



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

MINUTES
REGULAR MEETING
OF MUNICIPAL COUNCIL
MONDAY, DECEMBER 7, 2009

7:00 P.M.
COUNCIL CHAMBERS

PRESENT:

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

STAFF:

Laurie Hurst, Chief Administrative Officer
Barb Snyder, Director of Development Services
Scott Hartman, Director of Parks & Recreation Services
Jeff Miller, Director of Engineering & Public Works
Carollyne Evans, Corporate Administrator

1. **CALL TO ORDER**

Mayor Desjardins called the meeting to order at 7:00 p.m. and referred to the Coast Salish Mural hanging on the back wall of Council Chambers. The mural project is a collaboration between the Greater Victoria School District Circle of Connectedness and the Creative Peace Mural Society. The mural is the 7th in a series of 10 designed by Songhees artist Butch Dick and Esquimalt artist Darlene Gait and will be on display for the week.

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.

The motion **CARRIED**.

4. **MAYOR'S ANNUAL ADDRESS**

It has been an exciting year. I would like to thank residents of Esquimalt for the opportunity to serve as your mayor for the past year and I am looking forward to the next 2 years with equal energy and excitement.

Your elected officials and municipal staff have worked hard on your behalf and there are significant results. I would quickly like to review some of the work that has been done to date.

The Secondary Suites Bylaw was passed, providing the opportunity for safe, affordable housing as well as potentially providing the opportunity for seniors to "age in place" by having financial assistance.

We improved the pedestrian network by building key sidewalks, crosswalks, and park pathways increasing safety for all users including those with disabilities.

Parks and Recreation have had an active and successful year with the reopening of our Japanese Garden, which is the oldest in North America. We received the matching one million dollar infrastructure grant to upgrade Archie Browning Sports Centre, and, thanks to parks and recreation staff, will be hosting a major sporting event there this spring: the 2010 Victoria Curling Classic. In addition, we held the BC Jr. B Lacrosse Championships at Archie Browning, and hosted another international rugby event in the community this past summer.

This past year could be named: the year of the audit for Esquimalt. We have reviewed, audited and evaluated many of our services, committees, and processes over the past year and although it has

taken time and money it has been an extremely valuable process.

Quoting from chapter 4 in the book: *Good to Great*, by Jim Collins, Esquimalt has undertaken over the past year to: “Confront the Brutal Facts (Yet never Lose Faith)”.

I paraphrase:

The path from good to greatness is created through:

- Confronting the brutal facts of our current reality create a culture where people have a tremendous opportunity to be heard, for the truth to be heard
- Hitting the realities of the situation head on
- Having the right people

Council changed administrative leadership, a decision that has proved to be imperative for meeting my inaugural speech priority of “action oriented, goal driven government”.

The review and changes we made with Township committees has improved our focus and led to an increased number of committee applications, an indication that committees and their work are seen as valued, and interesting to the public. We have even received applications from non- residents.

We initiated an audit of our police services with respect to service delivery, funding model, and governance. I have pushed hard to have a report in front of you by this date and have been provided reassurance that the report is making its way through the Ministry approval process with an expectation of being made public after being received by the Police Board.

A meeting of the Chief Administrative Officers of both Victoria and Esquimalt, with Deputy Solicitor General Morhart and Assistant Deputy Minister Kevin Begg is scheduled for later this week.

I have worked hard to press the Police Board to change its governance model to recognize the fact that it has two mayors and therefore, as per the Police Act, a co-chair model should be adopted. The board agreed to this, however, the request will not be acted on by Police Services until full review of the audit has occurred.

I will continue to press for completion of the audit and action on your behalf.

Esquimalt has just received the audit report regarding our Fire Services and although we are just starting to digest the results, the message is clear that changes are needed.

Council is prepared to make the decisions that will be required to resolve issues that have been lingering since the split of police and fire services, and to make our hall a great place to work.

Council put forward an ambitious strategic plan last year. We have been able to accomplish many successes in 2009 and will focus the plan and goals for 2010.

If 2009 was the year of the audit, 2010 will be the year of action as a result of those reviews. We look forward to continued growth and development in the community.

The village core project is progressing. The acceptance and excitement within the community to make this happen will assist council to continue the process through to implementation. It will not sit on a shelf.

The past year Esquimalt had community forums on sewage treatment, policing, height and density growth, and business.

This year I would like to continue this well attended format of community engagement. Council direction has benefitted from the input we have received at these meetings.

Through community input gained at the sewage forum co-sponsored by the Township of Esquimalt and Sewage Treatment Action Group, we will continue to look into best practices with respect to waste management. We have positioned ourselves as strong advocates for integrated resource management for both Esquimalt and for the CRD. We will look for ways to pilot new technologies, and use this approach toward our climate action charter commitments. Our village core project could be the application for innovation such as district heating and integrated resource management in Esquimalt.

