



# CORPORATION OF THE TOWNSHIP OF ESQUIMALT

MINUTES  
REGULAR MEETING  
OF MUNICIPAL COUNCIL  
MONDAY, FEBRUARY 2, 2009  
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  
G. Coté, Director of Engineering and Public Works  
L. Randle, Corporate Officer (Recorder)  
P. Nelson, Fire Chief  
A. Katschor, Acting Director of Parks and Recreation Services  
J. Byron, Manager of Recreation Services  
M. Lagoa, Manager of Communications and Sustainability  
T. Parkes, Senior Planner

**1. CALL TO ORDER**

Mayor Desjardins called the meeting to order at 7:00 p.m.

**2. LATE ITEMS**

Add letter from Jean Jenkins and email from Jo-Anne Monahan under item 9 (5) and verbal report from Councillor Garrison on the cross town bus route under item 10 (1).

**3. APPROVAL OF THE AGENDA**

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

**4. MINUTES**

**(1) Minutes of the Regular Meeting of Council,  
January 19, 2009**

Moved by Councillor Hundleby, seconded by Councillor Brame that the Minutes of the Regular Meeting of Council, January 19, 2009 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.*

- (1) Terry Prentice, 1297 Rockcrest Avenue stated that if the OCP review is allowed to proceed it will detract from the citizens of the municipality. The only review that should occur is the question of the 10-storey maximum building height. Council needs to determine what the electorate wants. Leave the rest of the OCP review until a thorough review happens.
- (2) Muriel Dunn, 1193 Old Esquimalt Road says she sent letters to all of Council about the OCP review. She provided general comments about the OCP review issue and feels a review is not needed at this time.
- (3) Joanne Kimm, 654 Grenville Avenue says that there is confusion about the OCP review and that more public input is needed if it proceeds. Ms. Kimm also submitted an email letter which was part of Staff Report DEV-09-11 which is part of the agenda to this meeting.
- (4) Rod Laverne, 485 Fraser Street says that the only question respecting the OCP that should be asked is "do we want to allow buildings higher than 10 storeys?" He stated that another consultant is not needed. The other issues in the OCP can wait until a thorough OCP review occurs in the future.

- (5) Chris Zegger-Murphy, 1046 Colville Road is concerned about the traffic at Tillicum and Colville Road especially. He urged Council to use traffic calming measures when planning for Colville Road.

**6. HEARINGS**

**(1) HEARING – DEVELOPMENT VARIANCE PERMIT  
[929 MESHER PLACE]**

- i) Notice of Hearing
- ii) Background Information – *Available for Viewing Separately*
  - Staff Report No. DEV-09-002

The Mayor convened the hearing at 7:20 p.m.

Public Input – Mayor Desjardins called 3 times for public input but no input was received.

The Mayor adjourned the hearing at 7:21 p.m.

**(2) HEARING – DEVELOPMENT PERMIT WITH VARIANCE  
[630 HEAD STREET]**

- iii) Notice of Hearing
- iv) Background Information – *Available for Viewing Separately*
  - Staff Report No. DEV-09-001

The Mayor convened the hearing at 7:21 p.m.

Public Input – Mayor Desjardins called 3 times for public input but no input was received.

The Mayor adjourned the hearing at 7:23 p.m.

**7. HEARING STAFF REPORTS**

- (3)** Hearing for Development Permit with Variance, 630 Head Street [Lot 1, Section 11, Esquimalt District, Plan 29010], Staff Report No. DEV-09-010

Moved by Councillor Linge, seconded by Councillor Brame that the application for a Development Permit, limiting the form and character of development to that shown on architectural plans prepared by Praxis Architects Inc., stamped "Received November 24, 2008", and including the following variance to

Zoning Bylaw No. 2050, be **approved, issued** and **registered** on the title of Lot 1, Section 11, Esquimalt District, Plan 29010 [630 Head Street].

**Section 44(4)(a) – Building Height** – a 2.8 metre increase in the permitted Height of the Principal Building, from 11 metres to 13.8 metres.

The motion **CARRIED**.

- (4) Hearing for Development Variance Permit, 929 Mesher Place [Lot 4, Section 2, Esquimalt District, Plan 30973]

Moved by Councillor Hundleby, seconded by Councillor Garrison that the application for a Development Variance Permit authorizing the siting of an existing, non-conforming, deck as shown on the site survey prepared by J.E. Anderson and Associates stamped “Received November 19, 2008”, and including the following variance to Zoning Bylaw No. 2050, be approved, issued and registered on the title of Lot 4, Section 2, Esquimalt District, Plan 30973 [929 Mesher Place].

**Section 34(9)(a)(i) – Siting Requirements – Principal Building – Front Setback** - a 1.3 metre reduction to the required Front Setback for a principal building from 7.5 metres to 6.2 metres

The motion **CARRIED**.

