



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

**MINUTES
REGULAR MEETING
OF MUNICIPAL COUNCIL
MONDAY, DECEMBER 15, 2008
7:00 P.M.
COUNCIL CHAMBERS**

PRESENT: Mayor Barbara Desjardins
Councillor Bruce McIldoon
Councillor Alison Gaul
Councillor Lynda Hundleby
Councillor Meagan Brame
Councillor Donald Linge
Councillor Randall Garrison

STAFF: T. Day, Chief Administrative Officer
L. Hurst, Director of Financial Services
J. Byron, Manager of Recreation Services
G. Coté, Director of Engineering and Public Works
L. Randle, Corporate Officer (Recorder)
P. Nelson, Fire Chief
G. Anderson, Deputy Fire Chief
T. Parkes, Senior Planner
A. Katschor, Manager of Parks Services

1. CALL TO ORDER

Mayor Desjardins called the meeting to order at 7:00 p.m. She commended staff on a job well done respecting snow removal after the recent snowfall.

2. LATE ITEMS

(1) "Rise and Report" on Mayor Desjardins' appointment as community representative to the Community Liaison Committee of the Victoria Regional Rapid Transit Project and Councillor Garrison's appointment as alternate (from December 15, 2008 In-camera meeting) to be added as item 13.15.

(2) Severe Cold Weather Shelter update from the Chief Administrative Officer to be added as item 10.4a.

3. APPROVAL OF THE AGENDA

Moved by Councillor Garrison, seconded by Councillor Hundleby that the agenda, as amended, be approved.
The motion **CARRIED**.

4. MINUTES

Moved by Councillor Linge, seconded by Councillor Garrison that the

- (1) Minutes of the Regular Meeting of Council, November 3, 2008
- (2) Minutes of the Special Meeting of Council, November 10, 2008
- (3) Minutes of the Special Meeting of Council, November 20, 2008, and the
- (4) Minutes of the Inaugural Meeting of Council, December 8, 2008 after inserting the word "alternate" in front of "Councillor Randall Garrison" on page 6 of those minutes under "Commuter Train Steering Committee" be adopted.

The motion **CARRIED**.

5. PUBLIC INPUT (On items listed on the Agenda)

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

Mr. Sam Macy of 929 Devonshire Road suggested that neighbouring property owners should be consulted prior to the Township of Esquimalt issuing tree cutting permits.

Mr. Rick Thompson of 925 Devonshire Road is disappointed that a large tree was removed from the property at 927 Devonshire after a tree removal permit was issued.

Mr. Andrew Holenchuk of Fernwood Road representing Victoria Minor Hockey asks that hockey be considered when deciding about lacrosse using the Archie Browning Sports Centre.

6.

HEARINGS

(1) HEARING – APPOINTMENT TO CRD REGIONAL WATER SUPPLY COMMISSION

Mayor Desjardins invited comments from the gallery respecting the appointments of Councillors Hundleby and Brame to the Capital Regional District Water Supply Commission. No comments were received.

(2) HEARING – DEVELOPMENT PERMIT WITH A VARIANCE [357/359 Kinver Street]

Councillor Linge left Council chambers at 7:13 p.m. citing a conflict of interest due to a business relationship with the applicant of the Development Permit for 357 Kinver Street.

- i) Notice of Hearing
- ii) Background Information - *Available for Viewing Separately*
 - Staff Report No. DEV-08-108

Mayor Desjardins convened the hearing at 7:14 p.m. The Senior Planner provided an overview of the proposal to construct a duplex at 357 Kinver Street.

PUBLIC INPUT

Mayor Desjardins called three times for verbal input from the gallery but no one chose to speak. The Mayor declared the hearing adjourned at 7:15 p.m.

7.

HEARING STAFF REPORTS

- (1) Hearing for Development Permit with a Variance, 357 Kinver Street, [Lot C, Section 11, Esquimalt District, Plan VIP85403], Staff Report No. DEV-08-113

Moved by Councillor Garrison, seconded by Councillor McIldoon that the application for a Development Permit, limiting the form and character of development to that shown on architectural plans prepared by Hartmann's Drafting and Design, stamped "Received September 23, 2008" and on the landscape plan prepared by Neil's Landscape and Garden Service, stamped "Received September 23, 2008", and including the following relaxation to Zoning Bylaw No. 2050 be **approved, issued and registered** on the title of Lot C, Section 11, Esquimalt District, Plan VIP85403 [357 Kinver Street]

Zoning Bylaw No. 2050, Section 40(8.1) – Building Massing – an 8% increase for the permitted maximum area of the second storey of a Two Family dwelling in relation to the total floor area of the ground floor, including an attached garage, from 75% to 83%.

