



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

Minutes - Final

Council

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

Monday, August 15, 2022

7:00 PM

Esquimalt Council Chambers

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

Staff: Laurie Hurst, Chief Administrative Officer
Bill Brown, Director of Development Services
James Davison, Manager, Development Services
Deb Hopkins, Manager of Corporate Services/Corporate Officer
Alex Tang, Planner
Mikaila Montgomery, Planner
Sarah Holloway, Deputy Corporate Officer/Recording Secretary

1. CALL TO ORDER

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

The Mayor acknowledged the traditional territory of the Lekwungen-speaking peoples, the Songhees and Kosapsum peoples on whose lands we work, learn, live, and play.

2. LATE ITEMS

1) [22-350](#) Late Items

(1) Item No.5 - Public Hearing - OCP Amendment and Rezoning Application - 553 Paradise Street:

- Julie Flatt - dated August 10, 2022
- Sarah Shaw - dated August 11, 2022
- Daniel Robertson - dated August 13, 2022

(2) Item No.6 - Public Hearing - OCP Amendment and Rezoning Application - 602, 608 and 612 Nelson Street:

- Adrian Andrew - dated August 12, 2022
- David Collins - dated August 14, 2022

(3) Item No.9.4 - Rezoning Application - 812 Craigflower Road:

- Charis Faught - dated August 12, 2022

- Linda Miller - dated August 12, 2022
- Richard Chodikoff - dated August 14, 2022
- Sandy Bullivant - dated August 15, 2022

3. APPROVAL OF THE AGENDA

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

4. MINUTES

- 1) [22-385](#) Minutes of the Regular Council meeting held on July 4, 2022
- 2) [22-386](#) Minutes of the Special Meeting of Council held on July 5, 2022
- 3) [22-387](#) Minutes of the Special Meeting of Council held on July 11, 2022
- 4) [22-388](#) Minutes of the Regular Council Meeting held on July 11, 2022

Moved by Councillor Brame, seconded by Councillor Hundleby: That the minutes of the Regular Council meeting held on July 4, 2022; the Special meeting of Council held on July 5, 2022; Special Meeting of Council held on July 11, 2022; and the Regular Meeting of Council held on July 11, 2022 be approved as circulated. Carried Unanimously.

5. PUBLIC HEARING - OCP AMENDMENT AND REZONING APPLICATION - 553 PARADISE STREET

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) [22-412](#) Public Hearing Notice - OCP Amendment and Rezoning Application - 553 Paradise Street
- 2) **Background Information - Available for Viewing Separately**
- 3) **Director of Development Services - Overview of Application**
 - a) [22-409](#) Official Community Plan Amendment and Rezoning Application – 553 Paradise Street DEV-22-071

Mikaila Montgomery, Planner presented a Power Point and responded to questions from Council.

The application is to amend the Official Community Plan Bylaw and the Zoning Bylaw in order to authorize the construction of a Detached Accessory Dwelling Unit.

Moved by Councillor Morrison, seconded by Councillor Brame: That the

written submissions be received as circulated. Carried Unanimously.

4) Applicant or Authorized Representative - Overview of Application

Kerri Moore, owner and applicant made a presentation and responded to questions from Council.

Discussion included:

- The driveway could be expanded if extra parking was needed, but the applicant would prefer a tenant that uses alternative methods of transportation.
- The applicant stated that bus passes would be included in the rent.

5) Public Input

Mayor Desjardins invited members of the public to speak for a first, second, third and final time. A call for written submissions was given a final time. No public input was received.

6) Adjournment of Hearing

Mayor Desjardins declared the Public Hearing for Bylaws 3059 and 3060 closed.

7) Consideration of Staff Recommendation

Council comments included:

- This addition to the housing supply in Esquimalt is supportable.
- The inclusion of a net zero building is appreciated.

Moved by Councillor Morrison, seconded by Councillor Brame:

1. That Council resolves that Official Community Plan Bylaw, 2018, No. 2922 Amendment Bylaw, 2022, No. 3059, attached as Appendix 'A' to Staff Report DEV-22-071, which would amend Official Community Plan Bylaw, 2018, No. 2922, by changing Schedule H being the Development Permit Areas Map by changing the designation of 553 Paradise Street [PID 009-172-971, Lot 3, Block G, Section 11, Esquimalt District, Plan 292], shown cross-hatched on Schedule 'A' of Bylaw No. 3059, from DPA No. 6 Multi-Family Residential to DPA No. 3 Enhanced Design Control Residential be given third reading; and

2. That Council resolves that Zoning Bylaw, 1992, No. 2050, Amendment Bylaw, 2022, No. 3060 attached as Appendix 'B' to Staff Report DEV-22-071, which would amend Zoning Bylaw, 1992, No. 2050, by changing the zoning designation of 553 Paradise Street [PID 009-172-971, Lot 3, Block G, Section 11, Esquimalt District, Plan 292], shown cross-hatched on Schedule 'A' of Bylaw No. 3060, from Single Family Residential [RS-1] to Single Family DADU Residential [RS-6] be given third reading. Carried Unanimously.