Public input from the height and density forum and subsequent community input sessions has provided council with direction toward resolution of this issue. The community has supported an increase in height and density within our borders but has stressed to council the need to review each project on its own merits and its fit within the surrounding neighbourhood.

There are still many decisions to be made around density bonusing, development cost charges, and the development of subsequent zoning bylaws to support changes we make. I am committed to completing these in a timely manner so that we will be able to take advantage of them when the market for development improves.

As a result of the business forum we will be working with the Chamber of Commerce toward a business directory and promotion strategy in 2010.

We will be reviewing ways that the municipality can assist businesses through revitalization tax strategies, business improvement associations, and other ideas. It is imperative that this sector of Esquimalt be given the opportunity to thrive. A thriving small business sector means a sustainable and vibrant Esquimalt community.

The growth of tourism within our borders must be fostered. With the success of our brochure development and walking tours we need to build on our destinations and activities that continue to bring people across the bridges, down the tracks, and onto our pathways.

The year of the audit is over. 2010 will be very active for Esquimalt. Over the past year media have at many times indicated Esquimalt is the community to watch for positive change. Our intention is to fulfill these prophecies in 2010. Esquimalt is the community to watch.

Moved by Councillor Linge, seconded by Councillor Brame that the Mayor's Annual Address be received.

The motion **CARRIED**.

COUNCIL APPOINTMENTS

Acting Mayor – Rotating Basis

December 2009 – January 2010..... Councillor Lynda Hundleby
February 2010 – March 2010..... Councillor Bruce McIldoon
April 2010 – May 2010..... Councillor Don Linge
June 2010 – July 2010..... Councillor Alison Gaul
August 2010 – September 2010..... Councillor Meagan Brame
October 2010 – November 2010..... Councillor Randall Garrison

Internal Appointments

Access Awareness Committee
Councillor Don Linge and Councillor Meagan Brame

Advisory Planning Commission Liaison
Councillor Alison Gaul

Arts, Culture & Special Events Advisory Committee
Councillor Meagan Brame
Councillor Bruce McIldoon

Buccaneer Days Committee
Councillor Meagan Brame
Councillor Bruce McIldoon

Celebration of Lights Committee
Councillor Meagan Brame
Councillor Bruce McIldoon

Centennial Celebrations Select Committee
Mayor Barbara Desjardins
Councillor Don Linge

DND Liaison
Mayor Barbara Desjardins

Environmental Advisory Committee
Councillor Randall Garrison
Councillor Alison Gaul

ETAG
Councillor Lynda Hundleby

Heritage Advisory Committee
Councillor Lynda Hundleby
Councillor Randall Garrison

Local Grant Committee
Councillor Randall Garrison
Councillor Don Linge
Councillor Alison Gaul

Parks and Recreation Advisory Committee
Councillor Alison Gaul
Councillor Bruce McIldoon

School District Joint Use Agreement Liaison
No Appointment

External Boards/Committee Appointments

Capital Regional District
Mayor Barb Desjardins
Councillor Don Linge (Alternate)

Capital Regional District Arts Committee
Councillor Bruce McIldoon
Councillor Alison Gaul (Alternate)

Capital Regional District Core Area Liquid Waste Management
Committee
Mayor Barb Desjardins

Capital Regional District Finance, Corporate and Protective Services
Committee
No 2010 representation from Esquimalt

Capital Regional District Solid Waste Advisory Committee
Mayor Barb Desjardins
Councillor Alison Gaul (Alternate)

Capital Region Housing Corporation Board
Councillor Don Linge
Mayor Barb Desjardins (Alternate)

Capital Region Housing Trust Fund Commission
Councillor Don Linge

Capital Regional Emergency Services Telecommunication
(C.R.E.S.T.)

Councillor Bruce McIldoon
Mayor Barb Desjardins (Alternate)

Capital Regional Water Supply Commission
Mayor Barb Desjardins
Councillor Meagan Brame (Alternate)

Commuter Train Steering Committee (Langford-Victoria Commuter
Rail Initiative)

Mayor Barb Desjardins
Councillor Randall Garrison (Alternate)

Esquimalt Chamber of Commerce

Mayor Barb Desjardins
Councillor Don Linge
Councillor Meagan Brame

Esquimalt/Victoria Police Board

Mayor Barb Desjardins
Kathy Mick (Council Appointee) *(Province of BC, re-Appointed to December
31, 2010)*

Family Court and Youth Justice Committee

Councillor Bruce McIldoon
Councillor Meagan Brame (Alternate)
Meagan Duncan – Public Appointee

Greater Victoria Economic Development Agency Advisory Board

Mayor Barb Desjardins

Greater Victoria Harbour Authority

Mayor Barb Desjardins

Greater Victoria Labour Relations Association

Mayor Barb Desjardins
Councillor Bruce McIldoon (Alternate)

Greater Victoria Public Library Board

Councillor Lynda Hundleby

Island Corridor Foundation Community Advisory Committee

Councillor Randall Garrison

Local Government Treaty Committee (Te'mexw Treaty Advisory
Committee)

Mayor Barb Desjardins

Provincial Capital Commission
Councillor Lynda Hundleby

Veins of Life Watershed Society (*Ad hoc basis, Council In Camera Dec., 12, 2005*)

Victoria Regional Rapid Transit Project Community Liaison
Committee
Mayor Barb Desjardins
Councillor Randall Garrison (Alternate)

Municipal Insurance Association of British Columbia
Mayor Barb Desjardins

Moved by Councillor Brame, seconded by Councillor Garrison that the appointments for Acting Mayor, Internal Appointments, and External Appointments be approved as presented, for one year terms expiring December 31, 2010.

