



# CORPORATION OF THE TOWNSHIP OF ESQUIMALT

## Minutes - Final

### Council

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

---

Monday, March 1, 2021

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:** Laurie Hurst, Chief Administrative Officer  
Bill Brown, Director of Development Services  
Ian Irvine, Director of Financial Services (via conference call)  
Blair McDonald, Director of Community Safety Services  
Rachel Dumas, Manager of Corporate Services  
Karen Hay, Planner (via conference call)  
Alex Tang, Planner  
Alicia Ferguson, Recording Secretary

#### 1. CALL TO ORDER

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

Mayor Desjardins reminded Council, as they reviewed the agenda for the day, to be mindful of the potential implications of their decisions on Indigenous peoples and to consider the common interests with neighbouring First Nations governments who make decisions and pass laws that support a sustainable region.

#### 2. LATE ITEMS

The following late items were added to the agenda:

(1) **PERTAINING** to Item No. 5: **PUBLIC HEARING** - Public Hearing OCP Amendment and Rezoning - 842 Carrie Street, Staff Report No. DEV-21-012

- Email from Mark Haines, dated February 26, 2021, Re: Written Submission for 842 Carrie Street

(2) **PERTAINING** to Item No. 8 (4): **STAFF REPORTS** - Rezoning Application - 1100, 1104 & 1108 Esquimalt Road, and 610 & 612 Lampson Street, Staff Report No.

DEV-21-011

- Emails from Colin McTaggart dated February 14, 2020 and March 1, 2021, Re: Lampson and Esquimalt Road Rezoning

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

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

### **4. MINUTES**

- 1) [21-127](#) Minutes of the Special Council meeting held February 22, 2021
- 2) [21-128](#) Minutes of the Regular Council meeting held February 22, 2021

Moved by Councillor Armour, seconded by Councillor Brame: That the Minutes of the Special Council meeting held February 22, 2021 and the Minutes of the Regular Council meeting held February 22, 2021, be approved 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) [21-064](#) Public Hearing Notice - 842 Carrie Street
- 2) **Background Information - Available for Viewing Separately**
- 3) **Director of Development Services - Overview of Application**
  - a) [21-094](#) Public Hearing OCP Amendment and Rezoning - 842 Carrie Street,  
Staff Report No. DEV-21-012

Planner attended the meeting via conference call at 7:00 PM, presented a PowerPoint Presentation, and responded to questions from Council.

The purpose of the application is to facilitate the future subdivision of the lot and the construction of a new house to the west of the existing principal dwelling.

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

Xeniya Vins and Janos Farkas, Xquimalt Developments, attended the meeting via conference call at 7:00 PM, presented a PowerPoint Presentation, and responded to questions from Council.

#### **5) Public Input**

Mayor Desjardins asked the Corporate Officer if any input had been

received. No public input was received.

The Mayor asked if there was any further public input received via the public hearing phone line. No further public input was received.

Council waited three minutes for any speakers to text or call the public hearing phone line to respond to comments made during the Public Hearing. No public input was received.

**6) Adjournment of Hearing**

Mayor Desjardins declared the Public Hearing for Bylaw No. 3005 and Bylaw No. 3006 closed at 7:36 PM.

**7) Consideration of Staff Recommendation**

Council comments included appreciation for the proposal to maintain the existing house on the property rather than demolish it, contextual fit of the modern design within neighbourhood, concerns of potential impact to street parking, and increasing the housing supply in the community.

Moved by Councillor Brame, seconded by Councillor Armour:

1. That Council, upon considering comments made at the public hearing, resolves that Official Community Plan Bylaw, 2018, No. 2922, Amendment Bylaw No. 3005 attached as Appendix A to Staff Report DEV-21-012, which would amend Official Community Plan - Schedule H, the 'Development Permit Areas' map, by changing the designation of 842 Carrie Street [PID 000-385-336, Lot 14, Section 10, Esquimalt District, Plan 276] shown cross-hatched on Schedule 'A' of Bylaw No. 3005, from 'DPA No. 6 - Multi-Family Residential' to 'DPA No. 3 - Enhanced Design Control Residential' be given third reading; and
2. That Council, upon considering comments made at the public hearing, resolves that Zoning Bylaw, 1992, No. 2050, Amendment Bylaw No. 3006, attached as Appendix B to Staff Report DEV-21-012, which would amend Zoning Bylaw, 1992, No. 2050, by changing the zoning designation of 842 Carrie Street [PID 000-385-336, Lot 14, Section 10, Esquimalt District, Plan 276], shown cross-hatched on Schedule 'A' of Bylaw No. 3006, from Single Family Residential [RS-1] to Comprehensive Development District No. 133 [CD. No. 133], be given third reading; and
3. That, as the applicant wishes to assure Council that uses and development will be restricted and amenities provided as identified in Staff Report DEV-21-012, the applicant has voluntarily agreed to register a Section 219 Covenant on the title of 842 Carrie Street [PID 000-385-336, Lot 14, Section 10, Esquimalt District, Plan 276] 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:
  - New building to achieve BC Energy Step Code level 3
  - Existing building to achieve BC Energy Step Code level 3, when

