CORPORATION OF THE TOWNSHIP OF ESQUIMALT

Minutes - Final

Council

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

Monday, November 16, 2020 | **7:00 PM** | **Esquimalt Council Chambers**

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

Councillor Helliwell, Councillor Hundleby, and Councillor Morrison attended the meeting by conference call.

Staff: Jeff Miller, Acting Chief Administrative Officer
Bill Brown, Director of Development Services
Rachel Dumas, Manager of Corporate Services
Trevor Parkes, Senior Planner
Alicia Ferguson, Recording Secretary

1. CALL TO ORDER

Mayor Desjardins called the Regular Council meeting to order at 7:02 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) REMOVE Item No. 6 (1): **STAFF REPORTS** - Request for Council Resolution in Support of a Grant Application, Staff Report No. CSS-20-016

- A Council Resolution is no longer required due to a reduction of the requested funding amount for the grant application

(2) PERTAINING to Item No. 6 (3): **STAFF REPORTS** - Integrated Resource Management - Public Consultation and Next Steps, Staff Report No. EPW-20-023

- Letter received from Frances Litman, Creatively United, and Jonathan O' Riordan, Climate and the Arts, dated November 2, 2020, Re: Proposed gasifier for the community
- Email received from Patricia Johnston, dated

November 9, 2020, Re: Waste to energy gasifier

- Email received from Jackie Robson, dated November 10, 2020, Re: Yes to gasification and zero waste
- Email received from Terry Dance-Bennick, dated November 12, 2020, Re: I support Esquimalt's waste to energy gasifier
- Email received from Ron & Terry Longbottom, dated November 13, 2020, Re: Waste to energy gasifier
- Email received from Gene Furbee, dated November 13, 2020, Re: Research on Waste Gasification
- Email received from Francois Brassard, dated November 15, 2020, Re: IRM Waste Management project
- Email received from Eleanor Calder, dated November 15, 2020, Re: Integrated Resource Management
- Email received from Kevin Brown, dated November 16, 2020, Re: IRM - Staff Report EPW-20-023

(3) PERTAINING to Item No. 8 (1): **COMMUNICATIONS** - Email from Jennifer Downie, Administrative to the CAO, District of Saanich, dated October 30, 2020, Re: Motor Vehicle Act (MVA) Pilot Project

- Email from Mayor Haynes, dated November 16, 2020, Re: MVA Pilot project timeline graphics

And renumber the agenda accordingly.

3. APPROVAL OF THE AGENDA

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

4. MINUTES

1) 20-548 Minutes of the Special Council meeting held November 2, 2020

2) 20-547 Minutes of the Regular Council meeting held November 2, 2020

Moved by Councillor Armour, seconded by Councillor Brame: That the Minutes of the Special Council meeting held November 2, 2020 and the Minutes of the Regular Council meeting held November 2, 2020, be approved as circulated. Carried Unanimously.

5. ELECTRONIC 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.

Jane Devonshire, *non resident*, expressed support for the Integrated Resource Management (IRM) project and the associated environmental benefits.
Marjorie Sandercock, *resident*, expressed support for the IRM project and the associated benefits of reducing green house gas emissions.
Francois Brassard, *resident*, expressed support for the IRM project and the associated benefits for the township and the region.
Francis Litman, *resident*, expressed support for the IRM project and encouraged the township to lead the change with developing environmentally adaptive waste management strategies while the community works towards a zero-waste strategy.
Daniel Kenway, *non resident*, expressed support for the IRM project and encouraged Council to procure a professionally conducted feasibility study.
Jonathan O'Riordan, *non resident* , encouraged Council to convene a roundtable discussion, facilitated by IRM professionals, with municipalities, the province, and the CRD for the purpose of preparing an IRM project charter.
Hugh Stephens, *non resident*, expressed support for the IRM project and urgency to implement initiatives prior to the CRD's approval of a long-term waste management plan for the region.
Elaine Klimke, *non resident*, expressed support for the IRM project and recommended discussion points for Council to consider when collaborating with the province on policy.

