



# **CORPORATION OF THE TOWNSHIP OF ESQUIMALT**

**MINUTES  
REGULAR MEETING  
OF MUNICIPAL COUNCIL  
MONDAY, JULY 7, 2008  
7:00 P.M.  
COUNCIL CHAMBERS**

**PRESENT:** Mayor Chris Clement  
Councillor Lynda Hundleby  
Councillor Donald Linge  
Councillor Hy Freedman  
Councillor Barbara Desjardins  
Councillor Jane Sterk

**STAFF:** T. Day, Chief Administrative Officer  
L. Hurst, Director of Financial Services  
G. Cote, Director of Engineering and Public Works  
B. Snyder, Director of Development Services  
D. Knight, Executive Assistant

**1. CALL TO ORDER**

The regular meeting was called to order at 7:00 p.m.

**2. LATE ITEMS**

The following late item was introduced:

- 1) Pertaining to Agenda Item 10 (4), Parking Issues on Garrett Place, Staff Report No. EPW-08-027
  - Email from Connie Brown, received July 3, 2008
  - Email from Monty Keen, received July 5, 2008

**3. APPROVAL OF THE AGENDA**

The agenda was amended to move Staff Report 10(4) after Delegation 9(3).

Moved by Councillor Desjardins, seconded by Councillor Hundleby that the agenda be approved as amended.

The motion **CARRIED**.

**4. MINUTES**

- (1) Minutes of the Regular Meeting of Council, June 16, 2008
- (2) Minutes of the Special Meeting of Council, June 23, 2008

Moved by Councillor Linge seconded by Councillor Hundleby that the minutes of the Regular Meeting of Council held June 16, 2008 and the Special Meeting of Council held June 23, 2008 be adopted.

The motion **CARRIED**.

**5. 2008 ANNUAL REPORT**

**(1) OPENING COMMENTS, CHIEF ADMINISTRATIVE OFFICER**

The Chief Administrative Officer reported that Council and staff were very successful in their accomplishments for 2007. He thanked Laurie Hurst, Director of Financial Services, for her guidance while Acting Chief Administrative Officer.

Mayor Clement thanked Financial Services staff and noted that Parks and Recreation have identified nine separate actions and partnerships for 2007.

**(2) FINANCIAL STATEMENTS, DIRECTOR OF FINANCIAL SERVICES**

The Director of Financial Services advised that the auditors have completed the draft Financial Statements. The auditors will be making a presentation to Council at a future In Camera meeting.

She noted that for the first time in two years, Financial Services will have a full complement of staff. The Director responded to questions from Council.

**(3) Submissions and Questions from the Public**

No members of the public participated in the public input opportunity.

**(4) Motion to receive the report**

Moved by Councillor Freedman, seconded by Councillor Sterk that the Annual Report be received as circulated.  
The motion **CARRIED**.

**6. PUBLIC INPUT (On items listed on the Agenda)**

*Excluding items which are or have been the subject of a Public Hearing.*

**(1) Rod Lavergne**

Mr. Lavergne spoke regarding the Notice of Motion for Community Gardens put forward by Councillor Sterk. He commented that Parks and Recreation are working on this initiative and that it should stay with Parks and Recreation and not be initiated by Council.

**7. HEARING**

**(1) PUBLIC HEARING – ZONING BYLAW AMENDMENT [NO. 179] 2008, NO. 2690, 349 LAMPSON STREET**

- i) Notice of Public Hearing, Zoning Bylaw, 1992, No. 2050, Amendment Bylaw [No. 179], 2008, No. 2690
- ii) Background Information – *Available for Viewing Separately*
  - Staff Report No. DEV-08-042
  - Staff Report No. DEV-08-054

**PUBLIC INPUT**

**(1) Gord Dickinson, 1041 Lampson Street**

Mr. Dickinson is a neighbour of the property and would like to see two houses or a duplex on this property as it would fit with the rest of the neighbourhood.

**(2) Mr. Mason**

Mr. Mason noted that this permit has been through the Advisory Planning Commission and the third house has been redesigned. The landscaping has been enhanced for privacy and a letter of support has been received from another neighbour.

- (3) **David Emerson, #6 – 704 Emery Street**  
Mr. Emerson spoke in favour of the development.
- (4) **Illarion Gallant**  
Mr. Gallant worked on the design plan for the landscaping and the utmost has been done for privacy. He spoke in favour of the project. His clients would be happy to work with the neighbours to resolve issues.
- (5) **Frances Litman, 474 Nelson Street**  
Ms. Litman spoke in favour of the project and called it meaningful and thoughtful.

## ADJOURNMENT OF HEARING

8.

