



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

**MINUTES
REGULAR MEETING
OF MUNICIPAL COUNCIL
MONDAY, JANUARY 18, 2010**

**7:40 P.M.
COUNCIL CHAMBERS**

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

REGRETS: Mayor Barbara Desjardins

STAFF: Laurie Hurst, Chief Administrative Officer
Barb Snyder, Director of Development Services
Jeff Miller, Director of Engineering & Public Works
Carollyne Evans, Corporate Administrator

1. **CALL TO ORDER**

Acting Mayor Hundleby called the meeting to order at 7:40 p.m.

2. **LATE ITEMS**

There were no late items.

3. **APPROVAL OF THE AGENDA**

Moved by Councillor Brame, seconded by Councillor Garrison that the Agenda be approved.

The motion **CARRIED**.

4. **PRESENTATION**

(1) Darlene Gait, Peace Mural

The Corporate Administrator advised Ms. Gait is unable to attend the meeting and her presentation is being rescheduled.

(2) Roger Skillings and Sasha Angus, Greater Victoria Development Agency [GVDA], Activities and Future Plans

Economic Development Officer Sasha Angus thanked Council for their support and circulated the 2010 Business Development Guide for Greater Victoria which is available in the Lower Mainland, Calgary, Toronto, Seattle and San Francisco.

Mr. Angus spoke to the Executive Summary provided with the agenda and elaborated on the regional economic plan's focus for 2010:

- (i) supporting the growth of local existing businesses – 80% are small businesses;
- (ii) business retention and expansion – assuring successful businesses they can stay and grow in Greater Victoria, how GVDA is a resource for opportunities and challenges they face;
- (iii) business investment and labour attraction – provide information on how to expand, and where. GVDA has helped a lot of institutions, particularly the marine sector and traditional ship building areas.

GVDA Chair Roger Skillings expressed his appreciation to Council for their generous support, noting that economic development is not confined to one single municipality. 2010 will be a challenge to re-create a sustainable environment following the 2009 economic collapse. He reiterated he cannot thank Council enough for their careful consideration of supporting the work of the Greater Victoria Development Agency.

5. MINUTES

- (1) Minutes of the Special Meeting of Council, December 2, 2009

Moved by Councillor Brame, seconded by Councillor Linge that the Minutes of the Special Meeting of Council, December 2, 2009 be adopted.

The motion **CARRIED** with Acting Mayor Hundleby, Councillors Brame, Gaul, Linge, McIlldoon in favour and Councillor Garrison opposed.

- (2) Minutes of the Regular Meeting of Council, December 7, 2009

Moved by Councillor Brame, seconded by Councillor Linge that the Minutes of the Special Meeting of Council, December 7, 2009 be adopted.

The motion **CARRIED** with Acting Mayor Hundleby, Councillors Brame, Gaul, Linge, McIlldoon in favour and Councillor Garrison opposed.

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

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

There was no public input.

7. HEARING

- (1) Hearing– Development Variance Permit
[# 6 – 1190 Rhoda Lane]

The Hearing commenced at 7:50 p.m. with Acting Mayor Hundleby noting the purpose of the application for a Development Variance Permit is to authorize the siting of a single family residence, a portion of which would be within the required 20 metre setback from the High Water Mark of the Gorge Waterway.

Acting Mayor Hundleby read the process to the public and called for input.

John Noyes of Garthland Road stated the development affects the neighbourhood significantly and referred to the petition signed by 65 residents who are opposed. He asked how the community would benefit by a 35% variance in the distance between the proposed building and the parks development. The total square footage of 2700 without a variance is already larger than one other, and it is hard for the petitioners to understand the justification for granting a variance in this case, which would increase the total square footage to 3200.

Mr. Noyes stated the Glen Vale residents are outraged as they have been turned down for variances they have asked for. Unfortunately no one from Glen Vale or Ballantrae is present. Mr. Noyes added the

rules of the OCP are for everyone and should not be violated in this case; precedent will be set which the Township will later regret.

Wade Walters of Shirley Road expressed his concern for setting precedent and rewarding a developer for blatantly flaunting the rules and fined for chopping down trees he shouldn't have. The developer needs to be told he must respect the Township's bylaws and the neighbours and the variance should be turned down.

Kathleen Troger of Shirley Road stated she is opposed. She stated the OCP is a document that is possibly going to be reviewed and asked Council to honour the current OCP. One building that is far closer to the parkland than other buildings which are significantly away would impact the ambience. It would be disappointing for Council to disregard the wishes of 65 residents. Ms. Troger added she has concerns about rewarding a developer for not acting in good faith with other wishes he was supposed to abide by.

Gary Ralphs, original owner of the subdivision, stated the Township expropriated his father's waterfront for parkland and they have learned to live with that decision. Now is Council going to allow a house to be built that encroaches on the 20 metre setback? Mr. Ralph's stated he got hell for cutting down groundcover in front of his property, but it seems to be okay there is no groundcover in front of the developer's property.

Kathleen Kyle of Garthland Place West thanked Council for the time they devote to the community and she appreciates living in a democracy. She stated the developer knew about the statutory right of way [SRW] from the beginning and yet has come back to ask for a variance. The Gorge Waterway Initiative has representatives from 25 organizations and this is the first time they have heard of the application for a variance for this property. On July 1st the biggest piece of natural habitat on dedicated parkland was destroyed. As soon as Parks and Recreation staff left after speaking with the developer, the tree cutting recommenced. Is Council now going to reward him by giving this variance? The OCP has a 20 metre setback from the Gorge and a petition from 65 people says keep the 20 metre setback. It's not fair that Ballantrae has been denied variances all along. Ms. Kyle hopes that one person is not outside the rules.