renovated

- Electric vehicle charger for the new house, and for the existing house upon renovation
- Heat pump will be provided as the primary heating for the new house which would not have a gas connection (fossil fuel heating source).
- Existing house would have a heat pump installed as the primary heating source upon renovation and keep its gas connection
- A secondary suite would be permitted in the Site A building only
- Neither lot can be sold until the renovations are completed

To this end, Council direct staff to coordinate with the property owner to ensure a Section 219 Covenant addressing the aforementioned items is registered against the property title, in priority to all financial encumbrances, prior to returning Amendment Bylaw No. 3005 and Amendment Bylaw No. 3006 to Council for consideration of adoption. Carried Unanimously.

Planner left the meeting at 7:40 PM.

Xeniya Vins and Janos Farkas, Xquimalt Developments, left the meeting at 7:40 PM.

Director of Financial Services joined the meeting via conference call at 7:41 PM.

Maureen Sawa, CEO, Paul McKinnon, Director of Finance, and Andy MacKinnon, Board Chair, Greater Victoria Public Library (GVPL) joined the meeting via conference call at 7:41 PM.

## **6. PRESENTATIONS**

- 1) [21-130](#) Maureen Sawa, CEO, Annemieke Holthuis, Board Vice-Chair & Paul McKinnon, Director of Finance and Facilities, Greater Victoria Public Library (GVPL), Re: 2021 GVPL Budget Presentation

Director of Community Safety Services joined the meeting at 7:43 PM.

Andy Mackinnon, Board Chair, introduced GVPL staff.

Maureen Sawa, CEO presented a PowerPoint Presentation regarding the 2021 Budget, and together with Paul Mckinnon, Director of Finance, and Andy MacKinnon, Board Chair, responded to questions from Council. Highlights of the presentation included an overview of services, impact of COVID-19 on operations, and a 2021 budget request.

Director of Development Services responded to questions from Council.

Council comments included importance of library services to the community.

Maureen Sawa, CEO, Paul McKinnon, Director of Finance, and Andy MacKinnon, Board Chair, GVPL left the meeting at 7:59 PM.

**7. 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.**

There was no electronic public comment.

**8. STAFF REPORTS**

***Administration***

- 1) [21-096](#) Alternative Approval Process - Public Safety Building Improvements, Staff Report No. CSS-21-005

Director of Community Safety Services provided an overview of the alternate approval process to engage electors on the proposal to undertake long-term borrowing for the construction of the public safety building and together with staff responded to questions from Council.

Council comments included utilizing the amenity funds received through the waste water treatment project and renovating the public safety building to serve the growing community.

Moved by Councillor Hundleby, seconded by Councillor Armour: That Council give first, second and third readings to Public Safety Building Improvements Loan Authorization Bylaw, 2021, No. 3021 as outlined in Staff Report No. CSS-21-005. Carried Unanimously.

Moved by Councillor Brame, seconded by Councillor Armour:

WHEREAS the Corporation of the Township of Esquimalt has given three readings to Loan Authorization (Public Safety Building) Bylaw, 2021, No. 3021, which proposes a debenture not to exceed \$35,000,000, be obtained to finance a Public Safety Building which will be repaid over a period not to exceed thirty (30) years.

AND WHEREAS the Corporation of the Township of Esquimalt cannot adopt Bylaw No. 3021 until the approval of the electors has been obtained;

THEREFORE, BE IT RESOLVED that the Corporate Officer undertake an Alternative Approval Process (AAP) to determine the opinion of the electors regarding this matter including approval of the determination of the number of eligible electors and the Elector Response Form as outlined in Staff Report No. CSS-21-005;

AND THAT IT BE FURTHER RESOLVED that a minimum of 32 days for submitting receiving the Elector Response Forms is established. Carried Unanimously.

Director of Financial Services left the meeting at 8:22 PM.

Director of Community Safety Services left the meeting at 8:22 PM.

### **Development Services**

- 2) [21-122](#) Development Permit and Development Variance Permit Application - 633 Nelson Street, Staff Report No. DEV-21-015

Planner responded to questions from Council.

The purpose of the application is to build a three-unit townhouse.

