 928 Arcadia St
  - o Shirley Holmes, 904 Selkirk Ave

- o Robert Holmes, 904 Selkirk Ave
- o Dawn Heath, 904 Selkirk Ave
- o Angelina Cortes, 1010 Arcadia St
- o James Harada-Down, 825 Selkirk Ave
- o Taylor Gautier, 1001 Arcadia St

- Email from L. Denise Kors dated April 15, 2019 Re: Letter of Support from 908 Selkirk Ave for Public Hearing tonight, attaching letter from:
  - o Rob Dick, 908 Selkirk Ave

- Email from Robert Stock and Evelyn Peters dated April 15, 2019 Re 901 Selkirk

(2) Add to Item 11. **COMMUNICATIONS:** (7) Email from Cheryl Wang, Director, Victoria Guest Services Network, dated April 10, 2019, Re: Registration and Tourism Passport Reminder: 2019 Tourism Showcase - Registration is Now Open:

- Email from Chris Edley, President Esquimalt Chamber of Commerce, dated April 11, 2019, to Mayor and Council, Re Victoria Guest Services Network's annual tourism showcase

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

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

### 4. **MINUTES**

- 1) [19-175](#) Minutes of the Special Meeting of Council, March 18, 2019
- 2) [19-176](#) Minutes of the Regular Meeting of Council, March 18, 2019
- 3) [19-177](#) Minutes of the Special Meeting of Council, March 25, 2019
- 4) [19-178](#) Minutes of the Special Meeting of Council, April 1, 2019
- 5) [19-179](#) Minutes of the Regular Meeting of Council, April 1, 2019
- 6) [19-180](#) Minutes of the Special Meeting of Council, April 8, 2019

Moved by Councillor Morrison, seconded by Councillor Hundleby: That the Minutes of the Special Meeting of Council, March 18, 2019, Minutes of the Regular Meeting of Council, March 18, 2019, Minutes of the Special Meeting of Council, March 25, 2019, Minutes of the Special Meeting of Council, April 1, 2019, Minutes of the Regular Meeting of Council, April 1, 2019 and Minutes of the Special Meeting of Council, April 8, 2019 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) [19-182](#) Notice of Public Hearing - Rezoning Application - 901 Selkirk Avenue

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

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

Planner provided an overview of rezoning application for 901 Selkirk Avenue, presented a PowerPoint Presentation and responded to questions from Council.

- a) [19-171](#) Rezoning Application, 901 Selkirk Avenue, Staff Report DEV-19-036

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

Denise Kors, Kors Development Services, provided an overview of rezoning application, presented a PowerPoint Presentation and responded to questions from Council.

Council comments included:

- \* Rooftop deck removed from design and set backs increased to address privacy concerns
- \* Applicant agreed to register a Section 219 covenant to address secondary suite concerns
- \* Wood being donated to Esquimalt High School for school programs
- \* EV charging stations to be installed
- \* Increased traffic flow concerns
- \* Two parking spaces per site - one in the garage and one in front
- \* West coast modern design - each dwelling will have own design to fit with neighbourhood
- \* Durable and energy efficient construction materials and maintenance
- \* Concerns with heat pump noise
- \* Concerns with neighbourhood impact regarding traffic flow and parking

- 5) **Public Input**

Natasha Reger, *resident*, expressed neighbourhood parking and safety concerns, impact to lifestyle of current residents and decrease in property value.

Joanne Galbraith, *resident*, expressed concerns with increased parking and density of development.

Andreas Ritzer, *resident*, expressed concerns with density of development and impact to neighbours privacy and safety.

Rob McDermott, *resident*, expressed parking concerns.

Read on behalf of Rob Dick and Sarah Farrell, *residents*, in support of development.

Richard Ackrill, *resident*, opposed to development and expressed concerns with renditions of development, heat pump set backs and secondary suites.

Geraldine McNally, *resident*, in support of lot being developed and sought clarity with definition of "suite".

Advised that Andreas Ritzer would speak on his behalf. Vincent Cybulski, *resident*, expressed concerns with decrease in green space.