### STAFF REPORT

- (1) **Public Hearing for Rezoning Application and Development Permit, 349 Lampson Street, [Lot A, Section 11, Esquimalt District, Plan 44390], Staff Report No. DEV-08-066**

The Director of Development Services advised that the rezoning is being done to accommodate three fee simple lots and the character of the neighbourhood would be maintained.

Moved by Councillor Linge, seconded by Councillor Freedman that Bylaw No. 2690 which would amend Zoning Bylaw No. 2050, by changing the zoning of 349 Lampson Street [Lot A, Section 11, Esquimalt District, Plan 44390] from RD-3 [Two Family/ Single Family Residential] to CD No. 67 [Comprehensive Development District No. 67] be given third reading and adoption.

The motion **CARRIED**.

Moved by Councillor Freedman, seconded by Councillor Sterk that Development Permit No. 22/2007 limiting the form and character of development to that shown on architectural plans prepared by Ted Lunt Design, stamped "Received March 4, 2008" and landscaping as shown on plans submitted by Rusnak Gallant Ltd. stamped "Received March 4, 2008" be **approved, issued and registered** on the property title.

The motion **CARRIED**.

9.

### DELEGATIONS

- (1) **CREST, Re: Update**  
Councillor Freedman excused himself from Council to represent CREST. He introduced Gord Horth, General Manager of CREST and distributed copies of background material.

Mr. Freedman advised that the implementation of Phase I for CREST took place in the middle of June and went live on June

30<sup>th</sup>. It went well and they are busy on Phase II.

Comments from Council include:

- Question was raised regarding the goal of 97% success rate and the response was that the statistic will not be known until Phase II comes into effect. The goal will be determined by an independent consultant.
- Phase I has been very successful in downtown Victoria. All the towers placed interact with each other.
- Question regarding problems in Esquimalt and response indicated that as upgrades happen, the reception of receivers will improve.
- There are no transmitter towers in Esquimalt, only one on the Esquimalt/Victoria border. There will be repeaters in Esquimalt in Phase II.
- Question was raised regarding changes to building codes and response was that a draft bylaw has been drawn up to protect radio signals.
- Questions regarding costs were raised and response that Phase I and II will be no more than 10.6 million dollars. The figures regarding allocation to municipalities should be available soon.
- Mr. Freedman was commended for his diligence and tenacity in the CREST initiative and for the good work done to date.
- Mr. Freedman advised that copies of the slide presentation distributed at Council are available to the public by contacting the Municipal Hall.

**(2) Terrence CR Milne, Re: Developing a Twin City Relationship with Onagawa, Japan**

Mr. Terrence Milne, Captain (Retd) RCN and former Canadian Naval Attache Tokyo, introduced Mr. Stuart Soward and Mr. Peter Pollen regarding a proposal to twin the Township of Esquimalt with Onagawa, Japan. Mr. Milne outlined the unique situation that already exists between the two cities. The population is similar to Esquimalt and it is also a harbour city. The relationship started with a naval bond as a result of incidents which occurred during World War II. The current Mayor of Onagawa encourages friendships between the two countries and a memorial to a Canadian war hero has been erected in the city. This initiative has been discussed and has received support from Admiral Pyle, Commander of Maritime Forces Pacific, DND. Several other organizations have also expressed an interest in working with Esquimalt to pursue this initiative.

Councillor Linge, Councillor Desjardins, and Mayor Clement volunteered to meet with Mr. Milne or other representative to

discuss the twinning between the Township of Esquimalt and Onagawa, Japan.

**(3) Residents and Strata Council of Swallows Landing, Re: Recent Parking and Parking Lot Access Changes on Garrett Place**

Mr. Ross Nelson, resident of Swallow's Landing and member of strata council, spoke requesting the Township to review their decision to prohibit parking on Garrett Place. The strata council does not have a concern with the upper Garrett Place restriction however they are concerned with the lower section. This area is currently used to access Westsong and the viewing platform. The loss of the hammerhead area impacts the Swallow's Landing residents only.

10.

**STAFF REPORTS**

***Engineering and Public Works***

**(1) Parking Issues on Garrett Place, Staff Report No. EPW-08-027**

The Director of Public Works and Engineering commented that the purpose of the hammerhead formation of the road is to permit vehicles to turn around to eliminate using private driveways for that purpose. There appears to be enough public parking on Garrett Place and Dunsmuir Road. There is a liability issue with forcing vehicles to use private driveways for turning around. The Director of Financial Services reported that the Deputy Fire Chief supports no parking on one side of Garrett Place as a safety measure.