Xeniya Vins and Janos Farkas, Xquimalt Developments, attended the meeting via conference call at 8:23 PM, presented a PowerPoint Presentation, and responded to questions from Council.

Council comments included contextual fit within the neighbourhood, suitability for prospective purchasers, and appreciation for the proposed double-car garage.

Director of Development Services responded to questions from Council.

Moved by Councillor Morrison, seconded by Councillor Armour:

That Council approve Development Variance Permit No. DVP00112 attached as Appendix B to Staff Report No. DEV-21-015, including the following variances to Zoning Bylaw, 1992, No. 2050, as illustrated on the architectural plan by Xquimalt, stamped "Received January 29, 2021", the landscape plan by Lombard North Group, Inc., stamped "Received February 22, 2021, and sited in accordance with the BCLS Site Plan provided by Kenneth Ng, stamped "Received February 3, 2021", and staff be directed to issue the permit and register the notice on the title of the property located at PID 005-375-649, Lot 81, Suburban Lot 44, Esquimalt District, Plan 2854 [633 Nelson Street]:

Zoning Bylaw, 1992, No. 2050, 41 (3) (a) - Building Height: Increase of the maximum allowable height for the Principal Building from 7.5 metres to 7.7 metres

Zoning Bylaw, 1992, No. 2050, 41 (4) (a) - Lot Coverage: Increase of the maximum allowable lot coverage from 40% of the Area of a Parcel to 45% of the Area of a Parcel

Zoning Bylaw, 1992, No. 2050, 41 (5) (a) (i) - Siting Requirements: Principal Building - Front Setback: A 5.5-metre reduction to the requirement that no Principal Building shall be located within 7.5 metres of a Front Lot Line [ i.e., from 7.5 metres to 2.0 metres]

Zoning Bylaw, 1992, No. 2050, 41 (5) (a) (ii) - Siting Requirements: Principal Building - Northern Side Setback: A 1.5-metre reduction to the requirement that no Principal Building shall be located within 4.5 metres of an Interior Side Lot Line [ i.e., from 4.5 metres to 3.0 metres]

Zoning Bylaw, 1992, No. 2050, 41 (5) (a) (ii) - Siting Requirements: Principal Building - Southern Side Setback: A 2.0-metre reduction to the requirement that no Principal Building shall be located within 4.5 metres of an Interior Side Lot Line [ i.e., from 4.5 metres to 2.5 metres]

Zoning Bylaw, 1992, No. 2050, 41 (5) (a) (iii) - Siting Requirements: Principal Building - Rear Setback: A 3.15-metre reduction to the requirement that no Principal Building shall be located within 7.5 metres of a Rear Lot Line [ i.e., from 7.5 metres to 4.35 metres]

Zoning Bylaw, 1992, No. 2050, 41 (6) - Usable Open Space: To allow for the required usable open space as required by the RM-1 zone but with an amended definition such that the area is available for use by the occupants of the individual townhouse unit rather than use by all the building's occupants. Carried.

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

Opposed: 3 - Mayor Desjardins, Councillor Hundleby, and Councillor Vermeulen

Moved by Councillor Armour, seconded by Councillor Brame: That Council approve Development Permit No. DP000152 attached as Appendix A to Staff Report No. DEV-21-015, for a 3-unit townhouse, as illustrated on the architectural plan by Xquimalt, stamped "Received January 29, 2021", the landscape plan by Lombard North Group, Inc., stamped "Received February 22, 2021, and sited in accordance with the BCLS Site Plan provided by Kenneth Ng, stamped "Received February 3, 2021", and staff be directed to issue the permit, and register the notice on the title of the property located at PID 005-375-649, Lot 81, Suburban Lot 44, Esquimalt District, Plan 2854 [633 Nelson Street]. Carried.

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

Opposed: 3 - Mayor Desjardins, Councillor Hundleby, and Councillor Vermeulen

Xeniya Vins and Janos Farkas, Xquimalt Developments, left the meeting at 9:04 PM.

**3) [21-123](#) Development Permit Application - 334 Plaskett Place, Staff Report No. DEV-21-016**

The purpose of the application is to construct a covered trellis on an existing deck.

Moved by Councillor Armour, seconded by Councillor Brame: That Council resolves that Development Permit No. DP000156, attached as Appendix A to Staff Report DEV-21-016, consistent with the structural drawings by Niveau Construction, stamped "Received January 11, 2021", be approved, and staff be directed to issue the permit and register the notice on the title of the property located at 334 Plaskett Place [PID 000-244-503, Lot A

Section 11 Esquimalt District Plan 26533. Carried Unanimously.