The motion **CARRIED**.

Councillor Linge returned to the meeting at 7:21 p.m.

8. DELEGATIONS

Councillor McIldoon declared a conflict of interest respecting the Admirals Gate Townhouse Complex Submarine Hangar Project Committee and left Council chambers at 7:22 p.m. as he is an employee of the Department of National Defence.

(1) Norma DePledge, Admirals Gate Townhouse Complex Submarine Hangar Project Committee

Ms. DePledge gave Council a PowerPoint presentation on the Submarine Hangar Project at Munroe Head which was announced in November, 2008. She expressed concern about the height and size of the hangar, the height of the ancillary building and the effect it will have on residential properties in the area. She would like to see an adjustment of property tax assessments if the project proceeds. She is seeking support from Council to help bring these concerns forward and would like a meeting between Councillors, a representative from the community and the Victoria Shipyards.

Mayor Desjardins stated that she has asked staff to gather more information and to bring this matter back to Council at a meeting in January.

Councillor McIldoon returned to the meeting at 7:32 p.m.

(2) Paul Wickens, regarding the Development of Freeman Ken Hill Park
Mr. Wickens noted several groups and individuals who support development of the park. They are disappointed at the lack of progress to date. He reviewed the history of the proposal thus far, noting there is \$8,000 in the bank and a further \$5,000 in pledges to assist in the park's development. Mr. Wickens would like to know whether Council supports the park.

Mayor Desjardins asked staff to bring back a report on the issue to the next Council meeting and stated that Mr. Wickens would be notified when the report will be presented.

(3) Jim Petrie, from Victoria / Esquimalt Jr. B Lacrosse stated that he is seeking Council's aid to extend the team's dry floor season into the August long weekend to facilitate the Jr. B Provincial Lacrosse Championship Tournament at the Archie Browning Sports Centre.

(4) Sean Walmsley, Vice President of Victoria / Esquimalt Lacrosse expressed disappointment that last year the team couldn't finish the season at the Archie Browning Sports Centre. He discussed the 2009 dry floor season and the issue of when the ice is out. He made reference to information included with his Application to Make a Presentation to Council that is included on the meeting agenda indicating that on the

(5) **Bill Dawes**, Victoria Sr. C & BC Lacrosse Association would like to extend the length of the dry floor season at Archie Browning and stated that two more teams should be added this year. He would like to see the dry floor available for the month of July and feels that lacrosse needs more floor time generally.

(6) **Tony Bendall**, Victoria / Esquimalt Jr. B Lacrosse Club asked to secure the dry floor in the Archie Browning Sports Centre for the Jr. B Lacrosse Provincial Championships from July 30th to August 3, 2009 and to be able to continue to use the dry floor during the regular lacrosse season and playoffs from approximately April 20, 2009 until August 3, 2009. He feels the Club has done all it can to make use of the dry floor feasible in late July and early August.

9.

STAFF REPORTS

Parks and Recreation

- (1) Report from the Esquimalt Together Against Graffiti (ETAG) Committee, Staff Report No. P&R-08-021

Moved by Councillor Linge, seconded by Councillor Hundleby that Staff Report No. P&R-08-021 be received for information.
The motion **CARRIED**.

- (2) Victoria Esquimalt Eagles Lacrosse Usage Summer 2009, Staff Report No. P&R-08-022

The Manager of Recreation Services summarized his report. A discussion occurred on the issue of ice versus a dry floor at the Archie Browning Sports Centre in summer.

Moved by Councillor Linge, seconded by Councillor Gaul that any decision on changes to ice time and dry floor time at the Archie Browning Sports Centre be postponed until January 12, 2009 at which time a public hearing on the matter could be held so that all interested user groups could have the opportunity to provide input.

The motion was **DEFEATED**.

Moved by Councillor Garrison, seconded by Councillor McIllood that Esquimalt accommodate the 2009 Jr. B Provincial Lacrosse Championships and that staff report back to Council on the best way to make this happen.

The motion **CARRIED**.

