



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

**MINUTES
SPECIAL MEETING
OF MUNICIPAL COUNCIL
MONDAY, JANUARY 12, 2009
5:30 P.M.
COUNCIL CHAMBERS**

PRESENT: Mayor Barbara Desjardins
Councillor Meagan Brame
Councillor Randall Garrison
Councillor Alison Gaul
Councillor Bruce McIldoon

STAFF: T. Day, Chief Administrative Officer
G. Côté, Director of Engineering and Public Works
B. Snyder, Director of Development Services
L. Randle, Corporate Officer (Recorder)

1. **CALL TO ORDER**

Mayor Desjardins called the meeting to order at 5:30 p.m.

2. **LATE ITEMS**

- 1) Letter from Earl W. Large, received January 9, 2009 (includes copies of signed form letter from concerned property owners)
- 2) Letter dated December 19, 2008 from the Minister of Community Development, Blair Lekstrom, regarding an update on the 2009 Towns for Tomorrow and Local Motion grant programs.

3. **APPROVAL OF THE AGENDA**

Moved by Councillor Brame, seconded by Councillor Garrison that the agenda be amended by adding the letter from Earl W. Large, received January 9, 2009 (includes copies of signed form letter from concerned property owners) to agenda item 5(1) and the letter from the Minister of Community Services be considered as part of the staff report under item 5 (4) and that the agenda as amended, be approved.

The motion **CARRIED**.

4. **PUBLIC INPUT**

- (1) Fern Spring, 302 Uganda Avenue expressed concern about continuous linear public trails along the Gorge Waterway from the perspective of protecting the natural environment. She feels that such trails will negatively impact the area near the proposed Rhoda Lane subdivision.
- (2) Terry Eckstein, 12 Phillion Place supports the developer of 1190 Rhoda Lane and his idea of offering the municipality cash in lieu of park land. He feels a pathway along the Gorge Waterway in this area would be detrimental to the vegetative buffer and would ruin the natural integrity of the area.
- (3) Barbara Noyse, 928 Garthland Road stated that Council passed a motion on November 10, 2008 refusing to accept the cash in lieu of park land offer from developer of 1190 Rhoda Lane and if Council opens up the matter to another vote, she would like people living in the area to has a say in the matter.
- (4) Wade Walters, 919 Shirley Road says that pathways along the Gorge Waterway don't erode people's ability to enjoy the area if they are done right. He says stormwater management should be a priority.
- (5) Emmy Labonte, 873 Dunsmuir Road says that the cash in lieu of park land offered by the developer of 1190 Rhoda Lane was

not favourable to the previous Council and that Council should not create a precedent for developers to pay cash rather than provide land for the benefit of future generations.

- (6) Karen Cameron, 407 Treebank Road East does not support the notion of a continuous walkway along the Gorge.
- (7) Kathleen Barlee, of 924 Garthland Place supports acquisition of the 5% park land. She quoted a section from the OCP that lends support to the development of park land.
- (8) Ian Harper, 401 Treebank Road East is concerned about a continuous walkway being developed adjacent to the Gorge Waterway. He is concerned that there are not enough resources to maintain more park area. He has had his property broken into and says a walkway past is house functions as a “get away” lane for people who may commit crimes in the area.
- (9) Ben Chow, 937 Mesher Place is opposed to any plans there may be for a continuous linear walkway adjacent to the Gorge Waterway for fear of privacy and security issues. He also stated such a walkway could create traffic safety issues.
- (10) Kathy Troger, 919 Shirley Road supports the municipality acquiring the 5% parkland from the 1190 Rhoda Lane developer and states that the OCP supports this.
- (11) Ken Graham, 941 Rankin Road is opposed to a continuous walkway being developed adjacent to the Gorge Waterway. He does not support the municipality acquiring the 5% park land and believes detrimental to the wildlife in the area.
- (12) Monty Locke, 1189 Rhoda Lane supports acquisition of the 5% park land by the municipality. He stated that when the 1190 Rhoda Lane property was for sale, the knowledge that some of the land would be required for park land dedication was factored into the sale price.
- (13) J. Eckstein, 12 Phillion Place recommends that the Esquimalt side of the Gorge be left in its natural state. She says existing access points to the Gorge are already underutilized. Parking will be a problem if the 5% land is taken and made into a park. She says the municipality should take the cash in lieu of the park land.

Presentation of Staff Report No. DEV-09-003 had begun when Mr. Earl Large, Developer of 1190 Rhoda Lane asked the Mayor if he could be granted the opportunity to speak.