6. PUBLIC HEARING - OCP AMENDMENT AND REZONING APPLICATION - 602, 608 AND 612 NELSON STREET

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) [22-413](#) Public Hearing Notice - OCP Amendment and Rezoning Application - 602, 608 and 612 Nelson Street
- 2) **Background Information - Available for Viewing Separately**
- 3) **Director of Development Services - Overview of Application**
 - a) [22-407](#) Official Community Plan Amendment and Rezoning Application – 602, 608 and 612 Nelson Street, Staff Report No. DEV-22-069

Alex Tang, Planner presented a PowerPoint and responded to questions from Council.

The application is to amend the Official Community Plan and Zoning bylaws to allow for a mixed-use development consisting of a minimum of 180 m2 of commercial space and 109 residential units.

In response to Council comments, staff noted that the 10 submarket housing units will be managed by the Capital Regional District (CRD) and details will be outlined in the housing agreement bylaw.

Moved by Councillor Brame, seconded by Councillor Hundleby: That the written submissions be received as circulated. Carried Unanimously.

4) Applicant or Authorized Representative - Overview of Application

Mark Holland, the applicant made a presentation and with Harsimer Rattan, the owner, responded to questions from Council.

Council comments included:

- An agreement with the CRD outlines that the units must be strata. A change in the units from strata to rental would need to be approved by Council.
- The covenant outlines the requirement and size of the commercial space.
- The applicant agreed to meet with the adjacent property owner regarding the replacement of the retaining wall and to discuss other improvements.
- The majority of shadowing will occur to the north of the property.

5) Public Input

Bill Emery, resident, expressed concerns with parking and traffic congestion due to high density in the area, and requested that a fir tree be protected during construction.

Doug Scott, resident, expressed concerns with the densification, traffic congestion, and the building height.

Mike Lamberton, resident, expressed support for the project due to the commercial space and affordable units.

Mayor Desjardins invited members of the public to speak a second, third and final time.

A call for written submissions was given a final time. No further public input was received.

6) Adjournment of Hearing

Mayor Desjardins declared the Public Hearing for Bylaws 3061 and 3062 closed.

7) Consideration of Staff Recommendation

Council discussion included:

- The development in the neighbourhood is a realisation of the Township's vision for the area occurring all at once due to the demand for housing.
- The application offers a unique opportunity for home ownership to those who would not be able to afford a home in the region, by offering the 10 affordable units through the CRD.
- Integrating commercial with the residential space is supportable.
- Parking issues that arise from construction are temporary.
- The community's reliance on cars will be addressed through the Parking Study.
- The parkette and accessible park space will bring life and vibrancy to the area.
- Ideally the building will provide workforce housing which would result in more residents walking to work instead of driving.

Moved by Councillor Morrison, seconded by Councillor Brame:

That Council:

1. give third reading to Official Community Plan Bylaw, No. 2922, Amendment Bylaw, 2022, No. 3061;
2. give third reading to Zoning Bylaw, 1992, No. 2050, Amendment Bylaw, 2022, No. 3062;
3. direct that a Section 219 Covenant be registered on title to secure the items outlined in Staff Report No. DEV-22-069 prior to consideration of

adoption of Bylaw No. 3062. Carried Unanimously.

7. DELEGATION

- 1) [22-414](#) Mike Heenan - Gorge Vale Golf Club - Noise Bylaw Exemption

Mike Heenan, General Manager / Head Golf Professional Gorge Vale Golf Club informed Council of recent noise bylaw complaints against the Golf Course, the efforts made to rectify the situation and requested that Council allow for the Golf Club to be exempt from the noise bylaw in order for them to begin maintenance of the greens at 6 a.m.

Moved by Councillor Brame, seconded by Councillor Hundleby: That Council direct staff to report back with further information on the noise complaints received against the Gorge Vale Golf Club. Carried Unanimously.

8. PUBLIC INPUT ON ANY ITEMS LISTED ON THE AGENDA

There was no public input.