6. STAFF REPORTS

Community Safety Services

1) 20-549 Request for Council Resolution in Support of a Grant Application, Staff Report No. CSS-20-016

This item was removed from the agenda.

Engineering and Public Works

2) 20-554 Budget Adjustment to Storm/Sanitary Servicing for Municipal Hall, Staff Report No. EPW-20-022

Director of Engineering & Public Works provided an overview of the report and responded to questions from Council.

Moved by Councillor Armour, seconded by Councillor Vermeulen: That Council approve the reallocation of $33,700 from Sewer Fund Loan Proceeds, as set out in Staff Report EPW-20-022. Carried Unanimously.

3) 20-555 Integrated Resource Management - Public Consultation and Next Steps, Staff Report No. EPW-20-023

Director of Engineering & Public Works responded to questions from Council.

Council comments included project timing and costs including potential funding from other levels of government.

The meeting recessed at 7:50 PM and reconvened at 7:54 PM with all members of Council present.

Moved by Councillor Armour, seconded by Councillor Brame: That Council approve the following:
1. That Council receive the Summary and Public Consultation Report for information, as set out in Staff Report EPW-20-023, and;
2. That Council direct staff to prepare a budget request for the 2021-2025 Financial Plan for the development and implementation of a business case to seek an amendment to the Capital Region District Solid Waste Master Plan and make an application to Ministry of Environment and Climate Change for this initiative, as set out in Staff Report EPW-20-23.

Amendment:

Moved by Councillor Helliwell, seconded by Councillor Hundleby: That the motion be amended by adding the word "early" before budget request for the 2021-2025 Financial Plan. Carried Unanimously.

That vote was taken on the Main Motion as Amended and declared Carried Unanimously.

Development Services

4) 20-553 Request by Owner of 480 &482 Grafton Street to Cancel Development Permit No. DP000105, Being a Development Permit for a Duplex, Staff Report No. DEV-20-078

Director of Development Services provided an overview of the owner's request to cancel the permit and responded to questions from Council. The proposed technology for the development of a duplex did not work as planned and construction on the lands has begun requiring the issued permit to be cancelled by resolution of Council.

Moved by Councillor Armour, seconded by Councillor Vermeulen: That Council, by resolution, cancel Development Permit No. DP000105, (Attached as Appendix “A” to staff report DEV-20-078) being a development permit for a duplex at 480 & 482 Grafton Street, (PID:000-127-833), Lot 5 Esquimalt Plan VIP1428, Subsidy Lot 29. Carried Unanimously.

5) 20-526 Development Variance Permit Application - 1149 Esquimalt Road, Staff Report No. DEV-20-073

The purpose of the application is to update the McDonald’s drive-thru menu-board with a digital version that will change with every customer, and show them the items they have ordered.

Moved by Councillor Vermeulen, seconded by Councillor Brame: That Council resolves that Development Variance Permit No. DVP00108

[Appendix A of staff report DEV-20-073] authorizing an animated (digital) sign, to be used as a menu-board, consistent with the plans provided by Pride Signs, stamped "Received September 16, 2020", and including the following relaxations to Sign Regulations Bylaw, 1996, No. 2252, be approved, and staff be directed to issue the permit and register the notice on the title of the property 1149 Esquimalt Road [PID 001-122-134; Lot A, Section 11, Esquimalt District, Plan 42081];
Vary Sign Regulation Bylaw, 1996, No. 2252, Part 6 - Prohibitions (6.1)(h) and (k) To allow an animated (digital) sign board that will have the ability to have animations, changes in colour and copy on more than 30% of the display surface. Carried Unanimously.

6) 20-550 Rezoning Application - 851 Lampson Street, Staff Report No. DEV-20-077

The purpose of the application is to accommodate the proposed four (4) strata townhouse residences to be constructed in one building on the subject property.

