



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

**MINUTES
REGULAR MEETING
OF MUNICIPAL COUNCIL
MONDAY, SEPTEMBER 21, 2009**

**7:00 P.M.
COUNCIL CHAMBERS**

PRESENT:

Mayor Barb Desjardins
Councillor Mayor Meagan Brame
Councillor Bruce McIldoon
Councillor Alison Gaul
Councillor Randall Garrison
Councillor Lynda Hundleby

REGRETS:

Councillor Don Linge

STAFF:

L. Hurst, Chief Administrative Officer
B. Snyder, Director of Development Services
P. Nelson, Fire Chief
W. Wieler, Senior Engineering Assistant
C. Evans, Manager of Corporate Services

PRESENTERS:

Joachim Carolsfeld, Executive Director, and Alicia Donaldson,
Project Development Officer, World Fisheries Trust
Cathy Carolsfeld, Founder & Director, WestWind SeaLab
Supplies and Seaquaria In Schools Program
Anna Becker and Eileen Thompson, Spay/Neuter Action
Committee

1. CALL TO ORDER

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

2. LATE ITEMS

There were no late items.

3. APPROVAL OF THE AGENDA

Moved by Councillor Brame, seconded by Councillor Hundleby that the Agenda be approved as presented.

The motion **CARRIED**.

Mayor Desjardins congratulated the Esquimalt Lantern Festival organizing committee for the very successful event held September 19th. She noted attendance far exceeded expectations and the Township is looking forward to another Festival next year.

4. PRESENTATION

(1) Gorge Waterway Discovery Centre

Joachim Carolsfeld, Alicia Donaldson and Cathy Carolsfeld provided Council with an update on the activities of the interpretive centre in the Esquimalt Gorge Park. Emphasis was made that the organization wants to work in partnership with the Township to develop activities and programs that will strengthen and build ties with the local community. They have reached out to the First Nations community by working with the Songhees on a mapping project last March, and wish to be a resource for the surrounding municipalities as well. Since June of 2008 the Centre has had some 3,000 visitors and delivered 40 programs to schools, community groups and camps.

The presenters stated there is confusion from the public with the Gorge Waterway Discovery Centre and the Ocean Discovery Centre in Sidney. They feel a more appropriate name is the Gorge Waterway Education Centre.

Mayor Desjardins advised the process is for the Centre to have the Parks and Recreation Committee consider the name change and then the Committee will provide Council with a recommendation.

Council congratulated the Centre on their amazing success in such a short period of time, operating only 5 hours a day, 2 days a week, and thanked them for their presentation.

(2) Spay/Neuter Action Committee

Anna Becker gave a power point presentation on the Action Committee's request to Council for a spay/neuter bylaw for felines of 5 months of age and over, with the objective being to establish a uniform bylaw for the entire Capital Region. Ms. Becker referred to spay/neuter bylaws enacted by North Saanich and Central Saanich as excellent examples.

Mayor Desjardins thanked Ms. Becker for her presentation and noted that an draft bylaw to address this issue will be coming forward to Esquimalt Council for consideration at the October 13, 2009 Committee of the Whole Meeting. Director of Development Services Barb Snyder added that many of the provisions in the bylaws from North and Central Saanich were incorporated.

5. MINUTES

(1) Minutes of the Regular Meeting of Council, September 8, 2009

Moved by Councillor Brame, seconded by Councillor Hundleby that the Minutes of the Regular Meeting of Council, September 8, 2009 be adopted.

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.

Mayor Desjardins called for public input.

Emmy LaBonte of Esquimalt spoke to the need for a spay/neuter program to reduce the number of stray cats that cannot be cared for. She stated three years ago she rescued a cat in Mexico and brought it back to Canada; she often picks up strays and cares for them. She always has them neutered/spayed to help them live a better life.

7. STAFF REPORTS

Administration

(1) Interim Management of Archives, Staff Report No. ADM-09-051

Mayor Barb Desjardins expressed appreciation for Mrs. Sherri Robinson, long time Esquimalt resident, for stepping forward to handle the operations of the Archives on a volunteer basis until the Township has filled the vacancy left in early September by the retirement of Archivist Dave Parker.