Moved by Councillor Garrison, seconded by Councillor Brame Mr. Large be granted the opportunity to address Council.

The motion **CARRIED**.

Mr. Large gave an overview of a plan for the 5% park land dedication in question. He stated that ecological restoration is their plan and that it excludes the public from having access. Granting public access to the land would be detrimental to its environmental integrity. He questioned how a 15-foot wide strip of land constitutes a park.

The Director of Development Services said the land could become a pocket park but there are no plans to make it part of a continuous linear walkway adjacent to the Gorge.

5. STAFF REPORTS

- (1) Park Dedication Associated with 1190 Rhoda Lane Subdivision, Staff Report No. DEV-09-003

Moved by Councillor Garrison, seconded by Councillor Brame

1. That the request from Large & Co. Developers, owners of Rem. of Lot 1, Plan 7068 [1190 Rhoda Lane], to give the Township of Esquimalt \$63,500 in lieu of land for Park dedication as per Section 941 of the *Local Government Act* be denied;
2. That the proposal to grant the municipality an option to purchase for a period of 60 years be denied; and
3. That Council follow the policies set out in the Esquimalt Official Community Plan [Bylaw No. 2646] regarding the acquisition of park land along the Gorge Waterway and require that an area equivalent to 5% of the total area being subdivided be dedicated to the municipality as park land as per Sections 941(1) and 941(2) of the *Local Government Act*.
The motion **CARRIED**.

- (2) Letter from Resident Regarding Potential Gorge Waterway Trail, Staff Report No. DEV-09-004

Moved by Councillor Brame, seconded by Councillor Gaul that the letter dated January 5, 2009 from Jane Robson of 920 Sioux Place providing her views on the concept of a trail along the Gorge Waterway be received for information and included in any review of the Official Community Plan regarding parks policies be received and that a letter be sent to her explaining that there are no plans for a continuous walk way along the Gorge Waterway and that her land is not being expropriated.
The motion **CARRIED**.

- (3) Proposed Crosstown Bus Route, Staff Report No. EPW-09-001

Moved by Councillor Garrison, seconded by Councillor Brame that BC Transit be advised that the Township of Esquimalt

favours the three route options where the proposed cross town bus route would extend to the Dockyard at the end of Esquimalt Road. These are route options 6, 7 or 9.
The motion **CARRIED**.

Moved by Councillor Garrison, seconded by Councillor McIldoon that Mayor Desjardins write a letter to the Minister of Transportation, Kevin Falcon, expressing Esquimalt's interest in having formal representation on the Victoria Regional Transit Commission.
The motion **CARRIED**.

(4) Local Motion Grant Application, Staff Report No. EPW-09-003

Moved by Councillor Brame, seconded by Councillor Gaul;

1. That Council approve the New Sidewalk Construction Master Plan
2. That Council authorizes the following two projects to proceed and to submit applications under the Local Motion program for work to be carried out in 2009:
 - Phase 1 of the New Sidewalk Construction Program for new sidewalks in the industrial area at an estimated cost of \$150,000 in order to provide pedestrian access to the area and for linkage with the surrounding residential areas and schools.
 - New crosswalk on Esquimalt Road near Grafton Street at an estimated cost of \$60,000.

The motion **CARRIED**.

6. COMMUNICATIONS

- (1) Email received Re: 47th International Making Cities Livable Conference – True Urbanism: Cities for Health & Well-Being

Moved by Councillor Gaul, seconded by Councillor McIldoon that Council authorize expenses for Councillor Garrison to attend the Livable Cities Conference in Portland, Oregon in May, 2009.

The motion **CARRIED**.

- (2) Letter from Mayor Stewart Young, City of Langford, dated December 18, 2008, Re: Request Representation on Proposed Island Rail Study Committee

Moved by Councillor McIldoon, seconded by Councillor Gaul that Council receive the letter from Mayor Stewart Young, City of Langford regarding a Request for Representation on the Proposed Island Rail Study Committee.

The motion **CARRIED**.

7. PUBLIC QUESTION AND COMMENT PERIOD

Ms. Muriel Dunn, 1193 Old Esquimalt Road asked for clarification on where the boundaries between public and private land adjacent to the water near Plaskett Place are located. Mayor Desjardins stated that staff would respond to Ms. Dunn's request.

8. ADJOURNMENT

The meeting was adjourned at 7:02 p.m.

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

CERTIFIED CORRECT

LARRY RANDLE
CORPORATE OFFICER