Moved by Councillor Brame, seconded by Councillor Armour:
1. That Council resolves that Zoning Bylaw, 1992, No. 2050, Amendment Bylaw No. 3007, attached as Appendix A to Staff Report No. DEV-20-077, which would amend Zoning Bylaw, 1992, No. 2050, by changing the zoning designation of 851 Lampson Street [PID 005-778-441, Parcel A (DD 19978W) of Lot 12, Section 10, Esquimalt District, Plan 7500], shown cross-hatched on Schedule "A" of Amendment Bylaw No. 3007, from Two Family/ Single Family Residential [RD-3] to Comprehensive Development District No. 134 [CD. No. 134], be read a third time; 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-20-077, the applicant has voluntarily agreed to register a Section 219 Covenant on the title of 851 Lampson Street [PID 005-778-441, Parcel A (DD 19978W) of Lot 12, Section 10, Esquimalt District, Plan 7500] 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 existing buildings will only be used for their current uses prior to demolition,
· The number of dwelling units in the new development will remain at no more than four [4] units, as stated in Bylaw No. 3007,
· One (1) visitor parking space will be provided and remain as illustrated in the Site Plan, SK-1, attached in Appendix D of Staff Report DEV-20-077,
· Installation of a Level 2 electric vehicle charging station in each of the four [4] private garages and at the visitor parking space,
· The development will be constructed to meet Step 3 of the BC Energy Step Code,
· Installation of five (5) visitor bicycle lockups as illustrated in the Site Plan,

SK-1, attached in Appendix D of Staff Report DEV-20-077,
· A constraint on the future strata corporation that the rental of the units will not be restricted, and
· Tree protection fencing will be installed and maintained around the Township's Pine tree throughout construction and the critical root zone will remain undisturbed and free of deposit or storage of any material related to construction activity.
To this end, 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. 3007 to Council for consideration of adoption. Carried Unanimously.

7. REPORTS FROM COMMITTEES

1) 20-551 Adopted Minutes from the APC Design Review Committee, October 14, 2020

This item was received.

2) 20-552 Draft Minutes of the Advisory Planning Commission, October 20, 2020

This item was received.

8. COMMUNICATIONS

For Council's Consideration

1) 20-541 Email from Jennifer Downie, Administrative Assistant to the CAO, District of Saanich, dated October 30, 2020, Re: Motor Vehicle Act (MVA) Pilot Project

This item was received.

4) **20-558** Email from Mayor Haynes, dated November 16, 2020, Re: MVA Pilot project timeline graphics

This item was received.

3) 20-556 Email from Kelly Lynn Kurta, Executive Director, Greater Victoria Festival Society, dated November 5, 2020, Re: Light Up The City 2020

This item was received.

Councillor Helliwell declared a conflict of interest with the following item due to his employment and left the meeting at 8:15 PM.

2) 20-542 Email from Carolyn Jenkinson, Manager of Executive Administration, Capital Regional District, dated October 30, 2020, Re: Rapid Housing Program - Land Contribution Request

This item was received and Council comments included advising the CRD of Esquimalt's lack of unutilized public lands to provide towards the housing program.

9. NOTICE OF MOTION

1) 20-563 Minutes of the Regular Council meeting held November 16, 2020

This Notice of Motion was introduced and referred to the Regular Council meeting on December 7, 2020 for discussion.

10. RISE AND REPORT

There was no rise and report.

11. ELECTRONIC 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.

There was no electronic public comment.

12. ADJOURNMENT

Moved by Councillor Brame, seconded by Councillor Vermeulen: That the Regular Council meeting be adjourned at 8:18 PM. Carried Unanimously.

MAYOR BARBARA DESJARDINS
THIS 7TH DAY OF DECEMBER, 2020

RACHEL DUMAS, CORPORATE OFFICER
CERTIFIED CORRECT