



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

Minutes - Final

Council

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

Monday, April 4, 2022

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

Staff: Laurie Hurst, Chief Administrative Officer
Bill Brown, Director of Development Services
Ian Irvine, Director of Financial Services
Deb Hopkins, Manager of Corporate Services/Corporate Officer
Yvonne Mitchell, Planner
Alex Tang, Planner
Sarah Holloway, Deputy Corporate Officer/Recording Secretary

1. CALL TO ORDER

Mayor Desjardins called the Committee of the Whole meeting to order at 7:00 PM.

Mayor Desjardins recognized and acknowledged the Songhees and Esquimalt Nations on whose traditional territory we live, we learn and we do our work.

2. LATE ITEMS

1) [22-157](#) Late Items

The following late items were added to the agenda:

(1) Item No.7 8 - 1075 Tillicum Road:

- A. Walker, April 1, 2022
- J. Parker, March 30, 2022

(2) Item No. 7.9 - 815 & 825 Selkirk Avenue:

- B. Scott, April 4, 2022
- C. & N. Fraser, April 3, 2022
- D. Hughes, April 2, 2022
- D. Yaxley, April 1, 2022

- R. Hopewell, April 4, 2022
- E. Bullwn, April 2, 2022
- Emily Nickerson, April 1, 2022
- J. Proctor, April 1, 2022
- J. & D. Scratchley, March 31, 2022
- K. Hiscock, March 30, 2022
- M. Johnston, April 1, 2022
- N. Rasmussen, March 31, 2022
- R. Stock, April 1, 2022
- S. Shiach, April 2, 2022
- S. A. Roch, April 1, 2022

3. APPROVAL OF THE AGENDA

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

4. MINUTES

- 1) [22-149](#) Minutes of the Regular Council Meeting held January 24, 2022
- 2) [22-150](#) Minutes of the Special Council Meeting held February 7, 2022
- 3) [22-151](#) Minutes of the Regular Council Meeting held February 7, 2022
- 4) [22-138](#) Minutes of the Special Council meeting held March 15, 2022
- 5) [22-139](#) Minutes of the Special Council meeting held March 21, 2022
- 6) [22-140](#) Minutes of the Regular Council meeting held March 21, 2022

Moved by Councillor Hundleby, seconded by Councillor Brame: That the minutes of the Regular Council meeting held January 24, 2022; the Special Council meeting held February 7, 2022; the Regular Council meeting held February 7, 2022; the Special Council meeting held March 15, 2022; the Special Council meeting held March 21, 2022; the Regular Council meeting held March 21, 2022 be approved as circulated. Carried Unanimously.

5. PRESENTATIONS

- 1) [22-143](#) Ben Barnes Re: Presentation on Local Government and Indigenous Reconciliation in British Columbia - Reforming the Relationship

Ben Barnes, presented to Council on Local Government and Indigenous

Reconciliation in British Columbia identifying the issues and barriers, the benefits of reconciliation for the community as a whole and the actions needed to enable an equal partnership.

6. 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.

Nick May, City of Victoria resident, commented that the design of the building was a box with no transitions and would expect to see downtown but not in this neighbourhood. Limited parking will create issues and community conflict. The development does not address affordability. Family townhouses or 3-4 storeys and a more thoughtful design is preferred.

Norm Cruikshank, resident, is not in support of the developers plan and commented that rezoning proposals should not be considered until an adequate community plan is done by the Township in the Selkirk neighbourhood. Townhomes with adequate parking is preferred.

Laraine Hardy, resident, commented that a six storey development is out of place in the neighbourhood as is the design. Lower storeys and a less rectangular structure is preferred.

Trenna Nicol, resident, expressed concerns over the unaffordability of the units; shading of adjacent properties; noise; street parking availability; and lack of skyline. The resident supports densification, but not the proposed six storeys in the centre of a family neighbourhood. An affordable townhome complex is preferred.

Elizabeth Ketterer, resident, expressed concern over the loss of skyline and lighting and that it will cause a decline in enjoyment in her home.

Suzanne Carmichael, resident, commented that the amount of sunshine for residents in adjacent properties will be reduced due to the height of the building and requested a more family friendly building.

Anna Bowness-Park, resident, does not support the height of the development as its approval would form a precedent for future developments in the neighbourhoods bordering the Gorge Waterway which may afford views from taller buildings.

Robin Miller, resident, expressed opposition to the project and commented that there needs to be more three bedroom units in the area for families.