Elise Brom, *resident*, expressed concerns with lack of green space, heat pump noise, cars and impact on neighbourhood.

Bronwyn Scott, *resident*, expressed concerns with increased traffic flow.

Wendelin Gott, *resident*, expressed concerns with size of space between lot A and lot B.

Doug Scott, *resident*, expressed concerns with parking; however, in support of two parking spaces per site and overall development.

Patty Glover, *resident*, opposed to development and potential heat pump noise and suggested a two property development instead of three.

Diane Felmore, *resident*, expressed traffic and safety concerns.

Doug Sharp, *resident*, expressed safety concerns with sidewalks only one side of street.

Ally Dewji, *resident*, encouraged consideration of value to the community by adding 3 family homes .

Richard Ackrill, *resident*, expressed concerns with grade on lot not accurately representing the height of the dwelling, traffic concerns and opposed to a three home development.

Natasha Reger, *resident*, expressed concerns with density of current developments in area and with the addition this development would increase traffic flow and street parking options.

Andrea Ritzer, *resident*, expressed concerns with parking and increased traffic flow and safety concerns for neighbourhood youth playing in area.

Natasha Reger, *resident*, expressed concerns with traffic flow, parking and not in accordance with OCP guidelines.

Andrea Ritzer, *resident*, expressed traffic flow and cyclist safety concerns. In opposition to design and esthetic appeal.

Natasha Reger, *resident*, in opposition to character and design of homes and fit with neighbourhood.

Andrea Ritzer, *resident*, advised the sign in sheet at community engagement event hosted by the developer did not contain accurate attendance information and expressed design and privacy concerns of the development.

Natasha Reger, *resident*, expressed concerns with existing vegetation being removed and loss of green space, privacy concerns, impact to market value of surrounding homes and suggested a two home development.

Kuldeep Birring, *Radius Property Group*, clarified concerns regarding height of dwelling.

Richard Ackrill, *resident*, take previous duplex rezoning in to consideration.

Vincent Cybulski, *resident*, encouraged developers to consider the

character of existing older homes and fit within neighbourhood.

Natasha Reger, *resident*, expressed concerns with accuracy of photos presented by developer at last meeting.

Patty Glover, *resident*, expressed concerns with the protection of trees on the lots.

Joanne Galbraith, *resident*, expressed concerns with loss of wildlife on property.

Kuldeep Birring, *Radius Property Group*, advised the development will create more green space.

**6) Adjournment of Hearing**

Mayor Desjardins declared the Public Hearing for Bylaw No. 2955 closed at 8:19 PM.

The meeting recessed at 8:23 PM and reconvened at 8:29 PM with all members of Council present with the exception of Councillor Vermeulen.

**7) Consideration of Staff Recommendation**

Moved by Councillor Brame, seconded by Councillor Helliwell: 1. That Council, upon considering comments made at the Public Hearing, determines that Bylaw No. 2955, attached as Appendix 'A' to Staff Report DEV-19-036, which would amend Zoning Bylaw, 1992, No. 2050 by changing the zoning designation of 901 Selkirk Avenue [PID 009-285-831, Lot 14 Block A Section 10 Esquimalt District Plan 195 Except Part in Plans 12714, 13477, and 15155] shown cross-hatched on Schedule 'A' of Bylaw No. 2955, from RD-1[Two Family Residential] to CD No. 118 [Comprehensive District Zone No. 118 ] be given third reading;

2. That the owner wishes to assure Council that secondary suites will not be permitted within any of the proposed single family dwellings, and the owner has voluntarily agreed to register a Section 219 Covenant on the title of 901 Selkirk Avenue.

That Council direct staff and legal counsel for the Township to coordinate with the property owner to ensure a Section 219 Covenant addressing the aforementioned items are registered against the property title prior to returning Amendment Bylaw No. 2955 to Council for consideration of adoption. Carried.