The motion **CARRIED**.

5. PRESENTATION

- (1) Nancy Falconer, Canadian Cancer Society, Banning the Sale and Use of Cosmetic Pesticides

Ms. Falconer gave a power point presentation on the Canadian Cancer Society's campaign to ban the sale and use of cosmetic pesticides. She noted the province is considering enacting province-wide legislation and the overarching goal of the campaign is to drive people to public consultation.

Ms. Falconer noted there is a clear link between environmental carcinogens in pesticides and cancer, with children becoming more vulnerable. An Ipsos Reid poll showed 76% of people are in support of banning the use of cosmetic pesticides; 150 municipalities across Canada have passed bylaws as have 27 municipalities in BC.

Ms. Falconer handed out a folder with informational pamphlets from the Canadian Cancer Society "UTurn for change".

6. MINUTES

- (1) Minutes of the Regular Meeting of Council, November 16, 2009

It was noted that "Lavoie" is spelled incorrectly on Page 3.

Moved by Councillor Brame, seconded by Councillor Hundleby that the Minutes of the Regular Meeting of Council, November 16, 2009 be adopted as amended.

The motion **CARRIED**.

7. 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 input from the public.

Anna Becker, Spay/Neuter Action Committee, stated now is the time for people to change their behaviour about cats, noting there are an astounding number of cats in Esquimalt and it is difficult to determine if they are stray or feral. Spay/neuter of cats will reduce abandonment and she implored Council to reconsider adopting the Spay and Neuter Bylaw.

Ms. Becker added that Greater Victoria animal crusaders support the bylaw and provide financial assistance to low income families who cannot afford the procedure. An unsterilized cat and her offspring can be responsible for 73,000 descendents in 3 years. Although the newspaper printed there is no problem in Esquimalt, there is. Animals need to be given the love and respect they deserve and the bylaw will control over population.

Beverly Archer, founder of Cats Cradle Animal Rescue located in North Saanich and serving the Greater Victoria area, stated she is overwhelmed with cats and kittens and desperately needs politicians to recognize the problem. If not, the organization will not survive. It is staffed by all women who volunteer 100 hours a week. She begged Council to give them a little bit of support and ability to deal with the problem.

Emmy Labonte of Dunsmuir Road stated she does not belong to any organization but has rescued and treated six cats and it is heart-breaking. She urged Council to pass the Spay and Neuter Bylaw.

8. HEARING

**(1) HEARING – DEVELOPMENT VARIANCE PERMIT
[937 RANKING ROAD]**

The Hearing commenced at 7:41 p.m. Director of Development Services Barb Snyder gave a brief overview of the request for the development variance permit, noting that the property is located on Gorge Road and the only place to build is in the front yard.

PUBLIC INPUT

Mayor Desjardins called for public input.

Ray Stone of Treebank Road East asked if the building would be used exclusively for a two car garage and if the construction of the new building was contingent upon the tearing down of the existing building. Director Snyder responded the building would be used only for vehicles and the original building had to be torn down before the new one went up to maintain the 10% maximum lot coverage requirement.

Mayor Desjardins called three times for public input. Hearing none, the Hearing adjourned at 7:45 p.m.

HEARING STAFF REPORT

- (2) Hearing for Development Variance Permit, 937 Rankin Road [Lot 11, Section 2, Esquimalt District, Plan 27073], Staff Report No. DEV-09-078

Moved by Councillor Garrison, seconded by Councillor Hundleby that the application for a Development Variance Permit authorizing the siting of a new accessory building as detailed on the site plan prepared by Richard J. Wey and Associates stamped "Received September 16, 2009", constructed in general accordance with plans submitted with the application stamped "Received September 16, 2009", and including the following relaxation to Zoning Bylaw No. 2050, be approved, issued and registered on the title of Lot 11, Section 2, Esquimalt District, Plan 27073 [937 Rankin Road]:

Zoning Bylaw No. 2050, Section 36(9)(b)(i) – Siting Requirements – Accessory Building – Front Setback: waiver from the requirement that no Accessory Building shall be located in front of the front face of the Principal Building.

Discussion:

Councillor Garrison commented to the property owners to plant native species and recognized them for the special effort they have put in with design and landscaping to improve the appearance of the property.