Riley Bicey, City of Victoria resident, commented that the height of the building is out of place and would prefer a lower height design. The resident also mentioned that the Step 1 energy efficiency is below best practice and that Step 3 should be required.

Emily Nickerson, resident, expressed concerns with the development including six storeys being too high, that the building does not reflect the neighbourhood character, and the negative impact on traffic in the area.

Mayor Desjardins left the meeting at 7:32 PM

Erin Vanstone, commented that the traffic study was inadequate and the development will significantly increase traffic during peak travel time. Parking on Selkirk is a serious issue and often the residents must park down the street and walk their family back up the street to their homes. Arm Street is a cut through and the increased traffic will be unsafe for children due to the lack of complete sidewalks.

Mayor Desjardins returned to the meeting at 7:33 PM

Jamie Proctor, resident, expressed concerns with the development in its current form and referenced the long term vision document in the Official Community Plan which states that new development should not be out of step with current dwellings and should minimize shadows.

Chris Chater, resident, is opposed to the project and commented on the lack of parking due to residents from nearby roads parking on Selkirk. The resident is concerned that the increase of 52 units will add more cars to the area.

Sean Bruce, resident, expressed that there is a lack of infrastructure to support the development and that the traffic study was insufficient. The resident commented that the design provides no benefit to the community or affordable housing solutions.

Natasha Reger, resident, expressed the need for more family housing in the Capital Regional District and requested that a housing agreement be secured for the Township to ensure reasonable and affordable sale costs.

Adrian Roch, resident, commented that the current proposal imposes on neighbour privacy and access to daylight and site lines, as the neighbourhood currently does not have more than four storeys and the architectural design does not reflect the neighbourhood.

Bob Stock, resident, commented that the developer's investment site emphasized the quiet location and water views. The resident expressed their concern that if approved, this would be a precedent setting development that would ensure that six storeys would be an expectation of developers who would profit from the desirable location and views, and would put the family homes in the neighbourhood at risk.

Malcolm Nicol, resident, commented that the development did not fit into the community and that it would set an unwelcome precedent for future developments.

Hilda Rocheleau, resident, commented that the height of the building was not supportable and would prefer a building with a maximum of four storeys and more family oriented units to fit in with the community.

Richard Kerr, resident, commented that the traffic in the neighbourhood is unbearable with narrow streets, parked cars on both sides of the road and diverted traffic. The development would compound the situation. The height and size of the building is out of character with the neighbourhood and is not supportable.

Sean Trace, resident, commented that the amount of traffic on the 900 block of Selkirk is not sustainable or safe and is used heavily by cyclists.

Margot Johnston, resident, expressed her concerns with the development as it affects parking, traffic, density, the daylight and shadows, and is not family or affordable housing. A four storey building is preferred.

Moved by Councillor Morrison, seconded by Councillor Brame: That Item No. 7.9 - 815 & 825 Selkirk Avenue be moved up on the agenda to be the first item under Development Services as Item 7. 5. Carried Unanimously.

7. STAFF REPORTS

Community and Safety Services

- 1) [22-145](#) Esquimalt United Church Mural Proposal, Staff Report No. CSS-22-003

The Director of Development Services introduced the report to Council and responded to questions.

Council comments included:

- Concerns over the mural falling into disrepair.
- The mural fits well with the strategic plan.
- Thanked the applicant for their contribution.

Moved by Councillor Armour, seconded by Councillor Morrison: That Council approve the proposed mural request from the Esquimalt United Church under the "community beautification program" for the purposes of Section 5.7 of the Sign Regulation Bylaw, 1996, No. 2252, as amended, subject to the following conditions:

- 1) All murals selected by the organizing committee are to be forwarded to the Corporation of the Township of Esquimalt for final approval by Council of the Township. Any proposed alterations to the mural after final approval by Council must also be approved by Council.
- 2) Other than murals painted directly onto the exterior wall of a building, all murals must be installed under the direction of a qualified engineer licensed to practice in British Columbia.
- 3) That this resolution only applies to the United Church mural. Carried Unanimously.

Finance

- 2) [22-130](#) Local Grant - Esquimalt High School Athletics, Staff Report FIN-22-005

The Director of Financial Services introduced the report to Council.

Moved by Councillor Armour, seconded by Councillor Morrison: That Council direct staff to issue a payment in the amount of \$2,750 to Esquimalt High School to support its athletic program expenditures as outlined in the application attached to Staff Report FIN-22-005. Carried Unanimously.