9. STAFF REPORTS

Administration

- 1) [22-416](#) 2022 Appointment - Local Grant Committee, Staff Report No. ADM-22-023

Moved by Councillor Armour, seconded by Councillor Hundleby: That Council appoint Councillor Brame to the Local Grant Committee. Carried Unanimously.

Development Services

- 2) [22-394](#) Development Variance Permit Application, 932 Arcadia Street, Staff Report No. DEV-22-065

Moved by Councillor Brame, seconded by Councillor Hundleby: That Council resolves Development Variance Permit No. DVP00128 [Appendix A] authorizing a decrease to the south setback of the proposed building, consistent with the B.C. Land Surveyor's Certificate of Location of Foundation provided by Peter Broeren on Lot A, Section 10, Esquimalt District Plan EPP97808, stamped "Received July 08, 2022," and including the following relaxations to Zoning Bylaw 1992, No. 2050, be approved, and staff be directed to issue the permit and register the notice on the title of the property located at Lot A Section 10 Esquimalt District Plan EPP97808 [932 Arcadia Street]: Zoning Bylaw 1992, No. 2050, Section 67.105 Comprehensive Development District No. 188 [CD No. 118], (8)(ii) - Side Setback South - to decrease the allowed setback by .07 metres (i.e., from 2.1 metres to 2.03 metres). Carried Unanimously.

- 3) [22-400](#) Official Community Plan Amendment Consultation List - 906 Old Esquimalt Rd. DEV-22-066

Council commented that Island Health should be included in the consultation list.

Moved by Councillor Helliwell, seconded by Councillor Brame: That Council, having considered Sections 475 and 476 of the Local Government Act, authorize staff to circulate the Official Community Plan and Zoning Amendment application and proposed development concept plan, attached as 'Appendix C' to Staff Report DEV-22-066, detailing a proposal requiring a change to Official Community Plan, Schedule H-Development Permit Areas, for the parcel identified as 906 Old Esquimalt Road [PID 009-286-292; Lot 6, Block 1, Section 11, Esquimalt District Plan 195 lying to the west of Plan 10832 except that part in Plan 16588], from 'Development Permit Area No. 3 - Enhanced Design Control Residential' to 'Development Permit Area No. 6 - Multi-Family Residential', for Council to consider approval of the concurrent Rezoning Application for the subject property to permit the use of the parcel for one duplex and one triplex, to those persons, organizations and authorities identified in 'Appendix B' of Staff Report DEV-22-066 with the addition of Island Health. Carried Unanimously.

4) [22-406](#) Rezoning Application - 812 Craigflower Road, Staff Report No. DEV-22-068

The Manager of Development Services presented the application and responded to questions from Council.

Ryan Jabs with Lapis Homes, the applicant, made a presentation and responded to questions from Council.

Council comments included:

- The applicant has not committed to retaining the property as a rental and would prefer to retain the option of becoming a strata.
- The applicant should consider keeping the most accessible parking space open, if not required by a tenant, to act as a temporary loading zone.
- The developer has done a good job of meeting the neighbourhood's needs.
- The unit sizes are very reasonable.
- The development will fill a need in the housing market.

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

1. give first, second and third readings to Zoning Bylaw, 1992, No. 2050, Amendment Bylaw, 2022, No. 3077, attached to Staff Report No. DEV-22-068 as Appendix A, which would amend Zoning Bylaw, 1992, No. 2050, by changing the zoning designation of PID 005-987-164; Lot 2 Section 10 Esquimalt District Plan 5648 [812 Craigflower Road] from Single Family Residential [RS-1] to Comprehensive Development District No. 157 [CD No. 157].

2. direct that a Section 219 Covenant be registered on title to secure the items outlined in Staff Report DEV-22-068 prior to consideration of adoption of Bylaw No. 3077. Carried Unanimously.

5) [22-408](#) Development Variance Permit Application – 615 Bryden Court, Staff Report No. DEV-22-070

Alex Tang, Planner presented the application and responded to questions from Council.

Moved by Councillor Morrison, seconded by Councillor Hundleby: That Council approve Development Variance Permit No. DVP00129 [Appendix A] including the following variances to Zoning Bylaw, 1992, No. 2050, and staff be directed to issue the permit and register the notice on the title of the property located at PID 005-340-004, Lot A, Section 11, Esquimalt District, Plan 9543 [615 Bryden Court] for the northern lot of the proposed subdivision:

- Zoning Bylaw, 1992, No. 2050, 67.109 (8)(a)(ii) - Principle Building: Side Setback: The total Setback of all Side Yards not to be less than 4.29 metres [i.e. from 4.5 metres to 4.29 metres].