THE QUESTION WAS CALLED ON THE MOTION AND IT **CARRIED.**

STAFF REPORTS

Administration

- (1) Township Hiring Practice, Staff Report No. ADM-09-068

Moved by Councillor Hundleby, seconded by Councillor Brame that Council accept Township Hiring Practice Staff Report No. ADM-09-068 for information.

The motion **CARRIED.**

- (2) 2010 Council Meeting Schedule, Staff Report No. ADM-09-069

Moved by Councillor Linge, seconded by Councillor Hundleby that Council endorse the 2010 schedule of meetings, inclusive of the schedule for a summer recess from July 19, 2010 through August 13, 2010.

Discussion:

Council asked staff to check out how other municipalities schedule the summer break for Council meetings and external

committees/commissions.

THE QUESTION WAS CALLED ON THE MOTION AND IT **CARRIED.**

- (3) Canadian Cancer Society: Request to Province to Ban Sale and Use of Cosmetic Pesticides, Staff Report No. ADM-09-070

Moved by Councillor Garrison, seconded by Councillor Brame that Esquimalt Council support the Canadian Cancer Society in its grassroots campaign to request the provincial government ban the sale and use of cosmetic pesticides by writing a letter highlighting the successes achieved following the adoption of Esquimalt's Pesticide Use Reduction Bylaw on July 14th, 2008.

Discussion:

Council supported highlighting park facilities which are pesticide free, especially Bullen Park which has been pesticide free for five years and has an excellent rating as a fantastic field by FIFA [International Federation of Association Football] and other sporting events. Council acknowledged Parks and Recreation staff for the leadership shown.

THE QUESTION WAS CALLED ON THE MOTION AND IT **CARRIED.**

- (4) Liquor License Amendment Application: CFB Esquimalt, Staff Report No. ADM-09-071

Moved by Councillor Garrison, seconded by Councillor Brame that Council postpone its recommendation to the Liquor Control and Licensing Branch on the application for structural change to Liquor Licence #123386 submitted by CFB Esquimalt Messes, CFB Esquimalt so that senior staff can meet with Base personnel to discuss the application.

Discussion:

Council noted that increasing the seating capacity at CFB Esquimalt Messes will likely create road traffic concerns and opportunity for public input should be advertised.

THE QUESTION WAS CALLED ON THE MOTION AND IT **CARRIED.**

- (5) Appointment of Acting Deputy Chief Administrative Officer, Staff Report No. ADM-09-072

Moved by Councillor Gaul, seconded by Councillor Brame that the following person be appointed to act in the absence or incapacity of the incumbent in the position indicated effective December 7th, 2009:

Scott Hartman – Acting Deputy Corporate Administrator (in

the absence of Barb Snyder)
The motion **CARRIED**.

Parks and Recreation

- (6) 2010 Fees and Rental Charges – Addition of Regional Recreation Pass, Staff Report No. P&R-09-032

Moved by Councillor Linge, seconded by Councillor Hundleby that Parks and Recreation Bylaw 2007, No. 2665, Amendment Bylaw [No. 4], No. 2724 to be given first, second, and third reading.

The motion **CARRIED**.

- (7) Esquimalt Volunteer Services, Staff Report No. P&R-09-033

Director of Parks & Recreation Services Scott Hartman stated that Silver Threads has served notice they can no longer continue to run volunteer services out of the recreation centre in 2010. Parks & Recreation Staff can coordinate the continued administration of the Esquimalt Volunteer Services program with existing operational resources. A sum of \$2,000 will be added to the program budget to continue the volunteer driving component.

Moved by Councillor McIlldoon, seconded by Councillor Gaul that Council receive the Esquimalt Volunteer Services, Staff Report No. P&R-09-033 for information.

The motion **CARRIED**.

- (8) Esquimalt Anglers' Association License of Use Agreement, Staff Report No. P&R-09-034

Moved by Councillor Linge, seconded by Councillor Brame that Council approve the 2010 – 2014 Esquimalt Anglers' Association License of Use Agreement and that the Mayor and Corporate Administrator be authorized to execute the Agreement.

The motion **CARRIED**.

Director Hartman noted that the Anglers' Association repairs the docks with funds from their surplus funds, and the Township is required to do the inspections.

Engineering and Public Works

- (9) Various Traffic Issues, Staff Report No. EPW-09-042

Moved by Councillor Garrison, seconded by Councillor Brame that Council approve the following Traffic Orders (TO):

TO # 1175 – No parking on the east side of Alexander Road for the portion abutting 908 Kingsmill Road.

TO # 1176 – No Parking / No stopping Tow Away Zone along Esquimalt Road.

TO # 1177 – No Stopping Between 3 pm and 5 pm on Esquimalt Road.

TO # 1178 – No Stopping Between 7 am and 9 am on Esquimalt Road.

TO # 1179 – 40 Km/hr Maximum Speed on Colville Road from Lampson Street to Admirals Road.

TO # 1180 – Three Way Stop at Lampson Street and Munro Street.