Mayor Desjardins called a 5 minute recess at 8:51 p.m.
Mayor Desjardins reconvened the meeting at 9:00 p.m.

- (3) Tree Removal Permit #152 at 927 Devonshire, Staff Report No. P&R-08-023

The Manager of Parks Services summarized the report.
Moved by Councillor Hundleby, seconded by Councillor Garrison that Staff Report No. P&R-08-023 be received for information.
The motion **CARRIED**.

Late Item 10.4a as added to agenda:

Severe Cold Weather Shelter update from the Chief Administrative Officer

The Chief Administrative Officer explained that there is a Greater Victoria Extreme Weather Protocol in place, the Police play an important part in the Protocol and that there are several places in Greater Victoria with emergency beds to shelter people from the cold. Constable Lori Beauvais who is part of the Victoria Police is also a member of the Extreme Weather Protocol Committee and she will be invited to an upcoming Council meeting to provide further details.

Administration

- (4) 2009 Council Meeting Schedule, Staff Report No. ADM-08-036

Moved by Councillor Linge, seconded by Councillor Hundleby that Council endorse the attached 2009 schedule of meetings inclusive of the schedule for a summer recess from July 20, 2009 through August 14, 2009.
The motion **CARRIED**.

- (5) Bylaw Enforcement Officer Appointment, Staff Report No. ADM-08-038

Moved by Councillor Hundleby, seconded by Councillor Gaul that Council hereby appoints Mr. Dan Jones as Bylaw Enforcement Officer who is henceforth authorized to enforce the Township of Esquimalt's Municipal Bylaws in accordance with Ticket Information Utilization Bylaw 2005, No. 2619.
The motion **CARRIED**.

- (6) 2008 Election Report, Staff Report No. ADM-08-039

Moved by Councillor Linge, seconded by Councillor Hundleby that the 2008 Election Report from the Chief Election Officer, which includes the official election results and summary of votes, and an account of ballots, be received.
The motion **CARRIED**.

- (7) Funding Request by Greater Victoria Development Agency, Staff Report No. ADM-08-040

Moved by Councillor Hundleby, seconded by Councillor McIlldoon that Council invite the Greater Victoria Development Agency to attend as a delegation to outline their strategic plan and accomplishments to date and then refer the request to 2009 budget deliberations.

The motion **CARRIED**.

- (8) Council Orientation Policy, Staff Report No. ADM-08-041

Moved by Councillor Linge, seconded by Councillor Hundleby that Council adopt Council Policy Admin-44 as the Council Orientation Policy for the Township of Esquimalt.

The motion **CARRIED**.

Engineering and Public Works

- (9) Miscellaneous Traffic Orders, Staff Report No. EPW-08-041

The Director of Engineering and Public Works introduced the report.

Moved by Councillor Hundleby, seconded by Councillor Brame that Council approve the following Traffic Orders:

- TO #1158 – No parking on the east side of Aldebury Street for a distance of 15 metres north of Old Esquimalt Road.
- TO #1159 – Change 40 metres of 2 Hr. Parking zone to Residential Parking Only zone along the east side of Grafton Street adjacent to 1378 Lyall Street.
- TO #1160 – No Parking along West side of Sturdee St. north of Esquimalt Road.
- TO # 1161 – Relocation of Bus Stop on Esquimalt Road.

The motion **CARRIED**.

Finance

- (10) Revenue Anticipation Borrowing Bylaw, Staff Report No. FIN-08-022

Moved by Councillor Hundleby, seconded by Councillor Gaul that the Revenue Anticipation Borrowing Bylaw 2009, No, 2702, for the year 2009 in the amount of \$2,500,000 be given first, second and third reading.

The motion **CARRIED**.

- (11) 2009 Budget Requests, Staff Report No. FIN-08-023

Moved by Councillor Hundleby, seconded by Councillor Garrison that Council receive the report for information.

The motion **CARRIED**.

(12) Council Policy ADMIN – 43, Staff Report No. FIN-08-024

Moved by Councillor Hundleby, seconded by Councillor Brame that Council approve Council Policy ADMIN – 43 to support the Celebration of Lights events and during the 2009 budget process give consideration to reimbursement of insurance costs to the Celebration of Lights Committee.
The motion **CARRIED**.