Moved by Councillor Hundleby, seconded by Councillor Brame that Staff Report No. ADM-09-051, Interim Management of Archives be received.

The motion **CARRIED**.

Engineering and Public Works

- (2) Project Updates: Craigflower Road Corridor Upgrade Phase 1 and Admirals/Colville Intersection Upgrade, Staff Report No. EPW-09-038

Council commended staff for the well run Open House held September 17th.

Council expressed concern for pedestrian safety, noting every sidewalk on the Tillicum Road corners is ripped up, and lack of bus shelters is an issue for the elderly.

Mr. Wieler stated BC Transit will be presenting another funding program on September 25th at which time he will know if there is an opportunity to submit a grant application for bus shelters. As well, there may be funds remaining in the contingency account that can be used for benches and/or shelters.

Mr. Wieler stated he will address the concerns and keep Council updated. He added that he expects the outstanding project issues will be resolved in the next few weeks.

Moved by Councillor Hundleby, seconded by Councillor Brame that Staff Report No. EPW-09-038, Project Updates: Craigflower Road Corridor Upgrade Phase 1 and Admirals/Colville Intersection Upgrade, be received.
The motion **CARRIED**.

Fire Services

- (3) Emergency Program Grant Applications, Staff Report No. FIRE-09-007

Fire Chief Paul Nelson stated the JEPP grant application will allow the municipality to contract with a consultant to develop and complete the Esquimalt Emergency Plan, Hazard Risk and Vulnerability Community Risk Assessment and Community Recovery Plan, a process that would be substantially quicker than if done in house.

Moved by Councillor Hundleby, seconded by Councillor Brame

1. That Council approve the application for "Joint Emergency Preparedness Program" (JEPP) grants for the period 2010 – 2011 and approve the inclusion of funds in the 2010 budget for the municipal share of such grants; and
2. That The Mayor and Director of Finance be authorized to sign the JEPP grant applications for: (cost commitment: \$14,875)
 - a) The review and upgrade of the Esquimalt Emergency Plan.
 - b) A Hazard, Risk and Vulnerability Community Risk Assessment.

c) Development of a Community Recovery Plan.
The motion **CARRIED**.

Development Services

- (4) Bylaws to Amend OCP and Zoning Bylaw to Allow Secondary Suites, Staff Report No. DEV-09-058

Moved by Councillor Gaul, seconded by Councillor Garrison

1. That Official Community Plan Bylaw, 2006, No. 2646, Amendment Bylaw [No. 3], 2009, No. 2707 be considered for 1st and 2nd readings; and
2. That Zoning Bylaw, 1992, No. 2050, Amendment Bylaw [No. 185], 2009, No. 2708 be considered for 1st and 2nd readings; and
3. That a Public Hearing be scheduled for October 13th and the necessary notification be prepared.

The motion **CARRIED**.

Council requested staff to prepare an information brochure to residents on the secondary suite process including time lines and incentives.

Moved by Councillor Garrison, seconded by Councillor Brame that staff draw up a policy for fee exemption if the property owner registers a secondary suite within the first year of adoption of the bylaw.

The motion **CARRIED**.

- (5) Development Variance Permit 675 Lampson Street [Lot 7, Section 11, Esquimalt District, Plan 5646], Staff Report No. DEV-09-059

Director of Development Services Barb Snyder stated the Advisory Planning Committee recommended approval of a development variance permit for a shed to house a battery back up system for a Telus communication facility. Should Council agree to a development variance hearing on October 5, notices will be sent to property owners and tenants within 50 metres [164 ft.] of the subject property.

Moved by Councillor Brame, seconded by Councillor Gaul that Staff Report No. DEV-09-059, Development Variance Permit 675 Lampson Street [Lot 7, Section 11, Esquimalt District, Plan 5646], be received for information.

The motion **CARRIED**.