TO # 1181 – No Parking on Craigflower Service Road.

The motion **CARRIED**.

(10) Update on Pilot Project, Staff Report No. EPW-09-043

Director of Engineering and Public Works, Jeff Miller, gave a brief overview of the pilot project status, noting that on August 17, 2009 Council endorsed the evaluation of alternatives to waste water treatment outside of the options being considered by the Capital Regional District. It is staff's recommendation that the southern portion of the Archie Browning Sports Centre parking lot be used as an alternative site for the project.

Concerns about using the Sports Centre parking lot were expressed:

- (i) parking lot is needed for 9 significant large events between December and February, curling in March and Buccaneer Days in June;
- (ii) a parking fee per stall used would need to be levied;
- (iii) Council and residents do not want sludge being trucked on residential streets;
- (iv) noise level may be excessive for residential area;
- (v) disruption on Lyall Street;
- (vi) public consultation is required;
- (vii) mitigation strategies must be in place for potential sewage spills, road repairs.

It was noted that the project appears to have grown significantly from what was originally presented. Question was raised if Ledcor could be asked to modify the process and reduce the footprint of the size of the project.

Moved by Councillor McIldoon, seconded by Councillor Gaul that Council continue to support Ledcor in obtaining DND approval for the Macaulay Point Site and the understanding that the Pilot Project will proceed at schedule dictated by DND requirements. The motion **CARRIED**.

Finance

(11) Advance Tax Payment Interest Allowance Bylaw, Staff Report No. FIN-09-031

Chief Administrative Officer Laurie Hurst commented that the City of Victoria and Municipality of Saanich are both adopting the same process as that presented in Bylaw 2725.

Moved by Councillor Brame, seconded by Councillor Hundleby that the Advance Tax Payment Interest Allowance Bylaw, 2009, No. 2725 be given 1st, 2nd and 3rd reading.
The motion **CARRIED**.

- (12) Auditors – Continuation of Appointment, Staff Report No. FIN-09-032

Moved by Councillor Linge, seconded by Councillor Brame that KPMG LLP, Chartered Accountants, be appointed auditors for the Corporation of the Township of Esquimalt for the fiscal year 2009.
The motion **CARRIED**.

Development Services

- (13) Heritage Advisory Committee – Development of Community Heritage Register, Staff Report No. DEV-09-076

Moved by Councillor Linge, seconded by Councillor Hundleby that Council authorize the Heritage Advisory Committee to develop a Community Heritage Register for Esquimalt as permitted under Section 954 of the *Local Government Act* and in accordance with the process outlined in Staff Report No. DEV-09-076.
The motion **CARRIED**.

- (14) Development Permit, 1153 Esquimalt Road [Lot A, Section 11, Esquimalt District, Plan 15195, Except Plan 24210], Staff Report No. DEV-09-077

Moved by Councillor Garrison, seconded by Councillor Brame that the application for a Development Permit, limiting the form and character of development at 1153 Esquimalt Road to that shown on plans prepared by Horvath Interior Design and stamped “Received October 2, 2009”, and the photo of the material sample supplied by the applicant be approved, issued and registered on the title of Lot A, Section 11, Esquimalt District, Plan 15195, Except Plan 24210.
The motion **CARRIED**.

10.

MAYOR’S AND COUNCILLORS’ REPORTS

- (1) Report from Mayor Desjardins, July – November Activities

Moved by Councillor Brame, seconded by Councillor Gaul that the report from Mayor Desjardins Re: July – November Activities be received.
The motion **CARRIED**.

11.

REPORTS FROM COMMITTEES

- (1) Memorandum from the Heritage Advisory Committee, dated October 21, 2009, Re: Heritage Advisory Committee 2009 Work Plan

Moved by Councillor Brame, seconded by Councillor Hundleby that the Memorandum from the Heritage Advisory Committee, dated October 21, 2009, Re: Heritage Advisory Committee 2009 Work Plan be received.
The motion **CARRIED**.

- (2) Minutes from the Centennial Celebrations Select Committee meeting, October 27, 2009

It was noted that "Commission" should read "Committee" on the bottom of page 106.

Moved by Councillor Brame, seconded by Councillor Hundleby that the Minutes from the Centennial Celebrations Select Committee meeting, October 27, 2009 be received with amendment noted.
The motion **CARRIED**.

- (3) Draft minutes from the Access Awareness Advisory Committee meeting, November 4, 2009

Moved by Councillor Brame, seconded by Councillor Hundleby that the draft minutes from the Access Awareness Advisory Committee meeting, November 4, 2009 be received.
The motion **CARRIED**.

- (4) Draft minutes from the Arts, Culture and Special Events Advisory Committee meeting, November 4, 2009

Moved by Councillor Brame, seconded by Councillor Hundleby that the draft minutes from the Arts, Culture and Special Events Advisory Committee meeting, November 4, 2009 be received.
The motion **CARRIED**.