- Zoning Bylaw, 1992, No. 2050, 67.109 (8)(a)(iii) - Principle Building: Rear Setback: No principal Building shall be located within 5.39 metres of the Rear Lot Line. [i.e. from 7.45 metres to 5.39 metres]. Carried Unanimously.

6) [22-415](#) Zoning Amendment Bylaw, 842 Carrie Street and 850 Colville Road - Request not to hold a Public Hearing, Staff Report No. DEV-22-073

The Director of Development Services presented the application to Council.

Moved by Councillor Armour, seconded by Councillor Hundleby:

1. That Council resolve to not hold a Public Hearing pursuant to the Local Government Act, Section 464(2) for Zoning Bylaw, 1992, No. 2050, Amendment Bylaw, 2022, No. 3085, attached to Staff Report No. DEV-22-073 as Appendix B, which would amend Zoning Bylaw, 1992, No. 2050, by changing the zoning designation of:

842 Carrie Street [PID 031-614-388], legally described as, Lot A, Plan EPP109801, Section 10, Esquimalt District; and

850 Colville Road [PID 031-614-396] legally described as, Lot B, Plan EPP109801, Section 10 Esquimalt District

shown cross-hatched on Schedule 'A' of Zoning Bylaw, 1992, No. 2050, Amendment Bylaw, 2022, No. 3085, from Single Family Residential [RS-1] to Comprehensive Development District No. 133 [CD. No. 133] and direct staff to proceed with appropriate public notification and return the Bylaw to Council for consideration of first, second, and third readings.

2. That Council authorize the Corporate Officer to schedule a special electronic (conference call) Council meeting on August 31, 2022, to consider adoption of Zoning Bylaw, 1992, No. 2050, Amendment Bylaw, 2022, No. 3085; time to be determined based on availability. Carried Unanimously.

10. **BYLAWS**

- 1) [22-393](#) Parks and Recreation Regulation Amendment Bylaw, Staff Report No. ADM-22-024

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

- 1) rescind third reading of Bylaw No. 3080; and
2) give third reading as amended to Parks and Recreation Regulation Bylaw, 2007, No. 2665, Amendment Bylaw, 2022, No. 3080. Carried Unanimously.

- 2) [22-383](#) Council Procedure Bylaw, 2022, No. 3081 - For Adoption

Moved by Councillor Brame, seconded by Councillor Morrison: That Council Procedure Bylaw, 2022, No. 3081 be adopted. Carried Unanimously.

11. **COMMUNICATIONS**

For Council's Consideration

- 1) [22-391](#) Email from Shelley Werk - Prostate Cancer Foundation BC dated July 11, 2022 Re: Light Up Blue in September

Moved by Councillor Brame, seconded by Councillor Armour: That Council direct staff to light the Recreation Centres blue in September in support of Prostate Cancer Awareness month. Carried Unanimously.

- 2) [22-392](#) Email from James Munro - Greater Victoria Housing dated July 12, 2022 Re: Request for Letter of Support for FCM Green Municipal Fund

Moved by Councillor Morrison, seconded by Councillor Armour: That Council give the Mayor, at her discretion, the authority to provide a letter of support to the Greater Victoria Housing Society for their application to the Federation of Canadian Municipalities (FCM) Green Municipal Fund for sustainable affordable housing subject to review by legal counsel for the Township. Carried Unanimously.

For Council's Information

- 3) [22-389](#) Email from Gillian Lindquist - Restorative Justice Victoria dated July 11, 2022 Re: Initial Report - Restorative Justice Victoria - 2020 to July 2022

This item was received for information.

12. RISE AND REPORT

There was no Rise and Report.

13. PUBLIC COMMENT PERIOD

Karen Martin, resident, commented that the pillars along Esquimalt Road in front of the Town Square/Park Place property have been soiled by dogs.

Mayor Desjardins suggested that the resident send an email to Aragon which is the property owner and mentioned that the strata for the property is discussing the matter as well.

14. ADJOURNMENT

Moved by Councillor Brame, seconded by Councillor Hundleby: That the Regular Council meeting be adjourned at 8:43 PM. Carried Unanimously.

MAYOR BARBARA DESJARDINS
THIS 29TH DAY OF AUGUST, 2022

DEBRA HOPKINS, CORPORATE OFFICER
CERTIFIED CORRECT