- 3) [22-132](#) 2022 Revenue, Tax, Budget and Financial Sustainability Policies & Objectives, Staff Report FIN-22-006

The Director of Financial Services made a PowerPoint presentation and in response to a question from Council clarified that a report addressing beautification as a shift away from the revitalization tax exemption, will be presented to Council in May.

Moved by Councillor Brame, seconded by Councillor Hundleby: That Council approve the 2022 Revenue, Tax, Budget and Financial Sustainability Policies and Objectives as attached to Staff Report No. FIN-22-006, as Schedule A to Financial Plan Bylaw No. 3054 with Removal of the Revitalization Tax Exemption. Carried Unanimously.

- 4) [22-156](#) 2022 Property Tax Rates

The Director of Financial Services presented the 2022 Property Tax Rates and responded to questions from Council.

Comments included:

- The contingency fund is typically \$250,000 each year but it is currently at \$150,000. The surplus could replenish the fund.

- Costs in daily living such as food and gas, have been high for the residents this year. Scenario 1 will benefit the residents.
- The federal and provincial governments gave benefits to business' these past few years whereas homeowners did not receive assistance.

Moved by Councillor Helliwell, seconded by Councillor Brame: That Council approve Scenario 1 representing an increase of 4.92% for the 2022 Municipal Tax Revenue with the surplus amount of \$152,307 added to the Contingency Fund. Carried Unanimously.

Development Services

- 5) [22-134](#) Rezoning Application – 815 & 825 Selkirk Avenue, Staff Report No. DEV-22-025

Alex Tang, Planner made a presentation and gave the following responses to questions from Council.

- The four visitor parking stalls would be within the underground parkade.
- The applicant is proposing a Modo car share but will not be supplying the vehicle.

The applicant, represented by Grant Grey Eyes, Director of Community and Indigenous Relations for TLA Developments, introduced the application and Mark Hamely, Project Manager made a presentation and responded to questions from Council.

Council comments included:

- Would like to see a longer shadow study.
- Confirmed that parking will be tied to the unit.
- Concern over size of bathrooms.
- The inclusion of 3 bedroom units should be considered.
- Guarantee of Step Code 3 for development should be considered.
- Provide further benefits to the community besides the Modo car share.
- Consider bicycle parking area having the ability to accommodate cargo bikes and an electric bike charging station.
- Provide Streetscape renderings.

Moved by Councillor Armour, seconded by Councillor Hundleby: That Council deny the application.

Council deliberations included:

- The application was supported by the Advisory Planning Commission and the Design Review Committee.
- The side street location of the property makes it undesirable for the height of the building.
- The neighbourhood is not in support.
- Disappointed with the lack of family housing units.
- Requirement of Step Code 3 is desired.

- Further benefits for the community is requested.
- Parking and volume of traffic is a concern.
- Must be consistent with decisions for all developments at Council and give first reading and direct staff to return with changes to the development.
- Shadow study and streetscapes renderings are requested.
- First reading should not be given if Council requires a reduction in storeys.

The Motion was then Put and DEFEATED.

Opposed: 7 - Mayor Desjardins, Councillor Armour, Councillor Brame, Councillor Helliwell, Councillor Hundleby, Councillor Morrison and Councillor Vermeulen

Council comments included:

- Give the bylaw first reading to direct staff to work with the applicant on the consideration of including three bedroom units, Step Code 3 requirement, reduction of the building height and number of storeys, providing further community amenities and providing a shadow study and streetscape renderings.
- The size of the units are reasonable.

Moved by Councillor Morrison, seconded by Councillor Vermeulen: 1. That Council resolves that Zoning Bylaw, 1992, No. 2050, Amendment Bylaw, 2022, No. 3064, attached to Staff Report No. DEV-22-025 as Appendix A, which would amend Zoning Bylaw, 1992, No. 2050 by changing the zoning designation of PID 004-367-839 Lot 7, Section 10, Esquimalt District, Plan 1258 [815 Selkirk Avenue] and PID 007-656-483 Lot 8, Section 10, Esquimalt District, Plan 1258 [825 Selkirk Avenue], shown cross-hatched on Schedule 'A' attached hereto, from RS-1 [Single Family Residential] to CD No. 151 [Comprehensive Development District No. 151] be given first reading; and

2. That Council direct staff to work with the applicant to address Council's concerns. Carried Unanimously.

Council recessed at 9:22 PM and reconvened at 9:28 PM with all members of Council present.