Comments from Council include:

- The possibility of increasing parking spaces on Garrett Place.
- Concerns regarding liability and transferring liability from municipality to private landowners.
- Concerns were raised regarding the number of parking stalls created through the Development Permit process to accommodate Swallows Landing residents and response was that it is not up to the municipality to provide private parking.
- Suggestion was made to have residents involved with decision making for development and work with their strata council regarding the need for more resident/visitor parking for Swallows Landing.

Moved by Councillor Desjardins, seconded by Councillor Linge that Parking Issues on Garrett Place, Staff Report No. EPW-08-

27 be referred back to staff for further consideration.  
The motion **DEFEATED**.

Moved by Councillor Freedman, seconded by Councillor Sterk that Council receive the report for information.  
The motion **CARRIED**.

### ***Police Services***

**(2) Memorandum from Inspector Les Sylven, OIC West Division, dated July 3, 2008, Re: Letter from Esquimalt Resident Cam McCulloch Regarding Curfew**

The Chief Administrative Officer spoke on the report from Inspector Sylvan stating that Parks are a priority for enforcement and Inspector Sylvan will be reporting back to Council in September. There is currently a Policing in Esquimalt Advisory Group which has increased the accountability of the police in Esquimalt.

Comments from Council include:

- Concerns that there is such regular trouble with youth in the parks.
- Suggestion that Inspector Sylvan report back to Council on this issue.
- Requested to see statistics comparing changes that have occurred in policing and how effective the changes have been.

Moved by Councillor Freedman, seconded by Councillor Sterk that Council receive the Memorandum from Inspector Les Sylven, OIC West Division for information.  
The motion **CARRIED**.

### ***Finance***

**(3) Loss of Provincial Home Owner Grant, Staff Report No. FIN-08-007**

The Director of Financial Services reported that a request from a homeowner has been received to be reimbursed for taxes paid in 2005 and 2006.

Moved by Councillor Desjardins, seconded by Councillor Sterk that the Township deny the request for compensation of historical Provincial Home Owner Grant.  
The motion **CARRIED**.

### ***Engineering and Public Works***

**(4) Pesticide Reduction Bylaw, Staff Report No. EPW-08-026**

Moved by Councillor Hundleby, seconded by Councillor Sterk that the Pesticide Reduction Bylaw, 2008, No. 2686 be given

Third reading.  
The motion **CARRIED.**

***Development Services***

**(5) Amendment to Fee [Development Applications] Bylaw, Staff Report No. DEV-08-059**

Moved by Councillor Desjardins, seconded by Councillor Sterk that Bylaw No. 2689 which would add a \$1000 Fee for the Consideration of the Closure of a Municipal Road or Right of Way be considered for 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> readings.

The motion **CARRIED.**

**(6) Changes to Development Approval Procedures Bylaw Regarding New or Converted Duplexes, Staff Report No. DEV-08-065**

Moved by Councillor Desjardins, seconded by Councillor Linge that *Development Approval Procedures Bylaw, 2007, No. 2562, Amendment Bylaw [No. 3], 2008, No. 2695*, which would add a requirement for notification of property owners and residents within 50 metres [164 ft.] for new duplexes and duplex conversions that would increase the building footprint, be considered for 1st, 2nd and 3rd readings.

The motion **CARRIED.**

**(7) Development Permit Application, 1195 Esquimalt Road, [Lot A, Section 11, Esquimalt District, Plan VIP54373], Staff Report No. DEV-08-067**

Moved by Councillor Freedman, seconded by Councillor Desjardins That a Development Permit, limiting the form and character of development at 1195 Esquimalt Road to that shown on plans prepared by Hillel Architecture and stamped "Received May 6, 2008", be approved, issued and registered on the property title.

The motion **CARRIED.**

**(8) Development Permit Application, 1026 Tillicum Road, [Lot 23, Block 2, Section 10, Esquimalt District, Plan 11214], Staff Report No. DEV-08-068**

Moved by Councillor Freedman, seconded by Councillor Linge that a Development Permit, limiting the form and character of development to that shown on architectural plans provided by Heels Design and Drafting Services stamped "Received April 1, 2008" and landscape plans provided by CAL Landscaping stamped "Received July 3, 2008", be approved, issued and registered on the property title[s].

The motion **CARRIED.**



11.

## **MAYOR'S AND COUNCILLORS' REPORTS**

- (1) **Report from Mayor Clement, Regional Growth Strategy Amendment Facilitation – June 10, Highlands Urban Containment Extension, Gordon Sloan Facilitating**

Moved by Councillor Freedman, seconded by Councillor Hundleby to receive the Report from Mayor Clement, Regional Growth Strategy Amendment Facilitation, June 10, 2008 for information.

The motion **CARRIED**.

12.