(13) Draft Agreement for Victoria Policing, Staff Report No. FIN-08-027

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

Fire Rescue

(14) Custom Aerial Apparatus, Staff Report No. FIRE-08-010

Moved by Councillor Hundleby, seconded by Councillor Brame that Esquimalt Fire Rescue/Township of Esquimalt enters into a contractual arrangement with Safetek/Smeal to provide a Custom Aerial Apparatus.
The motion **CARRIED**.

10. REPORTS FROM COMMITTEES

Moved by Councillor Brame, seconded by Councillor McIlldoon that the

- (1) Draft minutes from the Advisory Planning Commission meeting, September 16, 2008
- (2) Draft minutes from the Advisory Planning Commission meeting, October 21, 2008
- (3) Draft minutes from the Parks and Recreation Commission meeting, November 6, 2008
- (4) Draft minutes from the Advisory Planning Commission meeting, November 18, 2008, and the
- (5) Draft minutes from the Environmental Advisory Committee meeting, November 20, 2008

be received for information.
The motion **CARRIED**.

11. COMMUNICATIONS

Moved by Councillor McIlldoon, seconded by Councillor Garrison that the following items be received:

- (1) Letter from the Ministry of Community Development, dated

- (2) Letter from Viri Vukmorovic, dated November 3, 2008, Re: Homeless Street Youth
- (3) Letter from the Ministry of Small Business and Revenue, dated November 5, 2008. Re: Frozen Property Assessments for 2009
- (4) Notice from the Local Government Leadership Academy, received November 6, 2008, Re: 2009 Elected Officials Training Seminars
- (5) Letter from the Corporation of the District of Oak Bay, dated November 13, 2008, Re: 2009 Greater Victoria Public Library Provisional Budget and Five Year Financial Plan
- (6) Letter from the City of Victoria, dated November 20, 2008, Re: Cage-Free Eggs
- (7) Letter from UBCM, dated December 3, 2008, Re: Community Tourism Program (Phase 2) Pilot Project Tourism Officer
- (8) Letter from the Ministry of Community Development, dated December 4, 2008, Re: Trees for Tomorrow Initiative
- (9) Letter from the Provincial Capital Commission, dated December 4, 2008, Re: Greenways Project – South Coast Trail Phase II
The motion **CARRIED**.
- (10) Letter from Don Kerley, dated November 16, 2008, Re: Freeman Ken Hill Park
Moved by Councillor Garrison, seconded by Councillor Brame that the letter from Mr. Kerley be received and be included in the pending staff report.
The motion **CARRIED**.
- (11) Letter from UBCM, dated November 18, 2008, Re: Gas Tax Agreement Community Works Fund Payment
Moved by Councillor Linge, seconded by Councillor Garrison that the letter be received.
The motion **CARRIED**.
- (12) Letter from The Naval Officers' Association of Canada, dated November 18, 2008, Re: Canadian Navy Centennial Essay Contest and Educational Resources
Moved by Councillor Hundleby, seconded by Councillor Linge that the request be referred to the Local Grants Committee in March/April 2009 and that a letter and grant application be sent to the applicant.
The motion **CARRIED**.

- (13) Letter from UBCM, dated November 18, 2008, Re: 2009 Property Assessments
Moved by Councillor Garrison, seconded by Councillor McIlldoon that the letter be received.
The motion **CARRIED**.
- (14) Letter from the Ministry of Small Business and Revenue, dated, November 20, 2008, Re: Mobile Business Licence and BizPal
Moved by Councillor Brame, seconded by Councillor Hundleby the letter be received.
The motion **CARRIED**.

13.

RISE AND REPORT

From the December 15, 2008 In-camera meeting: Mayor Desjardins is appointed as the Esquimalt representative on the Community Liaison Committee for the Victoria Regional Rapid Transit Project and Councillor Garrison is appointed as the alternate.

14.

PUBLIC QUESTION AND COMMENT PERIOD

Mayor Desjardins invited comments from the public but none were forthcoming.

15.

ADJOURNMENT

Moved by Councillor Hundleby, seconded by Councillor Brame that the meeting be adjourned at 9:40 p.m.
The motion **CARRIED**.

MAYOR OF THE CORPORATION OF THE
TOWNSHIP OF ESQUIMALT
THIS 20th DAY OF JANUARY, 2009

CERTIFIED CORRECT

LARRY RANDLE
CORPORATE OFFICER