6) [22-002](#) Covenant Modification and Development Variance Permit - 474 Head Street, Staff Report No. DEV-22-027

Moved by Councillor Armour, seconded by Councillor Morrison:

1. That Council approves the amendments to Section 219 Covenant CA5828218 [Appendix A] and directs staff and legal counsel to register a Notice of the Covenant Modifications document on the title of the property located at 474 Head Street [PID 030-850-428; Lot A Section 11 Esquimalt District Plan EPP77112]; and
2. That Council approves Development Variance Permit No. DVP00117 [Appendix B] including the following variance to Parking Bylaw, 1992, No.

2011, as illustrated on the sketch plans by Christine Lintott Architects, stamped "Received August 11, 2021", and subject to registration of the modification of Section 219 Covenant CA5828218, staff be directed to issue the permit and register the notice on the title of the property located at 474 Head Street [PID 030-850-428; Lot A Section 11 Esquimalt District Plan EPP77112].

Parking Bylaw, 1992, No. 2011, Part 4 (11)(1) - Visitor Parking: To reduce the number of required visitor parking spaces by 2 (from 24 required visitor parking spaces to 22). Carried Unanimously.

- 7) [22-003](#) Housing Agreement Bylaw - 819, 821, 823 Esquimalt Road, Staff Report No. DEV-22-028

Yvonne Mitchell, Planner introduced the report to Council.

Moved by Councillor Armour, seconded by Councillor Brame: That Council resolves that Housing Agreement Bylaw, 2021, No. 3028 attached as Appendix A of Staff Report DEV-22-028, for 819, 821, 823 Esquimalt Road be given first, second, and third readings. Carried Unanimously.

- 8) [22-105](#) Rezoning Application – 530, 534 & 538 West Bay Terrace, and 877 & 879 Dunsmuir Road, Staff Report No. DEV-22-016

The Director of Development Services introduced the Bylaw for adoption.

Moved by Councillor Helliwell, seconded by Councillor Brame: That Council adopts Zoning Bylaw, 1992, No. 2050, Amendment Bylaw No. 3039, attached to Staff Report No. DEV-22-016 as Appendix A, which would amend Zoning Bylaw, 1992, No. 2050 by changing the zoning designation of 530 West Bay Terrace [PID 005-090-202, Lot 7, Section 11, Esquimalt District, Plan 11515], 534 West Bay Terrace [PID 000-074-659, Lot 6, Section 11, Esquimalt District, Plan 11515], 538 West Bay Terrace [PID 000-074-594, Lot 5, Section 11, Esquimalt District, Plan 11515], 877 Dunsmuir Road [PID 005-090-181, Lot 2, Section 11, Esquimalt District, Plan 11515], and 879 Dunsmuir Road [PID 000-074-683, Lot 1, Section 11, Esquimalt District, Plan 11515], all shown cross-hatched on Schedule 'A' of Bylaw No. 3039, from RM-4 [Multiple Family Residential to CD No. 144 [Comprehensive Development District No. 144]. Carried Unanimously.

- 9) [22-133](#) Rezoning Application – 1075 Tillicum Road, Staff Report No. DEV-22-024

Alex Tang, Planner presented the application and responded to questions from Council. Staff advised that changes since the application was last considered by Council at the Regular meeting held March 7, 2022 included a reduction in the number of dwelling units by one, 99 total, and an increase in the commercial unit area to 160 square meters.

Adam Cooper, Director of Community Planning & Development for Abstract Developments, the applicant, provided a new rendering plan of the

development, made a presentation and responded to questions from Council. The applicant outlined the changes to the development, which included the reduction of massing of the fifth and sixth floors by pushing back the face of the building by 1 metre, the roof line is broken and articulated, and the increase to the commercial space. The importance of maintaining the residential use on the street level, due to the adjacent single family home, was reiterated.

Council comments included:

- Parking space concerns for visitor, commercial and delivery vehicles.
- Developer addressed Council's concerns regarding massing.
- Appreciated the new redesign and balancing the wants and needs of both Council and the Single Family Dwelling next door to the development.
- Concerns that the current use of the property is 100% commercial and would like to see an increase in the frontage to 75% commercial.

