



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

Minutes - Final

Council

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

Monday, December 16, 2019

7:00 PM

Esquimalt Council Chambers

Present: 6 - Councillor Ken Armour
Councillor Meagan Brame
Councillor Jacob Helliwell
Councillor Lynda Hundleby
Councillor Tim Morrison
Councillor Jane Vermeulen

Absent: 1 - Mayor Barbara Desjardins

Staff: Laurie Hurst, Chief Administrative Officer
Bill Brown, Director of Development Services
Scott Hartman, Director of Parks and Recreation
Rachel Dumas, Manager of Corporate Services
Alicia Ferguson, Recording Secretary

1. CALL TO ORDER

Acting Mayor Brame called the Regular Council meeting to order at 7:00 PM.

Acting Mayor Brame acknowledged with respect that we are within the Traditional Territories of the Esquimalt and Songhees First Nations.

2. LATE ITEMS

There were no late items.

3. APPROVAL OF THE AGENDA

Moved by Councillor Hundleby, seconded by Councillor Armour: That the agenda be approved as amended with Item 6. Presentations: (1) Barry Hobbis, President & Nick Banks, Vice President, Victoria/Esquimalt Harbour Society, Re: Stakeholder Group to Advise on Issues Relating to Victoria Harbour, removed. Carried Unanimously.

4. MINUTES

- 1) [19-566](#) Minutes of the Special Council Meeting, November 18, 2019
- 2) [19-567](#) Minutes of the Special Council Meeting, November 25, 2019
- 3) [19-584](#) Minutes of the Regular Council Meeting, November 25, 2019
- 4) [19-582](#) Minutes of the Special Council Meeting, December 2, 2019

- 5) [19-585](#) Minutes of the Regular Council Meeting, December 2, 2019

Moved by Councillor Hundleby, seconded by Councillor Vermeulen: That the Minutes of the Special Council Meeting, November 18, 2019, Minutes of the Special Council Meeting, November 25, 2019, Minutes of the Regular Council Meeting, November 25, 2019, Minutes of the Special Meeting of Council, December 2, 2019, and Minutes of the Regular Council Meeting, December 2, 2019, be adopted. Carried Unanimously.

5.1 PUBLIC HEARING - REZONING APPLICATION, 1072 COLVILLE ROAD

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) [19-575](#) Notice of Public Hearing - Rezoning Application, 1072 Colville Road
- 2) **Background Information - Available for Viewing Separately**
- 3) **Director of Development Services - Overview of Application**
 - a) [19-579](#) Rezoning Application - 1072 Colville Road, Staff Report No. DEV-19-116

Director of Development Services advised Council of an error in Staff Report Dev-19-116 and noted the correct PID number as 000-541-885.

Director of Development Services provided an overview of the application, presented a PowerPoint Presentation, and responded to questions from Council.

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

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

- 5) **Public Input**

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

- 6) **Adjournment of Hearing**

Acting Mayor Brame declared the Public Hearing for Bylaw No. 2979 closed at 7:22 PM.

- 7) **Consideration of Staff Recommendation**

Moved by Councillor Helliwell, seconded by Councillor Armour: 1. That Council, upon considering comments made at the Public Hearing, determines that Bylaw No. 2979, attached as Appendix 'A' to Staff Report DEV-19-116, which would amend Zoning Bylaw, 1992, No. 2050 by changing the zoning designation of 1072 Colville

Road [PID 000-541-885, Lot 13, Block 12, Section 10, Esquimalt District, Plan 5241] from RS-1 [Single Family Residential] to CD. No. 128 [Comprehensive District No. 128] be given third reading;

2. That the owner wishes to assure Council that secondary suites will not be permitted within the proposed two family dwelling (Duplex), and the owner has voluntarily agreed to register a Section 219 Covenant on the title of 1072 Colville Road.

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. 2979 to Council for consideration of adoption. Carried Unanimously.