## 8. DELEGATIONS

- (1) Caitlin Meggs, University of Victoria Students' Society, Re: Public Transit

Ms. Meggs spoke about the need for more early morning and late night bus trips, more trips and routes to the western communities, more express routes and the need for more linkages between college and university campuses. She asked for Council's support in efforts to improve bus service in greater Victoria.

## 8. UNFINISHED BUSINESS

- (1) From the Regular Council Meeting, November 3, 2008

- (a) Esquimalt's Youth Services

- Youth Only Friday Night Follow Up, Staff Report No. P&R-09-006

Moved by Councillor Hundleby, seconded by Councillor Garrison that Staff Report No. P&R-09-006 be received for information.

The motion **CARRIED**.

- (2) From the Regular Council Meeting, January 19, 2009

- (a) Development of Freeman Ken Hill Park

- Freeman Ken Hill Park Update, Staff Report No.

Moved by Councillor Linge, seconded by Councillor Gaul that Staff Report No. P&R-09-005 be received for information.  
The motion **CARRIED**.

Moved by Councillor Linge, seconded by Mayor Desjardins that staff contact the Hill family and the community on the idea of renaming either the small park at Colville and Admirals, the Town Square, the Westbay Walkway or the new playground at Memorial Park in honour of Ken Hill and to report back to Council.  
The motion **CARRIED**.

Moved by Councillor Linge, seconded by Councillor Hundleby that staff investigate the disposition of the property at the corner of Grafton and Lyall Streets which is currently being considered for development into a park named after Ken Hill and that consideration also be given to leasing the land and any other feasible revenue-generating options that may exist.  
The motion **CARRIED**.

## 9. STAFF REPORTS

### *Administration*

- (1) BC Climate Action Charter, Staff Report No. ADM-09-004

Moved by Councillor Brame, seconded by Councillor Garrison that by the Township of Esquimalt voluntarily signing the non-binding BC Climate Action Charter, it is recommended that:

1. Council recognize the Township of Esquimalt's commitments under the Charter.
2. Council recognize and support the anticipated timelines to achieve Charter commitments.
3. Council provide budget support in order to meet the Charter commitments.

The motion **CARRIED**.

- (2) Township of Esquimalt Symbols Use, Staff Report No. ADM-09-008

Moved by Councillor Hundleby, seconded by Councillor Brame that Council adopt Council Policy Admin-46 as the Township of Esquimalt Symbols usage policy.

The motion **CARRIED**.

### *Parks and Recreation*

- (3) Tree Removal Permit #1175 at 1107 Bewdley Avenue, Staff Report No. P&R-09-003

Moved by Councillor Gaul, seconded by Councillor Hundleby that Ms. Linda Barnes be granted the opportunity to address

Council respecting her appeal of a staff decision to deny issuing a tree-cutting permit.

The motion **CARRIED**.

Ms. Barnes explained that the trees in question are the wrong trees in the wrong place. The large Deodora Cedar in the front yard of her property oozes a sticky sap which is destructive to everything around and is a non-native species.

She further stated that if Council allows removal of the trees she will work with the Parks and Recreation Department to replace them with more appropriate trees. Both existing trees are water-intensive.

Ms. Barnes written submission on the matter is attached to Staff Report No. P&R-09-003.

Moved by Councillor Linge, seconded by Councillor Hundleby that Council consider approval of the request to remove the Deodora Cedar on the condition that the applicant reaches an agreement with the Parks and Recreation Department with respect to replacing the tree and that Council review the agreement before final approval is considered.

The motion **CARRIED**.

Moved by Councillor Hundleby, seconded by Councillor Brame that the request to remove the large cedar tree in the back yard of the property be denied.

Moved by Councillor Linge, seconded by Councillor Brame that discussion on removal of the tree in the back yard be postponed until a staff report which includes information on the neighbours' views on the matter is presented to Council.

The motion **CARRIED**.

Mayor Desjardins called a short recess at 8:30 p.m.

Mayor Desjardins re-convened the meeting at 8:39 p.m.

#### *Development Services*

- (4) New Mid-Rise Wood Frame Building Provisions, Staff Report No. DEV-09-008

Moved by Councillor Brame, seconded by Councillor Hundleby that Staff Report No. DEV-09-008 be received for information.

The motion **CARRIED**.

Moved by Councillor Garrison, seconded by Councillor Hundleby that the Chief Administrative Officer report back to Council as to how the municipality can best acquire more information on the impact of the changes to the BC Building Code.

The motion **CARRIED**.

- (5) Next Steps in the Review of the Official Community Plan, Staff Report No.DEV-09-011

Moved by Councillor Garrison, seconded by Councillor Linge that Staff Report No.DEV-09-011 be received.

The motion **CARRIED**.

Councillor Linge **Opposed**.

## 10. MAYOR'S AND COUNCILLOR'S REPORTS

- (1) Verbal report from Councillor Garrison on the cross town bus route.