## **REPORTS FROM COMMITTEES**

- (1) **Draft minutes from the Parks and Recreation Commission Meeting, June 5, 2008**

Moved by Councillor Linge, seconded by Councillor Hundleby to receive the Draft minutes from the Parks and Recreation Commission Meeting, June 5, 2008, for information.

The motion **CARRIED**.

- (2) **Draft minutes from the Access Awareness Committee meeting, June 18, 2008**

Moved by Councillor Desjardins, seconded by Councillor Linge to receive the Draft minutes from the Access Awareness Committee meeting, June 18, 2008, for information.

The motion **CARRIED**.

13.

## **COMMUNICATIONS**

- (1) Letter from the Capital Regional District, dated June 11, 2008, Re: Proposed Sewage Treatment Facility in Esquimalt
- (2) Letter from the City of Port Moody, dated June 13, 2008, Re: Proposed Increase in the Interval Between Civic Elections from Three Years to Four Years
- (3) Letter from Minister Ida Chong, dated June 16, 2008, Re: 2008 Allocations Under the Traffic Fine Revenue Sharing (TFRS) Grant Program
- (4) Letter from Russ Godfrey, dated June 19, 2008, Re: Closing of Illegal Suites
- (5) Letter from the Vancouver Humane Society, dated June 20, 2008, Re: Cost-Neutral Cage Free Resolutions to Improve the Lives of Animals
- (6) Email from Kathy Ironmonger, dated June 22, 2008, Re: 800

Block of Esquimalt Road – Great Road Improvements

- (7) Letter from Minister Rick Thorpe, dated June 23, 2008, Re: Mobile Business Licence Pilot Project

Moved by Councillor Desjardins, seconded by Councillor Hundleby that staff prepare a letter to Minister Rick Thorpe Re: Mobile Business Licence Pilot Project.  
The motion **CARRIED**.

- (8) Email from Minister Colin Hansen, dated June 24, 2008, Re: 2010 Olympic and Paralympic Winter Games Community Marks Program

- (9) Email from Catherine Rosenblood, dated June 29, 2008, Re: Submission to the Township of Esquimalt for Support for the Juan de Fuca Velodrome

- (10) Letter from Volunteer Victoria, dated June 30, 2008, Re: Local Grant Award

- (11) Email from Barry Hobbs, dated July 1, 2008, Re: Esquimalt's Transportation Evolution, Jun 28

- (12) Letter from Premier Gordon Campbell, dated July 2, 2008, Re: UBCM Convention Meeting Requests

Moved by Councillor Sterk, seconded by Councillor Linge to receive Items 1, 2, 3, 4, 5, 6, 8, 9, 10, 11, and 12 for information.  
The motion **CARRIED**.

14.

**NOTICE OF MOTION**

**(1) Community Gardens**

Comments from Council include:

- Suggestions were made to include property on Colville and DND garden areas.
- Ensure that Parks and Recreation Commission be informed about staff developing a policy on Community Gardens.
- Should be a broader policy for the municipality which could include public and private lands.

Moved by Councillor Sterk, seconded by Councillor Freedman to request that staff prepare a Council Policy on Community Gardens.

The motion **CARRIED**.

Councillor Desjardins and Councillor Linge were **OPPOSED**.

15. **PUBLIC QUESTION AND ANSWER PERIOD**

(1) **Mark Salter**

Mr. Salter expressed support for the Pesticide Reduction Bylaw. He is a member of Esquimalt Urban Gardens and requested that his group be involved with discussions regarding the Bylaw.

(2) **Dale Woods, 1174 Greenwood Avenue**

Mr. Woods inquired about the Police in Esquimalt Advisory Group and wondered who was on the group. He stated that CREST is showing signs of improvement and will that mean that police will be travelling in pairs. Suggested that Police set standards, and have Police Station open 24/7. Would like to see two cars dedicated to Esquimalt and have community police force based here.

Mr. Woods enquired about the Annual Report auditors report being In Camera. Response was that it is standard procedure for the auditors report to be In Camera when presented to Council, then released to the public.

16. **MOTION TO GO IN CAMERA**

Moved by Councillor Freedman, seconded by Councillor Hundleby that Council convene *In Camera* pursuant to Section 90 of the *Community Charter* to discuss personal information about an identifiable individual pursuant to Sections 90(1)(a) and that the general public be excluded. The motion **CARRIED**.

17. **ADJOURNMENT**

Moved by Councillor Desjardins, seconded by Councillor Hundleby that the meeting be adjourned at 8:48 p.m. The motion **CARRIED**.

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MAYOR OF THE CORPORATION OF THE  
TOWNSHIP OF ESQUIMALT  
THIS 18<sup>th</sup> DAY OF AUGUST, 2008

CERTIFIED CORRECT

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TOM DAY  
DEPUTY MUNICIPAL CLERK