Moved by Councillor Armour, seconded by Councillor Brame:

1. That Council resolves that Zoning Bylaw, 1992, No. 2050, Amendment Bylaw, 2022, No. 3056, attached to Staff Report No. DEV-22-024 as Appendix A, which would amend Zoning Bylaw, 1992, No. 2050 by changing the zoning designation of PID 018-050-859 Lot B, Section 10, Esquimalt District, Plan VIP55556 [1075 Tillicum Road], shown cross-hatched on Schedule 'A' attached hereto, from C-6A [Licensed Liquor Establishment - Professional Office] to CD No. 147 [Comprehensive Development District No. 147] be amended and given second reading; and
2. That Council authorizes the Corporate Officer to schedule a Public Hearing for Zoning Bylaw, 1992, No. 2050, Amendment Bylaw, 2022, No. 3056, mail notices and advertise for same in the local newspaper. Carried

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

Opposed: 1 - Councillor Hundleby

- 10)** [22-135](#) Development Permit Application - 624 Admirals Road, Staff Report No. DEV-22-026

Mayor Desjardins thanked the applicant for making the requested changes to the application.

Moved by Councillor Brame, seconded by Councillor Morrison: That Council approves Development Permit No. DP000171 [Appendix A] for renovations to an existing building for use as a restaurant, consistent with the architectural plan by Steller Architectural Consulting, stamped "Received March 25, 2022" and staff be directed to issue the permit and register the notice on the title of the property located at PID 006-463-312, Lot 154, Suburban Lot 43, Esquimalt District, Plan 2854 [624 Admirals Road].. Carried Unanimously

- 11) [22-144](#) Amendment to DP000075, Esquimalt Town Square Outdoor Patio, Staff Report No. DEV-22-029

The Director of Development Services responded to questions from Council.

Discussion included:

- Concerns over possible noise complaints
- Adds to the vibrancy of the property.
- Wait a year to see what comes to the Town Square.
- Worried about not seeing the square and only the patio.
- The proposed space is not the Township's property.
- Patios will help to animate the square.

Moved by Councillor Morrison, seconded by Councillor Armour: That Council approves Development Permit No. DP000075, Amendment No.1, attached as Appendix A to Staff Report DEV-22-029, consistent with the plans by Inhabit Designs stamped "Received February 17, 2022". Carried Unanimously.

8. COMMUNICATIONS

For Council's Consideration

- 1) [22-141](#) Letter from the Police Board dated March 22, 2022 Re: Request for Amendment to the Framework Agreement

Mayor Desjardins commented that the amendment to the Framework Agreement would ensure equity for the two Mayors.

Moved by Councillor Armour, seconded by Councillor Brame: that this Communications was adopted That Council endorse the amendment to Section 3.2 of the Framework Agreement to read "The Co-chairs of the Board are the Mayor of Victoria and the Mayor of Esquimalt. One Co-chair will serve as the Lead Co-chair and the other Co-chair will serve as the Deputy Co-chair. The Co-chairs will alternate between Lead Co-chair and Deputy Co-chair every two years, unless the Co-chairs agree on another length of time". Carried Unanimously.

For Council's Information

- 2) [22-142](#) Email from Nelson Chan - CRD dated March 22, 2022 Re CRD Board Resolution - Socially and Environmentally Responsible Investing

This item was received.

9. NOTICE OF MOTION

- 1) [22-153](#) National Day of Truth and Reconciliation, Mayor Desjardins - For Introduction

The Notice of Motion was introduced and will be discussed at the April 25,

2022 Regular Council meeting.

10. RISE AND REPORT

1) [22-152](#) Police Services and Committee Re-Appointments

At the In Camera meeting held on March 21, 2022, Council passed the following resolutions:

1. That Council direct staff to send a letter to the City of Victoria, Police Board, and VicPD advising them of Council's decisions respecting the additional 2022 Police Budget resource requests, and further issue a news release on this matter.

2. That Council made the following Committee appointments:
Advisory Planning Commission for a term of two years (July 1, 2022 to June 30, 2024)

- Michael Angrove

- Filippo Ferri

Board of Variance for a term of three years (July 1, 2022 to June 30, 2025)

- Elyse Norgaard

Environmental Advisory Committee for a term of two years (July 1, 2022 to June 30, 2024)

- Meredith James

11. 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 public input.

12. ADJOURNMENT

Moved by Councillor Armour, seconded by Councillor Brame: That the Regular Council meeting be adjourned at 10:04 PM. Carried Unanimously.

MAYOR BARBARA DESJARDINS
THIS 25TH DAY OF APRIL, 2022

DEBRA HOPKINS, CORPORATE OFFICER
CERTIFIED CORRECT