Councillor Vermeulen recused herself from the meeting at 9:06 PM due to a conflict of interest with proximity of her principal dwelling.

Heather Spinney, Praxis Architects Inc., Graeme Mann, GT Mann Contracting Ltd., Sean Partlow, Lombard North Group Inc., Tim Shah, WATT Consulting Group, joined the meeting via conference call at 9:06 PM.

The meeting recessed at 9:06 PM and reconvened at 9:09 PM with all members of Council present, except Councillor Vermeulen who had declared a conflict of interest.

- 4) [21-100](#) Rezoning Application – 1100, 1104 & 1108 Esquimalt Road, and 610 & 612 Lampson Street, Staff Report No. DEV-21-011

Planner presented a PowerPoint Presentation and responded to questions from Council.

The purpose of the application is to allow for the construction of a 6-storey, 89-unit multiple-family residential building including a 94-space parking garage.

Heather Spinney, Praxis Architects Inc., Graeme Mann, GT Mann Contracting Ltd., Sean Partlow, Lombard North Group Inc., Tim Shah, WATT Consulting Group, presented a Video Presentation and responded to questions from Council.

Staff responded to questions from Council.

Council comments included:

- \* Preference for inclusion of commercial space in alignment with the Official Community Plan.
- \* Concerns of density, massing, and impact to surrounding neighbours.
- \* Traffic safety concerns associated with the development's proximity to a high-traffic intersection.
- \* Responding to housing needs in the community by increasing the supply.

Moved by Councillor Brame, seconded by Councillor Hundleby:

Part 1:

1. That Council resolves that Zoning Bylaw, 1992, No. 2050, Amendment Bylaw No. 2989, attached to Staff Report No. DEV-21-011 as Appendix A, which would amend Zoning Bylaw, 1992, No. 2050 by changing the zoning designation of 1100 Esquimalt Road [PID 005-988-292 Lot 1, Section 11, Esquimalt District, Plan 4618], 1104 Esquimalt Road [PID 005-988-331 Lot 2, Section 11, Esquimalt District, Plan 4618], and 1108 Esquimalt Road [PID 005-988-381 Lot 3, Section 11, Esquimalt District, Plan 4618], all shown cross hatched on Schedule 'A' of Bylaw No. 2989, from RM-1

[Multiple Family Residential] to CD No. 131 [Comprehensive Development District No. 131]; and by changing the zoning designation of 610 Lampson Street [PID 024-548-782 Strata Lot 2 Section 11 Esquimalt District Strata Plan VIS4828], and 612 Lampson Street [PID 024-548-774 Strata Lot 1 Section 11 Esquimalt District Strata Plan VIS4828], all shown cross hatched on Schedule 'A' of Bylaw No. 2989, from CD No. 22 [Comprehensive Development District No. 22] to CD No. 131 [Comprehensive Development District No. 131] be given first and second reading;

Part 2:

2. That Council authorizes the Corporate Officer to schedule a Public Hearing for Zoning Bylaw, 1992, No. 2050, Amendment Bylaw No. 2989, mail notices and advertise for same in the local newspaper; and

Part 3:

3. That, as the applicant wishes to assure Council that uses and development will be restricted and amenities provided as identified in Staff Report No. DEV-21-011, the applicant has voluntarily agreed to register a Section 219 Covenant on the titles of 1100 Esquimalt Road [PID 005-988-292 Lot 1, Section 11, Esquimalt District, Plan 4618], 1104 Esquimalt Road [PID 005-988-331 Lot 2, Section 11, Esquimalt District, Plan 4618], 1108 Esquimalt Road [PID 005-988-381 Lot 3, Section 11, Esquimalt District, Plan 4618], 610 Lampson Street [PID 024-548-782 Strata Lot 2 Section 11 Esquimalt District Strata Plan VIS4828], and 612 Lampson Street [PID 024-548-774 Strata Lot 1 Section 11 Esquimalt District Strata Plan VIS4828] 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:

- Lot consolidation of 1100 Esquimalt Road, 1104, Esquimalt Road, 1108 Esquimalt Road, 610 Lampson Street, and 612 Lampson Street prior to development as the proposed CD No.131 Zone does not work unless the parcels are consolidated
- Undergrounding of the electric power lines along Esquimalt Road and Lampson Street adjacent to the subject property
- The building be constructed to include a minimum of four 3-bedroom dwelling units
- 9 visitor parking spaces will be provided and remain
- All the parking stalls wired for Level 2 (240V, AC plug with a dedicated 40-ampere circuit) electric vehicle charging stations
- Membership for a shared vehicle service for 69% of the units
- Parking space for a car share vehicle on the subject property
- Provision of one-year BC Transit bus passes for the Victoria Regional Transit System to all the residents
- No restriction on rentals to ensure that all the strata units in this building can be used as long-term residential rentals

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. 2989 to Council for consideration of adoption.