5.2 PUBLIC HEARING - REZONING APPLICATION, 1076 COLVILLE ROAD

- 1) [19-576](#) Notice of Public Hearing - Rezoning Application, 1076 Colville Road
- 2) **Background Information - Available for Viewing Separately**
- 3) **Director of Development Services - Overview of Application**
 - a) [19-581](#) Rezoning Application - 1076 Colville Road, Staff Report No. DEV-19-117

Director of Development Services provided no further comments on the proposed duplex development at 1072 and 1076 Colville Road.

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

Denise Kors, *Kors Development Services Inc.*, provided no further comments on the proposed duplex development at 1072 and 1076 Colville Road.

- 5) **Public Input**

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

- 6) **Adjournment of Hearing**

Acting Mayor Brame declared the Public Hearing for Bylaw No. 2980 closed at 7:25 PM.

- 7) **Consideration of Staff Recommendation**

Moved by Councillor Hundleby, seconded by Councillor Vermeulen:

1. That Council, upon considering comments made at the Public Hearing, determines that Bylaw No. 2980, attached as Appendix 'A' to Staff Report DEV-19-117, which would amend Zoning Bylaw, 1992, No. 2050 by changing the zoning designation of 1076 Colville Road [PID 000-716-901, Lot 12 Block 12 Section 10 Esquimalt District Plan 5241] from RS-1 [Single Family Residential] to CD.

No. 129 [Comprehensive District No. 128] be given third reading.

2. That the owner wishes to assure Council that secondary suites will not be permitted within the proposed two family dwelling (Duplex), and the owner has voluntarily agreed to register a Section 219 Covenant on the title of 1076 Colville Road.

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. 2980 to Council for consideration of adoption. Carried Unanimously.

6. PRESENTATIONS

- 1) [19-547](#) Barry Hobbis, President & Nick Banks, Vice President, Victoria/Esquimalt Harbour Society, Re: Stakeholder Group to Advise on Issues Relating to Victoria Harbour

This item was rescheduled to the January 20, 2020 Council Meeting.

- 2) [19-540](#) Judith Cullington, Principal, JCA Judith Cullington & Associates, Re: Designing Density

Judith Cullington, *JCA Judith Cullington & Associates*, provided an overview of the Designing Density initiative, presented a PowerPoint Presentation, and responded to questions from Council.

Council comments included consideration of parking needs with future developments.

7. PUBLIC INPUT ON ANY ITEMS LISTED ON THE AGENDA

Address Council on any item included on this Agenda, including Staff Reports and Communications (excluding items which are or have been the subject of a Public Hearing). Limit 2 minutes per speaker.

Francois Brassard, *resident*, in support of the proposed climate action initiatives outlined in the Mayor's Notice of Motion and encouraged collaborative work with the Township and Esquimalt Climate-Action Organizers (ECO).

8. STAFF REPORTS

Development Services

- 1) [19-570](#) Design for Social Well-being, Staff Report No. DEV-19-112

Director of Development Services provided an overview of the initiative and Judith Cullington, *JCA Judith Cullington & Associates*, responded to questions from Council.

Moved by Councillor Morrison, seconded by Councillor Vermeulen: That Council:

- (1) receive the final report entitled 'Designing Density' by Judith Cullington

and Associates [Appendix A] from the Multi-family Design for social well-being project and the 'Designing Density' survey results [Appendix B] as attached to Staff Report DEV-19-112, for information; and

(2) direct staff to:

- a) Develop design guidelines for Development Permit Areas based on the recommendations in this report;
- b) Begin preparation of a social well-being checklist; and
- c) Present both of these documents at a future Committee of the Whole meeting for discussion. Carried Unanimously.

2) [19-521](#) Zoning Bylaw amendments for the regulation of Cannabis within the Township, Staff Report No. DEV-19-105

Moved by Councillor Helliwell, seconded by Councillor Armour: That Council resolves that "Zoning Bylaw, 1992, No. 2050, Amendment Bylaw No. 2984 [Appendix A] as attached to Staff Report DEV-19-105, which would amend Zoning Bylaw, 1992, No. 2050, by replacing text as detailed in the contents of amending Bylaw No. 2984, be given first and second readings; and

That Council authorizes the Corporate Officer to schedule a Public Hearing for Zoning Bylaw, 1992, No. 2050, Amendment Bylaw No. 2984, and advertise the same in the local newspaper. Carried Unanimously.