Councillor Garrison explained that BC Transit is putting two options forward with respect to revised bus routes and are holding two public consultations on the options. The BC Transit website has an on-line survey on the subject.

Municipal staff will communicate with DND staff and Royal Jubilee Hospital staff to let them know that the two options for revised bus routes are being considered by BC Transit.

## 11. REPORTS FROM COMMITTEES

- (1) Draft minutes from the Advisory Planning Commission meeting, January 20, 2009.

Moved by Councillor Linge, seconded by Councillor Hundleby that the draft minutes from the Advisory Planning Commission meeting held January 20, 2009 be received.

The motion **CARRIED**.

## 11. COMMUNICATIONS

- (1) Letter from David Wilkinson, dated December 15, 2008, Re: Friendly Twinning Between Esquimalt and Manzanillo Colima, Mexico

Moved by Councillor Linge, seconded by Councillor Brame that the letter from David Wilkinson regarding twinning with Manzanillo Colima, Mexico be received.

The motion **CARRIED**.

Moved by Councillor Linge, seconded by Councillor Garrison that Communications items 2 through 9, 11, and 13 through 15 be received for information.

The motion **CARRIED**.

- (2) Letter from UBCM, dated January 9, 2009, Re: Regulation of Home and Property Inspection

- (3) Email from Civic Info, received January 12, 2009, Re: Call for Nominations for 2009 Order of British Columbia
- (4) Communications Regarding Public Open Space on Gorge Waterway
  - i) Letter from Fern Spring, dated January 12, 2009
  - ii) Response letter to Jane Robson, dated January 20, 2009 from Barbara Snyder, Director of Development Services
  - iii) Letter to Waterfront Property Owners Between Esquimalt Gorge Park and Admirals Road from Barbara Snyder, Director of Development Services
  - iv) Response letter to Fern Spring, dated January 22, 2009 from Barbara Snyder, Director of Development Services
  - v) Letter from Joan Kerley, dated January 24, 2009
- (5) Letter from the City of Burnaby, dated January 14, 2009, Re: Burnaby School Lands
- (6) Letter from the Recycling Council of British Columbia, dated January 15, 2009, Re: Municipal Membership and Zero Waste Conference
- (7) Letter from Pitch-In British Columbia, dated January 15, 2009, Re: Letter of Appreciation for Financial Support
- (8) Letter from the Esquimalt Photography Club, dated January 19, 2009, Re: Letter of Appreciation for Local Grant
- (9) Letter from UBCM, dated January 19, 2009, Re: Municipal Pension: Group Health Benefits
- (10) Letter from UBCM, dated January 19, 2009, Re: UBCM Membership
 

Moved by Councillor Linge, seconded by Councillor Brame that the letter from UBCM, dated January 19, 2009, Re: UBCM Membership be received.  
The motion **CARRIED.**
- (11) Letter from John van Dongen, Solicitor General, dated January 22, 2009, Re: Victoria Police Department Funding and Service Model Audit
- (12) Letter from Assistant Deputy Minister Kevin Begg, dated January 28, 2009, Re: Audit of Policing Services in Victoria and Esquimalt



Moved by Councillor Hundleby, seconded by Councillor Garrison that the letter from Assistant Deputy Minister Kevin Begg Re: Audit of Policing Services in Victoria and Esquimalt be received. The motion **CARRIED**.

- (13) Member Release received from UBCM on January 23, 2009, Re: Prime Minister and Premiers Agree to Accelerate Infrastructure Funding
- (14) Letter from the AVICC, dated January 23, 2009, Re: Forestry Forum – February 27, 2009 – Nanaimo, BC
- (15) Copy of letter to Minister Kevin Falcon from Mayor Dean Fortin, City of Victoria, dated January 23, 2009, Re: Renewing E & N as a Commercial and Commuter Rail Line

**14. PUBLIC QUESTION AND COMMENT PERIOD**

- (1) Joanne Kimm, 654 Grenville Avenue stated that bus transportation issues also affect school age students. She also stated she would like a citizens committee to be able to provide input to Council on building height maximum, the OCP, development generally, etc. Council was in agreement with the concept.
- (2) Emmy Labonte, 873 Dunsmuir Road spoke about tents in public parks and that the City of Victoria is introducing a Bylaw to prevent it. She asked if Esquimalt has such a Bylaw. The Chief Administrative Officer explained that Esquimalt does not and that the UBCM is appealing the recent court decision on the matter.

**15. ADJOURNMENT**

Moved by Councillor Brame, seconded by Councillor Gaul that the meeting be adjourned at 9:00 p.m.  
The motion **CARRIED**.

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MAYOR OF THE CORPORATION OF THE  
TOWNSHIP OF ESQUIMALT  
THIS 2<sup>ND</sup> DAY OF MARCH, 2009

CERTIFIED CORRECT

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LARRY RANDLE  
CORPORATE OFFICER