- (5) Draft minutes from the Parks and Recreation Advisory Committee meeting, November 5, 2009

Moved by Councillor Brame, seconded by Councillor Hundleby that the draft minutes from the Parks and Recreation Advisory Committee meeting, November 5, 2009 be received.
The motion **CARRIED**.

- (6) Draft minutes from the Advisory Planning Commission meeting, November 17, 2009

Moved by Councillor Brame, seconded by Councillor Hundleby that the draft minutes from the Advisory Planning Commission meeting, November 17, 2009 be received.
The motion **CARRIED**.

- (7) Draft minutes from the Heritage Advisory Committee meeting, November 18, 2009

Moved by Councillor Brame, seconded by Councillor Hundleby that the draft minutes from the Heritage Advisory Committee meeting, November 18, 2009 be received.
The motion **CARRIED**.

- (8) Draft minutes from the Environmental Advisory Committee meeting, November 26, 2009

Moved by Councillor Brame, seconded by Councillor Hundleby that the draft minutes from the Environmental Advisory Committee meeting, November 26, 2009 be received.
The motion **CARRIED**.

- (9) Memorandum from the Environmental Advisory Committee, dated December 2, 2009, Re: Community Gardens Task Force and Start-up Fund

Moved by Councillor Hundleby, seconded by Councillor Brame that Esquimalt Council establish a Community Gardens Task Force and include members of the Environmental Advisory Committee, the Parks and Recreation Advisory Committee and the public, and that the Community Gardens Task Force report back to Council by the end of February with a specific proposal.
The motion **CARRIED**.

Council gave credit to Councillor Hundleby for putting forward the recommendation. Councillor Hundleby noted the Environmental Advisory Committee is eager to start.

Moved by Councillor Hundleby, seconded by Councillor Brame that Esquimalt Council support the Environmental Advisory Committee's request for an allocation of \$2800 from the 2009 Committee budget for a start-up fund for the community garden, such fund to include, but not be limited to, soil, materials for raised flower beds, a garden shed and water hose.
The motion **CARRIED**.

- (10) Committee of the Whole Report, November 30, 2009

Moved by Councillor Brame, seconded by Councillor Hundleby that the recommendations from the Committee of the Whole held November 30, 2009 be approved.

- (1) That Staff move forward to restructure the Official Community Plan with Option 1, presented in Staff Report DEV-09-075, which reads: *amend sections 2.2.4.3 – Multi-Unit, Low-Rise Residential and 2.2.4.4 – Multi-Unit, High-Rise Residential to allow higher maximum heights and greater FARs and bring back specific rules.*
- (2) That Mayor Barb Desjardins be appointed as the Municipal Director to the Capital Regional District Board and Hospital Board for a one year term to December 2010
- (3) That Councillor Donald Linge be appointed as the Alternate Municipal Director to the Capital Regional District Board and Hospital Board for a one year term to December 2010.
- (4) That Councillor Donald Linge be appointed to the Regional Housing Trust Fund as the Township of Esquimalt representative to serve from January 1, 2010 to December 31, 2010.

The motion **CARRIED**.

12.

COMMUNICATIONS

- (1) Letter from the Greater Victoria Chamber of Commerce, dated November 17, 2009, Re: 2010 / 2011 Budgets

It was noted that in the table of “rate of municipal tax increase on representative households in the Capital Regional District”, Esquimalt was second highest to Sooke, most likely due to policing costs.

Moved by Councillor Brame, seconded by Councillor Hundleby that the letter from the Greater Victoria Chamber of Commerce, dated November 17, 2009, Re: 2010 / 2011 Budget be received. The motion **CARRIED**.

- (2) Letter from Harry Bains, MLA and Gary Coons, dated November 17, 2009, Re: Highway Maintenance and Infrastructure Issues

Moved by Councillor Garrison, seconded by Councillor Gaul that the letter from Harry Bains, MLA and Gary Coons, dated November 17, 2009, Re: Highway Maintenance and Infrastructure Issues be received. The motion **CARRIED**.

- (3) Letter from the Union of British Columbia Municipalities, dated November 20, 2009, Re: Gas Tax Agreement Community Works Fund Payment

Moved by Councillor Garrison, seconded by Councillor Gaul that the letter from the Union of British Columbia Municipalities, dated November 20, 2009, Re: Gas Tax Agreement Community Works Fund Payment be received.

The motion **CARRIED**.

- (4) Letter from the City of North Vancouver, dated November 20, 2009, Re: Provincial Funding Assistance to the Arts
Moved by Councillor Garrison, seconded by Councillor Gaul that the letter from the City of North Vancouver, dated November 20, 2009, Re: Provincial Funding Assistance to the Arts be received.
The motion **CARRIED**.

- (5) Letter from the City of Burnaby, dated November 23, 2009, Re: Proposed Costs and Governance Structure Associated with The Police Records Information Management Environment (PRIME)

Moved by Councillor Hundleby, seconded by Councillor Brame that the letter from the City of Burnaby, dated November 23, 2009, Re: Proposed Costs and Governance Structure Associated with The Police Records Information Management Environment (PRIME) be received.
The motion **CARRIED**.