In Favour: 5 - Mayor Desjardins, Councillor Armour, Councillor Brame, Councillor Helliwell, and Councillor Morrison

Opposed: 1 - Councillor Hundleby

Absent: 1 - Councillor Vermeulen

Moved by Councillor Morrison, seconded by Councillor Brame: That Council direct staff to prepare a report for Council consideration on traffic issues and options for the Selkirk Road area. Carried Unanimously.

**6. PRESENTATIONS**

- 1) [19-183](#) Dr. Eileen Pepler, Pepler Group, Re: Findings of Needs Assessment for Medical Services in Esquimalt

Dr. Eileen Pepler provided an update on Esquimalt Community Health Needs Assessment project and presented a PowerPoint Presentation of findings to date and responded to questions from Council. Dr. Pepler encouraged Council to explore new ways of working in collaboration with residents, neighbours and partners to lessen the impact of physician shortage. A full report will be presented to Council at a later date.

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

Rebecca Wolf Gage, *youth resident*, encouraged Council to seek input from youth in the community towards a climate action plan and suggested adding the Declaration of Climate Emergency to the Strategic Plan.

**8. STAFF REPORTS*****Administration***

- 1) [19-174](#) Draft 2019 - 2023 Strategic Priorities and Goals, Staff Report ADM-19-010

Moved by Councillor Morrison, seconded by Councillor Hundleby: That the Draft 2019 - 2023 Strategic Priorities and Goals, Staff Report ADM-19-010 be referred to the next Committee of the Whole meeting scheduled for May 13, 2019, for discussion. Carried Unanimously.

***Finance***

- 2) [19-170](#) 2019 Financial Plan and Tax Rates Bylaw, Staff Report FIN-19-005

Moved by Councillor Armour, seconded by Councillor Brame: That Financial Plan Bylaw, 2019, No. 2959 be given 1st, 2nd and 3rd readings. Carried.

In Favour: 5 - Mayor Desjardins, Councillor Armour, Councillor Brame, Councillor Helliwell, and Councillor Hundleby

Opposed: 1 - Councillor Morrison

Absent: 1 - Councillor Vermeulen

Moved by Councillor Armour, seconded by Councillor Brame: That Tax Rate Bylaw, 2019, No. 2960 be given 1st, 2nd and 3rd readings. Carried.

In Favour: 5 - Mayor Desjardins, Councillor Armour, Councillor Brame, Councillor Helliwell, and Councillor Hundleby

Opposed: 1 - Councillor Morrison

Absent: 1 - Councillor Vermeulen

### ***Engineering and Public Works***

- 3) [19-169](#) Servicing Standards for Driveway - 457 Nelson Street, Staff Report EPW-19-013

Moved by Councillor Armour, seconded by Councillor Morrison: That Council allow Ally Dewji, property owner, to address Council and respond to questions. Carried Unanimously.

Moved by Councillor Armour, seconded by Councillor Morrison: That the Servicing Standards for Driveway - 457 Nelson Street, Staff Report EPW-19-013 be deferred for further discussion until the Regular Council meeting on May 6, 2019 upon review of further information from staff. Carried Unanimously.

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

### ***Development Services***

- 4) [19-117](#) Rezoning Application - 1158 Craigflower, Staff Report DEV-19-034

Planner provided an overview of rezoning application for 1158 Craigflower Road, presented a PowerPoint Presentation and staff responded to questions from Council.

Rus Collins, Zebra Designs, and Louis Horvat, Zebra Designs, provided an overview of Rezoning application for 1158 Craigflower Road, presented a PowerPoint Presentation and responded to questions from Council including parking and secondary suite concerns.

Moved by Councillor Hundleby, seconded by Councillor Brame: 1. That Council resolves that Zoning Bylaw, 1992, No. 2050, Amendment Bylaw No. 2957, attached to Staff Report DEV-19-034 as Appendix A, which would amend Zoning Bylaw, 1992, No. 2050 by changing the zoning designation of 1158 Craigflower Road [PID 000-284-025, Lot 1, Section 2, Esquimalt District, Plan 5766], shown cross hatched on Schedule 'A' of Bylaw No. 2957, from RD-3 [Two Family/Single Family Residential] to CD No. 119 [Comprehensive Development District No. 119], be given first and second reading; and

2. That Council authorizes the Corporate Officer to schedule a Public Hearing for Zoning Amendment Bylaw No. 2957, mail notices and advertise for same in the local newspaper. Carried.