**Amendment Motion:**

Moved by Councillor Morrison, seconded by Councillor Brame: That the Main Motion be amended in Part 1 to include the following:

That the applicant provide a traffic study prior to Council consideration to authorize the Corporate Officer to schedule a Public Hearing.

**Motion to separate the vote:**

Moved by Councillor Brame, seconded by Councillor Morrison: That Council separate Parts 1, 2, and 3 of the Main Motion as amended. Carried Unanimously.

The vote was taken on Part 1 of the Main Motion as amended and declared Carried with Councillor Armour and Councillor Morrison opposed.

That vote was taken on Part 3 of the Main Motion and declared Carried with Councillor Armour and Councillor Morrison opposed.

Heather Spinney, Praxis Architects Inc., Graeme Mann, GT Mann Contracting Ltd., Sean Partlow, Lombard North Group Inc., Tim Shah, WATT Consulting Group, left the meeting at 10:11 PM.

Planner left the meeting at 10:11 PM.

Councillor Vermeulen returned to the meeting at 10:11 PM.

- 5) [21-126](#) Rezoning Application 1048 Tillicum Road - Adoption, Staff Report No. DEV-21-017

The purpose of the application is to accommodate the construction of five strata-townhouse residences in two buildings on the subject property.

Moved by Councillor Brame, seconded by Councillor Armour:

1. That Council resolves that Official Community Plan Bylaw, 2018, No. 2922, Amendment Bylaw, 2020, No. 3012 attached as Appendix A to Staff Report DEV-21-017, which would amend Official Community Plan - Schedule H, the 'Development Permit Areas' map, by changing the designation of 1048 Tillicum Road [PID 005-010-390, Lot D, Section 10, Esquimalt District, Plan 11683], shown cross-hatched on Schedule 'A' of Bylaw No. 3012, from 'DPA No. 3 - Enhanced Design Control Residential' to 'DPA No. 6 - Multi-Family Residential' be adopted; and

2. That Council resolves that Zoning Bylaw, 1992, No. 2050, Amendment Bylaw No. 2994, attached as Appendix B to Staff Report DEV-21-017, which would amend Zoning Bylaw, 1992, No. 2050, by changing the zoning designation of 1048 Tillicum Road [PID 005-010-390, Lot D,

Section 10, Esquimalt District, Plan 11683], shown cross-hatched on Schedule 'A' of Bylaw No. 2994, from Two Family Residential [RD-1] to Comprehensive Development District No. 132 [CD. No. 132], be adopted. Carried Unanimously.

Mayor Desjardins declared a conflict of interest and left the meeting at 10:12 PM due to a conflict of interest with proximity of her new principal dwelling. Councillor Armour assumed the role of Chair in her absence.

- 6) [21-125](#) Housing Agreement Bylaw - Esquimalt Town Square, Staff Report No. DEV-21-018

Moved by Councillor Brame, seconded by Councillor Hundleby: That Council give 1st, 2nd, and 3rd readings to Housing Agreement (505 Park Place) Bylaw, 2021, No. 3020. Carried Unanimously.

Mayor Desjardins returned to the meeting at 10:14 PM.

- 7) [21-132](#) Amendment to Regional Context Statement - Official Community Plan, Staff Report No. DEV-21-014

Moved by Councillor Armour, seconded by Councillor Vermeulen: That Council authorize the Corporate Officer to forward the proposed amendment to the Regional Context Statement in the Official Community Plan as outlined in Staff Report No. DEV-21-014, to the Capital Regional District's Corporate Officer and furthermore, indicate that Council will discharge its conditional approval, accepting the Regional Growth Strategy Amendment Bylaw No. 4328 per the requirements of Section 438 of the Local Government Act, upon CRD Board acceptance of Esquimalt's revised Regional Context Statement. Carried Unanimously.

## 9. COMMUNICATIONS

### *For Council's Information*

- 1) [21-131](#) Letter from the Honourable Gorge Heyman, M.L.A., Minister of Environment and Climate Change Strategy, dated February 12, 2021 and associated attachments, Re: Checkout Bag Regulation Bylaw No. 2953

This item was received.

## 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 Armour: That the Regular Council meeting be adjourned at 10:16 PM. Carried Unanimously.

---

MAYOR BARBARA DESJARDINS  
THIS 15TH DAY OF MARCH, 2021

---

RACHEL DUMAS, CORPORATE OFFICER  
CERTIFIED CORRECT