- (6) Bylaw to Amend OCP and Pedestrian Charter as Appendix G, Staff Report No. DEV-09-060

Moved by Councillor Hundleby, seconded by Councillor Brame

1. That Official Community Plan Bylaw, 2006, No. 2646, Amendment Bylaw [No. 4], 2009, No. 2717 be considered for 1st and 2nd readings; and

2. That a Public Hearing be scheduled for October 13th and the necessary notification be prepared.

The motion **CARRIED**.

8. MAYOR'S AND COUNCILLORS' REPORTS

There were no reports.

9. REPORTS FROM COMMITTEES

(1) Report from Committee of the Whole, September 14, 2009.

Moved by Councillor Brame, seconded by Councillor Garrison that the following recommendations from the Committee of the Whole Meeting held September 14, 2009, be approved:

1. Development Variance Permit, 675 Lampson Street, [Lot 7, Section 11, Esquimalt District, Plan 5646], Staff Report No. DEV-09-052

That the application for a Development Variance Permit authorizing construction as shown on the site plan and elevation drawings prepared by Telus, stamped "Received July 31, 2009", and sited based on the survey prepared by Powell and Associates BC Land Surveyors, stamped "Received July 31, 2009", and including the following relaxation to Zoning Bylaw No. 2050, be forwarded to Council with a recommendation of approval:

Section 54(5)(a) – Siting Requirements - a 5.0 metre reduction to the requirement that no building shall be located within 7.5 metres of a lot line that is shared with a parcel zoned for a residential use, from 7.5 metres to 2.5 metres.

2. Secondary Suites, Staff Report No. DEV-09-053

1. That Official Community Plan Bylaw, 2006, No. 2646, Amendment Bylaw [No. 3], 2009, No. 2707 be considered for 1st and 2nd readings as amended;
2. That Zoning Bylaw, 1992, No. 2050, Amendment Bylaw [No. 185], 2009, No. 2708 be considered for 1st and 2nd readings as amended; and
3. That a Public Hearing be scheduled for October and the necessary notification be prepared.

3. Recovery Homes, Staff Report No. DEV-09-054

That the amendments to Zoning Bylaw No. 2050 detailed in Schedule 'A', including the definition of a "*Recovery Home*" and the requirements for the accommodation of Recovery Homes within the Township, be approved; and

That staff formulate a similar version of Staff Report No. DEV-09-054 for "Group Homes" to come forward to the next Committee of the Whole meeting.

4. Memorandum Re: Business Owner's Meeting

That the Recommendations identified in the memorandum regarding the June 18, 2009 Business Owner's meeting be actioned.

The motion **CARRIED**.

9. COMMUNICATIONS

- (1) Thank you letter from the Creative Peace Mural Society, dated September 4, 2009, Re: Mural Project

Moved by Councillor Garrison, seconded by Councillor Hundleby that the thank you letter from the Creative Peace Mural Society, dated September 4, 2009, Re: Mural Project, be received.
The motion **CARRIED**.

- (2) Letter from the City of Burnaby, dated September 3, 2009, Re: Industrial Property Taxes

Moved by Councillor Garrison, seconded by Councillor Hundleby that the letter from the City of Burnaby, dated September 3, 2009, Re: Industrial Property Taxes, be received.
The motion **CARRIED**.

- (3) Letter from the Correctional Service of Canada, dated August 26, 2009, Re: Proclamation of Restorative Justice Week November 15th to November 22nd, 2009

Moved by Councillor Garrison, seconded by Councillor Hundleby that the letter from the Correctional Service of Canada, dated August 26, 2009, Re: Proclamation of Restorative Justice Week November 15th to November 22nd, 2009, be received and referred to the Corporate Administrator to action.
The motion **CARRIED**.

- (4) Email from BC Lightkeepers Local 20232, dated September 9, 2009, re: Support for Staffed Light Stations

Moved by Councillor Garrison, seconded by Councillor Hundleby

that the email from BC Lightkeepers Local 20232, dated September 9, 2009, re: Support for Staffed Light Stations, be received.

The motion **CARRIED**.