In Favour: 5 - Mayor Desjardins, Councillor Armour, Councillor Brame, Councillor Helliwell, and Councillor Hundleby

Opposed: 1 - Councillor Morrison

Absent: 1 - Councillor Vermeulen

- 5) [19-148](#) Development Permit and Development Variance Permit - 1234 Esquimalt Road [Action Motorcycles], Staff Report DEV-19-033

Moved by Councillor Helliwell, seconded by Councillor Brame: 1. That Council resolves that Development Permit No. DP000113 authorizing the alteration of the existing storefront, consistent with the architectural plans provided by Keay Architecture Ltd. stamped "Received February 14, 2019", be approved, and staff be directed to issue the permit, and register the notice on the title of the property located at 1234 Esquimalt Road [PID: 026-617-340; Lot 1 Suburban Lot 40 and 41 Esquimalt District Plan VIP80657]; and

2. That Council resolves that Development Variance Permit No. DVP00087 to legitimize the existing parking as illustrated in the Parking Plan provided by Keay Architecture Ltd. stamped "Received February 14, 2019", and including the following relaxation to 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 1234 Esquimalt Road [PID: 026-617-340; Lot 1 Suburban Lot 40 and 41 Esquimalt District Plan VIP80657]:

Parking Bylaw, 1992, No. 2011, Part 5 - Parking Requirements, Section 13 - Number of Off-Street Parking Spaces (b) Commercial (uses Retail, Restaurant, Other - repair shop) - Allow a reduction in the number of spaces, from 56 parking spaces required, to 18 motor vehicle spaces and 40 motorcycle parking spaces. Carried Unanimously.

- 6) [19-149](#) Housing Agreement Bylaw - 638 and 640 Constance Avenue & 637 Nelson Street, Staff Report DEV-19-035

Moved by Councillor Brame, seconded by Councillor Helliwell: That Council:

1. rescind third reading of Housing Agreement Bylaw, 2019, No. 2954, attached to Staff Report DEV-19-012 as Appendix A, for 638 Constance Avenue, 640 Constance Avenue and 637 Nelson Street; and

2. amend, read anew at second reading and give third reading to Housing Agreement Bylaw, 2019, No. 2954, attached to Staff Report DEV-19-035 as Appendix A. Carried Unanimously.

## 9. MAYOR'S AND COUNCILLORS' REPORTS

- 1) [19-165](#) CRD Arts Commission - 2019 Update, Councillor Brame

Councillor Brame responded to questions from Council.

Moved by Councillor Brame, seconded by Councillor Hundleby: That the CRD Arts Commission - 2019 Update report from Councillor Brame be received. Carried Unanimously.

- 2) [19-181](#) Reconsideration of Motion re Policing, Mayor Barbara Desjardins

Moved by Councillor Morrison, seconded by Councillor Hundleby: That

the Reconsideration of Motion re Policing from Mayor Barbara Desjardins be deferred to the next Council meeting on May 6, 2019 for discussion. Carried Unanimously.

## **10. REPORTS FROM COMMITTEES**

- 1) [19-184](#) Adopted Minutes from the APC Design Review Committee, February 13, 2019

Moved by Councillor Brame, seconded by Councillor Hundleby: That the Adopted Minutes from the APC Design Review Committee, February 13, 2019 be received. Carried Unanimously.