3) [19-485](#) Housing Agreement Bylaw - 616 & 620 Constance Avenue, 619 & 623 Nelson Street and 1326 Miles Street, Staff Report No. DEV-19-115

Director of Development Services provided an overview of the housing agreement bylaw and responded to questions from Council.

Troy Grant, *Sierra Lane Construction*, responded to questions from Council.

Moved by Councillor Armour, seconded by Councillor Morrison: That Council resolves that Housing Agreement Bylaw, 2019, No. 2981, attached as Appendix A of Staff Report DEV-19-115, for 616 & 620 Constance Avenue, 619 & 623 Nelson Street and 1326 Miles Street be given first, second, and third readings. Carried Unanimously.

4) [19-573](#) Exemption to Minimum Frontage Requirements for two proposed lots, 1158 Craigflower Road, Section 512 (2) Local Government Act, Staff Report No. DEV-19-114

Director of Development Services provided an overview of the requested exemption and noted the recommendation in Staff Report DEV-19-114 should include Lot B as well.

The meeting recessed at 8:08 PM and reconvened at 8:12 PM with all members of Council present except Mayor Desjardins.

Moved by Councillor Helliwell, seconded by Councillor Morrison: That Council, by the resolution of the simple majority of its members present, grant an exemption to the proposed minimum frontage on a highway

pursuant to Section 512 (2) of the Local Government Act [RSBC 2015] Chapter 1, for proposed Lot "A" & "B", Plan EPP 95842, attached as Appendix "A" to Staff Report No. DEV-19-114. Carried Unanimously.

- 5) [19-571](#) Council Response to the Capital Regional District 2018 Regional Growth Strategy Bylaw No. 4017 Amendment (Proposed Bylaw No. 4328) being an amendment to update Table 1 Population, Dwelling Unit, and Employment Projections to the year 2038 - Referral, Staff Report No. DEV-19-113

Moved by Councillor Helliwell, seconded by Councillor Morrison: That the Township of Esquimalt Council authorize the Mayor to send a letter to Mr. Colin Plant, Chair, Capital Regional District Board, stating that Council has the following concerns with proposed Amendment Bylaw No. 4328:

- 1) By consolidating projection data at the sub-regional level with municipalities that share very few common characteristics with the Township; the proposed bylaw has very limited practical applications for the Township; and
- 2) It is unclear how the Township will be able to make the population and dwelling unit projections in its Official Community Plan consistent with the proposed sub-regional population and dwelling unit projections given that it has no legal authority beyond its jurisdictional boundary as described in its Letters Patent. Carried Unanimously.

Parks and Recreation

- 6) [19-574](#) Contract Award: Detailed Designs, Tender and Project Management Services for Esquimalt Gorge Park, McLoughlin Amenity Fund Waterfront Park Project, Staff Report No. P&R-19-012

Director of Parks and Recreation provided an overview of the report and request for proposals process which included nine qualified bids and responded to questions from Council.

Council comments included criteria for selection and expertise and experience of Iredale Architecture.

Moved by Councillor Helliwell, seconded by Councillor Hundleby: That Council award Iredale Architecture the contract for Detailed Designs, Tender and Project Management Services for a multi-purpose building and a three-zoned fenced dog park at Esquimalt Gorge Park and direct staff to finalize the Professional Services Agreement details. Carried Unanimously.

9. BYLAWS

- 1) [19-563](#) Streets and Traffic Regulation Bylaw, 2017, No. 2898, Amendment Bylaw [No. 2], 2019, No. 2983 - For Adoption

Moved by Councillor Hundleby, seconded by Councillor Helliwell: That the Streets and Traffic Regulation Bylaw, 2017, No. 2898, Amendment Bylaw [No. 2], 2019, No. 2983, be adopted. Carried Unanimously.