- (6) Letter from the Ministry of Public Safety and Solicitor General, dated November 25, 2009, Re: Request to Amend Amalgamation Order to Accommodate a Two Co-Chair Model for the Victoria Esquimalt Police Board

Moved by Councillor Brame, seconded by Councillor McIlldoon that Esquimalt Council authorize the Mayor to write a letter expressing disappointment in the delay of the completion of the Police Services Division audit being conducted by the Ministry of Public Safety and Solicitor General.
The motion **CARRIED**.

- (7) Bill C-304 from the House of Commons of Canada, received November 26, 2009, Re: An Act to Ensure Secure, Adequate, Accessible and Affordable Housing for Canadians

Comment was made that everyone is working hard and taking every avenue possible to provide housing, yet the wait list grows. A national housing strategy is needed to address this crisis.

Moved by Councillor Gaul, seconded by Councillor Garrison that Esquimalt Council write a letter of support for Bill C-304, an Act to Ensure Secure, Adequate, Accessible and Affordable Housing for Canadians.

Discussion:

It was noted that the process specifically calls for consultation with regional districts and municipalities and is also high on the agenda for the Federation of Canadian Municipalities.

THE QUESTION WAS CALLED ON THE MOTION AND IT **CARRIED**.

- (8) Letter from the Ministry of Public Safety and Solicitor General, dated November 27, 2009, Re: Structure of Policing in the Capital Regional District

Moved by Councillor Brame, seconded by Councillor Hundleby that Esquimalt Council write a letter of support to Solicitor General Kash Heed for the integration and consolidation of police services in British Columbia.

The motion **CARRIED**.

- (9) Letter from the Association of Vancouver Island and Coastal Communities, dated November 27, 2009, Re: Planning for the 2010 AVICC AGM & Convention; Resolutions Notice and Request for Submissions; and Call for Nominations for AVICC Executive

Moved by Councillor Brame, seconded by Councillor Hundleby that Councillor Meagan Brame be authorized to attend the 2010 Association of Vancouver Island and Coastal Communities Annual General Meeting and Convention as the Esquimalt Council representative.

The motion **CARRIED**.

- (10) Email from the NEED Crisis and Information Line, dated November 27, 2009, Re: Support for NEED

Moved by Councillor Garrison, seconded by Councillor Gaul that the email from the NEED Crisis and Information Line, dated November 27, 2009, Re: Support for NEED be received.

The motion **CARRIED**.

- (11) Email from the Esquimalt Speed Skating Club, dated November 30, 2009, Re: Invitation to Participate in Skate-A-Thon

Moved by Councillor Linge, seconded by Councillor Brame that Mayor Desjardins accept the invitation from the Esquimalt Speed Skating Club to participate in the first annual Skate-A-Thon for multiple sclerosis and take up the challenge from Mayor Saunders of the municipality of Colwood.

The motion **CARRIED**.

- (12) Letter from 2010 Legacies Now, dated November 30, 2009, Re: 2010 and Beyond Website

Moved by Councillor Garrison, seconded by Councillor Hundleby that the letter from 2010 Legacies Now, dated November 30, 2009, Re: 2010 and Beyond Website be received.

The motion **CARRIED**.

- (13) Email from the Union of British Columbia Municipalities, dated December 1, 2009, Re: New Relationship Agreements

Moved by Councillor Garrison, seconded by Councillor Gaul that the email from the Union of British Columbia Municipalities, dated December 1, 2009, Re: New Relationship Agreements be received.

The motion **CARRIED**.

- (14) Letter from the Provincial Capital Commission, dated December 1, 2009, Re: Appointment of a Director to the Provincial Capital Commission for 2010

Mayor Desjardins thanked Councillor Hundley for all her great work on the Provincial Capital Commission this year.

Moved by Councillor Brame, seconded by Councillor Gaul that Councillor Lynda Hundleby be appointed to the Provincial Capital Commission for the term ending December 31, 2010.

The motion **CARRIED**.

Moved by Councillor Hundleby, seconded by Councillor Brame that the Letter from the Provincial Capital Commission, dated December 1, 2009, Re: Appointment of a Director to the Provincial Capital Commission for 2010 be received.

The motion **CARRIED**.

- (15) Letter from Capital Regional District Parks Committee, dated December 1, 2009, Re: Recommendation to Increase the Land Acquisition Fund

Concerns were raised that Esquimalt already gives a significant amount to regional parks and could better spend its money on its own parks, and that recommendation to increase the Land Acquisition Fund is being made at a time of recession.

Moved by Councillor Garrison, seconded by Councillor Hundleby that in response to the Capital Regional District's Regional Park's Committee recommendation to increase the Land Acquisition Fund, Esquimalt Council supports continuation of the existing rate of \$10.

The motion **CARRIED**.