## **11. COMMUNICATIONS**

- 1) [19-168](#) Correspondence Deferred from Council Meeting March 18, 2019, Re: Restorative Justice Victoria
- 2) [19-186](#) Letter from Tammie Van Swieten, Deputy Corporate Officer, District of Metchosin, dated March 27, 2019, Re: Regional Vegetation Management Strategy
- 3) [19-187](#) Letter from Deb Hopkins, Deputy Director of Corporate Services, District of Oak Bay, dated April 1, 2019, Re: Regional Vegetation Management Strategy

Moved by Councillor Brame, seconded by Councillor Armour: That the Correspondence Deferred from Council Meeting March 18, 2019, Re: Restorative Justice Victoria, Letter from Tammie Van Swieten, Deputy Corporate Officer, District of Metchosin, dated March 27, 2019, Re: Regional Vegetation Management Strategy and Letter from Deb Hopkins, Deputy Director of Corporate Services, District of Oak Bay, dated April 1, 2019, Re: Regional Vegetation Management Strategy be received. Carried Unanimously.

- 4) [19-157](#) Email from April Ingham, Executive Director, Pacific Peoples' Partnership, dated March 22, 2019, Re: Request for Letter of Support for One Wave Gathering
- 5) [19-185](#) Email from April Ingham, Executive Director, Pacific Peoples' Partnership, dated April 4, 2019, Re: Request for In-Kind Support for Pacific House Post and One Wave Gathering

Staff responded to questions from Council.

Moved by Mayor Desjardins, seconded by Councillor Brame: (1) Subject to approval of the land owner, Council approve \$5500 - \$8500 in funds for the support work requested for the Pacific House Pole as outlined in the Email from April Ingham, Executive Director, Pacific Peoples' Partnership, dated April 4, 2019, Re: Request for In-Kind Support for Pacific House Post and One Wave Gathering; to include engineering drawings and

funds for honorarium with the unveiling as per the request from One Wave; and

(2) Council provide a letter of support for One Wave as outlined in the Emails from April Ingham, Executive Director, Pacific Peoples' Partnership, dated March 22, 2019, Re: Request for Letter of Support for One Wave Gathering and Email dated April 4, 2019. Carried.

In Favour: 4 - Mayor Desjardins, Councillor Armour, Councillor Brame, and Councillor Helliwell

Opposed: 2 - Councillor Hundleby, and Councillor Morrison

Absent: 1 - Councillor Vermeulen

Moved by Councillor Armour, seconded by Councillor Helliwell: That the Regular Council meeting be extended to 10:45 PM. Carried.

In Favour: 5 - Mayor Desjardins, Councillor Armour, Councillor Helliwell, Councillor Hundleby, and Councillor Morrison

Opposed: 1 - Councillor Brame

Absent: 1 - Councillor Vermeulen

- 6) [19-188](#) Email from Tracy Camire, Executive Assistant, City of Maple Ridge, dated April 5, 2019, Re: Letter from Mayor Michael Morden Re: The Erosion of Democratic Elected Government

Moved by Councillor Helliwell, seconded by Councillor Morrison: That the Email from Tracy Camire, Executive Assistant, City of Maple Ridge, dated April 5, 2019, Re: Letter from Mayor Michael Morden Re: The Erosion of Democratic Elected Government be received. Carried Unanimously.

- 7) [19-190](#) Email from Cheryl Wang, Director, Victoria Guest Services Network, dated April 10, 2019, Re: Registration and Tourism Passport Reminder: 2019 Tourism Showcase - Registration is Now Open

Moved by Councillor Brame, seconded by Councillor Helliwell: That Council approve funding of \$180.00 towards registration to participate at the Victoria Guest Services Network Showcase on May 13, 2019, at the Victoria Conference Centre. Carried Unanimously.

## 12. NOTICE OF MOTION

- 1) [19-145](#) Notice of Motion - Professional Development for Mayor and Council, Councillor Vermeulen - For Discussion

This Notice of Motion was introduced and referred to the Regular Council meeting on May 6, 2019 for discussion.

## 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.**

Doug Scott, *resident*, acknowledged parking and access improvement on Parklands Drive since the implementation of the recently approved Traffic Order.

**14. ADJOURNMENT**

Moved by Councillor Hundleby, seconded by Councillor Brame: That the Regular Council meeting be adjourned at 10:33 PM. Carried Unanimously.

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MAYOR BARBARA DESJARDINS  
THIS 6TH DAY OF MAY, 2019

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ANJA NURVO, CORPORATE OFFICER  
CERTIFIED CORRECT