10. REPORTS FROM COMMITTEES

- 1) [19-577](#) Draft Minutes from the Advisory Planning Commission, October 15, 2019

This item was received.

- 2) [19-578](#) Adopted Minutes from the APC Design Review Committee, November 13, 2019

This item was received.

11. COMMUNICATIONS***For Council's Consideration***

- 1) [19-569](#) Email from Chris Benesch, Funeral Director, dated November 27, 2019, Re: Resolution for Council on Aquamation

Moved by Councillor Armour, seconded by Councillor Hundleby: That the letter from Chris Benesch, dated November 27, 2019, be received. Carried Unanimously.

12. NOTICE OF MOTION

- 1) [19-568](#) Notice of Motion: Victoria Waterways Loop, Councillor Ken Armour - For Introduction

This Notice of Motion was introduced and referred to the Regular Council meeting on January 6, 2020 for discussion.

- 2) [19-564](#) Notice of Motion: Request - Esquimalt Farmers Market Presentation November 25, 2019, Mayor Barbara Desjardins - For Discussion

Council comments included costs, neighbourhood impact of lighting at Memorial Park, and concerns with installation of signage for local organizations on Township property.

Moved by Councillor Morrison, seconded by Councillor Hundleby:

WHEREAS: Esquimalt Farmers Market has existed and grown consistently over the past 5 years;

AND WHEREAS: Esquimalt Farmers Market has been recognized as the best Farmers Market in British Columbia two years running and Best Market Manager in 2018; AND WHEREAS: Esquimalt Farmers Market [EFM] is a valuable partner in enhancing the social, environmental and

economic wellness of our community; THEREFORE BE IT RESOLVED: That Council direct staff to include for Council's consideration within the 2020 budget; funding for lighting in Memorial Park, additional waste receptacles for separation of waste organic and recycle compartments, and boulevard signage at strategic locations within the Township.

AMENDMENT MOTION:

Moved by Councillor Armour, seconded by Councillor Helliwell: That the Main Motion be amended in the "Therefore be it resolved" clause to strike the wording ", and boulevard signage at strategic locations within the Township". Carried.

In Favour: 4 - Councillor Armour, Councillor Brame, Councillor Helliwell, and Councillor Morrison

Opposed: 2 - Councillor Hundleby, and Councillor Vermeulen

Absent: 1 - Mayor Desjardins

Director of Parks and Recreation responded to questions from Council and provided options to be included in budget discussions.

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

- 3) [19-565](#) Notice of Motion: Council opportunity for greater community input regarding Climate Change, Mayor Barbara Desjardins - For Discussion

Moved by Councillor Brame, seconded by Councillor Hundleby:

WHEREAS: Esquimalt council has an established and populated Environmental Advisory Committee [EAC],

AND WHEREAS: Esquimalt council has declared a Climate emergency along with the Capital Regional District [CRD] and many other municipalities,

AND WHEREAS: There are many groups within the community who have come together as Esquimalt Climate-Action Organizers [ECO] to work to promote change toward meeting this emergency and wish to provide input to help Council,

THEREFORE BE IT RESOLVED: That Council direct staff to include for Council's consideration within the strategic planning sessions a recommendation for staff to review the policy regarding Council committees and report on/bring back information including status of the EAC, renewal dates, terms and options for a select committee either expanding current committee or any alternatives. Carried Unanimously.

13. PUBLIC COMMENT PERIOD

Address Council on any topic that impacts Esquimalt (excluding items which are or have been the subject of a Public Hearing). Limit 2 minutes per speaker.

Acting Mayor Brame called three times for public comment and there was none.

14. ADJOURNMENT

Moved by Councillor Hundleby, seconded by Councillor Morrison: That the Regular Council meeting be adjourned at 8:51 PM. Carried Unanimously.

MAYOR BARBARA DESJARDINS
THIS 6TH DAY OF JANUARY, 2020

RACHEL DUMAS, CORPORATE OFFICER
CERTIFIED CORRECT