- (5) Email from the Capital Regional District, dated September 9, 2009, Re: CRD Forum of Councils

Moved by Councillor Garrison, seconded by Councillor Hundleby that the email from the Capital Regional District, dated September 9, 2009, Re: CRD Forum of Councils, be received.

The motion **CARRIED**.

- (6) Letter from Local Government Program Services, dated September 3, 2009, Re: Community Tourism Program (Phase 1) – Installation of Signage

Moved by Councillor Garrison, seconded by Councillor Hundleby that the letter from Local Government Program Services, dated September 3, 2009, Re: Community Tourism Program (Phase 1) – Installation of Signage, be received.

The motion **CARRIED**.

11.

BYLAWS

For Adoption

- (1) That Building Code Bylaw, No. 2002, NO. 2538 Amendment Bylaw [NO. 4], 2009, No. 2711, be adopted.

Moved by Councillor Brame, seconded by Councillor Gaul that Building Code Bylaw, No. 2002, No. 2538 Amendment Bylaw [NO. 4], 2009, No. 2711, be adopted.

The motion **CARRIED**.

- (2) That Streets and Traffic Regulation Bylaw, 2005, No. 2607 Amendment Bylaw [NO. 5], 2009, No. 2716, be adopted.

Moved by Councillor Hundleby, seconded by Councillor Brame that Streets and Traffic Regulation Bylaw, 2005, No. 2607 Amendment Bylaw [NO. 5], 2009, No. 2716, be adopted.

The motion **CARRIED**.

Council requested that staff prepare a press release advising the public of the change in speed limits and post on website. As well, staff were requested to ask Vic PD if the first two weeks after adoption of the bylaw there could be a two week grace period of issuing warning tickets, and suggest Vic PD put up a portable speed board to advise motorists.

12.

RISE AND REPORT

Mayor Desjardins read the following resolutions from the August 17th, 2009 In Camera meeting.

- (1) Sewage Treatment – resolution from August 17, 2009 In Camera Meeting
 - That the Council of the Township of Esquimalt has an obligation and responsibility to its residents to explore and evaluate all available options and alternatives for sewage treatment including IRM;
 - That the Township of Esquimalt intends to evaluate alternatives outside of those options currently being considered by the CRD;
 - That the Township of Esquimalt is not prepared to commit to any sewage treatment option including the CRD alternative until such time as they are satisfied that all alternatives have been appropriately evaluated and that the option that has been selected is in the best interests of our community
 - That the Township of Esquimalt encourages the CRD to explore and evaluate all available options and alternatives for sewage treatment including IRM
- (2) Police Services Budget – resolution from August 17, 2009 In Camera Meeting

That Council authorize correspondence be forwarded to both VicPD and City of Victoria advising that the Township of Esquimalt will not authorize or approve any budget increases in police services for 2010 in the absence of a determination on an equitable funding formula from the Provincial Audit.

13.

PUBLIC QUESTION AND COMMENT PERIOD

Mayor Desjardins called for questions/comments from the public.

An Esquimalt resident pointed out some discrepancies in Streets and Traffic Regulation Bylaw, 2005, No. 2607 Amendment Bylaw [NO. 5], 2009, No. 2716. Mayor Desjardins thanked him for bringing that to Council's attention.

Moved by Councillor Hundleby, seconded by Councillor Brame that the motion to adopt Streets and Traffic Regulation Bylaw, 2005, No. 2607 Amendment Bylaw [NO. 5], 2009, No. 2716, be rescinded, and that the Bylaw be corrected and brought back to the next Council meeting. The motion **CARRIED**.

14. **ADJOURNMENT**

Moved by Councillor Brame, seconded by Councillor Garrison that the meeting be adjourned at 7:55 p.m.
The motion **CARRIED**.

MAYOR OF THE CORPORATION OF THE
TOWNSHIP OF ESQUIMALT
THIS 5th DAY OF OCTOBER, 2009

CERTIFIED CORRECT:

CAROLLYNE EVANS
CORPORATE ADMINISTRATOR