- (16) Letter from Diana Lemming, dated November 26, 2009, Re: Spay / Neuter Bylaw for Cats

Moved by Councillor Brame, seconded by Councillor Hundleby that the letter from Diana Lemming, dated November 26, 2009, Re: Spay / Neuter Bylaw for Cats be received.

The motion **CARRIED**.

- (17) Letter from the Spay / Neuter Action Committee, dated December 2, 2009, Re: Request for Council to Reconsider Feline Spay / Neuter Bylaw for Cats

Moved by Councillor Brame, seconded by Councillor Hundleby that the letter from the Spay / Neuter Action Committee, dated December 2, 2009, Re: Request for Council to Reconsider Feline Spay / Neuter Bylaw for Cats be received.

The motion **CARRIED**.

- (18) Email from the Spay / Neuter Action Committee, dated December 2, 2009, Re: Mandatory Spay / Neuter Bylaw for Cats

Moved by Councillor Brame, seconded by Councillor Hundleby that the email from the Spay / Neuter Action Committee, dated December 2, 2009, Re: Mandatory Spay / Neuter Bylaw for Cats be received.

The motion **CARRIED**.

MOTION TO RECONSIDER

Mayor Desjardins noted that as Mayor she can initiate reconsideration of a matter under Section 131 of the *Community Charter*. She asked Council to reconsider the motion made at the November 16, 2009 Regular Council meeting regarding Bylaw No. 2723 which would provide for the spay or neuter of cats over the age of 5 months.

Moved by Councillor Gaul, seconded by Mayor Desjardins that Esquimalt Council reconsider the motion made at the November 16th, 2009 Regular Council meeting as follows:

That the recommendation from the Committee of the Whole held November 30, 2009 to approve Bylaw No. 2723 which would amend Animal Bylaw, 2002, No. 2495 to provide for the spay or neuter of cats over the age of 5 months be denied.

Discussion:

Council asked staff to provide a report with further information from outside sources including cat society groups and the Capital Regional District Animal Control staff, to review and compare differences in services provided by the Animal Control Society used by Victoria and Oak Bay with that used by Esquimalt, and to provide contract options. Council also asked that a representative from the Capital Regional District Animal Control be invited to make a presentation to Council.

THE QUESTION WAS CALLED ON THE MOTION AND IT **CARRIED**.

13.

PUBLIC QUESTION AND COMMENT PERIOD

Muriel Dunn stated the cat situation is ridiculous and a lot of money is being spent on a bylaw. She stated owners are responsible for their pets and it is ridiculous that a Bylaw Enforcement Officer should tell owners what to do with them.

Mrs. Dunn asked if a list could be provided of brand names of cosmetic pesticides.

Mrs. Dunn added that community gardens idea is terrific.

Mrs. Dunn commented she has two baby deer born behind her shed and there is no bylaw for deer. Her property is also overrun by raccoons and squirrels.

RISE AND REPORT

- (1) Rise and Report from the *In Camera* meeting, November 23, 2009, Committee and Commission Appointments

Mayor Desjardins thanked Council for their work on Committee appointments.

Moved by Councillor Brame, seconded by Councillor Hundleby that the following persons be appointed to the Township of Esquimalt Committees, as indicated, effective January 1, 2010:

Access Awareness Committee (4 vacancies)

Eleanor Calder	-	term expires December 31, 2011
Daniel Jenkins	-	term expires December 31, 2011
Emmy Labonte	-	term expires December 31, 2011
Paul Newcombe	-	term expires December 31, 2011

Advisory Planning Commission (3 vacancies)

Gerald Froese	-	term expires December 31, 2011
Ramona Scott	-	term expires December 31, 2011
Christopher Smith	-	term expires December 31, 2011

Arts, Culture and Special Events Advisory Committee (2 vacancies)

Nick Brame	-	term expires December 31, 2010
Charles Lavoie	-	term expires December 31, 2011

Environmental Advisory Committee (3 vacancies)

Blair Irwin	-	term expires December 31, 2011
Mark Salter	-	term expires December 31, 2011
Chris Zegger-Murphy	-	term expires December 31, 2011

Heritage Advisory Committee (2 vacancies)

Colin Maclock	-	term expires December 31, 2011
David Sudbury	-	term expires December 31, 2011

Parks and Recreation Advisory Committee (3 vacancies)

Nick Brame	-	Youth Advisory Position for one semester
Richard Fyfe	-	term expires December 31, 2011
Natasha Mackinnon	-	term expires December 31, 2011

Tim Morrison - term expires December 31, 2011

14. ADJOURNMENT

Moved by Councillor Brame, seconded by Councillor Hundleby that the meeting be adjourned at 9:20 p.m.
The motion **CARRIED.**

MAYOR OF THE CORPORATION OF THE
TOWNSHIP OF ESQUIMALT
THIS 18th DAY OF JANUARY, 2010

CERTIFIED CORRECT:

CAROLLYNE EVANS
CORPORATE ADMINISTRATOR