Mr. McNabb of Langford stated his son lives adjacent to Lot 6. He noted the former owner, Mrs. Locke, now deceased, had expressly stated in her Will that the foreshore be protected. He asked Council to look into that if they haven't already.

Sonya Kofler of Shirley Road asked Council to protect the 20 metre setback as the parks belong to the community. The Parks & Recreation Strategic Plan on the Township's website was created through community engagement. If the community values in the Plan speak to ecological survival, green spaces, trail systems, and protecting land from development, she asked why this variance is up

for debate.

Acting Mayor Hundleby called three times for public input. As there was no more public input, the Hearing was declared closed at 8:15 p.m.

Phil Large, the developer of 1190 Rhoda Lane, stated he was compelled to comment to the quite aggressive comments which reflect upon his company's reputation and integrity. Mr. Large stated the photos taken were strategic and one picture failed to show the Temporary Closure sign. He stated he was just as shocked as the community when he heard the trees were being cut down. He paid an enormous fine to Parks & Recreation the very next day and agreed to all conditions. In the future the replaced trees and landscaping will look fabulous again. Mr. Large stated the proposal is very site specific. Most 9200 square foot lots have 5 – 8,000 sq. ft. homes on them.

Mr. Large noted he knew about the SRW registered on the property in October 1970. As the sewer lines were found out later not to be located where shown, the building envelope for lot 6 is smaller than what it could have been if there had been no SRW. At company expense, the property lines were moved, affecting lots 4 and 5. Mr. Large advised that the proposed setback is reasonable and cited Victoria's High Water Mark setback as 15-20 metres, View Royal as 15 metres and Saanich as 7.5 metres. The proposed home would be built in form and character with other homes in the area and the neighbour to the east would have privacy that others have.

HEARING STAFF REPORT

- (2) Development Variance Permit, # 6 – 1190 Rhoda Lane, [Strata Lot 6, Esquimalt District, Plan VIS6883], Staff Report No. DEV-10-004

Director of Development Services Snyder stated lot 6 is an extremely large lot on which a fair size home would be expected to be built. The 3200 sq. ft. lot size is reduced to 2670 sq. ft. because of the angle of the SRW. This does not include any deck which would not be allowed to encroach into the setback. With respect to other variances being applied for that were denied, one house was already located with the setback, one was for an accessory building, and one was for a deck that extended into the setback. Ms. Snyder stated Esquimalt was one of the first municipalities to put in effect stewardship and riparian regulations and the Gorge Waterway Initiative was not established yet.

Moved by Councillor McIlldoon, seconded by Councillor Linge that the application for a Development Variance Permit reducing the required setback from the Gorge Waterway for a principal building as detailed on the site survey for Strata Lot 6, prepared by Robert Hartnell Land Surveyor, stamped "Received

September 3, 2009”, and including the following relaxations to Official Community Plan Bylaw No. 2646, be approved, issued and registered on the title of Strata Lot 6, Esquimalt District, Strata Plan VIS6883 [#6 – 1190 Rhoda Lane]:

Official Community Plan Bylaw, 2006, No. 2646, Section 9.6.5(a) – a 4.4 metre reduction in the required 20 metre setback between any building or structure and the High Water Mark of the Gorge Waterway to 15.6 metres.

Official Community Plan Bylaw, 2006, No. 2646, Section 9.6.5(a) – a waiver of the requirement that new buildings and structures not be located within 20 metres of the High Water Mark of the Gorge

Discussion:

Councillor McIldoon stated it made sense to have a properly sized building on a large 9200 sq. ft. lot and there is a large setback from the water. The general consensus of the rest of Council was the integrity of the 20 metre setback should be maintained for environmental reasons and should be respected for the protection of the Gorge Waterway, consistency of development in community, restoration of shoreline, and the OCP should mean something. Comments were made that Council needed to be mindful that the developer knew about the SRW when he purchased the property, the SRW did not cause him undue hardship, the subdivision was designed with SRW in mind, and the public’s input.

THE QUESTION WAS CALLED ON THE MOTION AND DECLARED **DEFEATED** with Acting Mayor Hundleby, Councillors Linge, Brame, Garrison, Gaul in favour and Councillor McIldoon opposed.

Council took a brief recess from 8:55 p.m. to 9 p.m.

8. DELEGATION

- (1) Mark Wanstall, Able 2, Re: 330 Kinver

Mr. Wanstall was not in attendance.

9. UNFINISHED BUSINESS

- (1) From the Regular Council Meeting, December 7, 2009

- (a) 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 Linge, seconded by Councillor Garrison that the letter from the Ministry of Public Safety and Solicitor General, dated November 27, 2009, Re: Structure of Policing in the

Capital Regional District be received.
The motion **CARRIED UNANIMOUSLY**.

10.

STAFF REPORTS

Administration

- (1) Local Government Infrastructure Planning Grant Update, Staff Report No. ADM-10-003

Moved by Councillor Brame, seconded by Councillor Garrison that Staff Report No. ADM-10-003, Local Government Infrastructure Planning Grant Update, be received.
The motion **CARRIED UNANIMOUSLY**.

- (2) BC Hydro Power Smart Funding for Energy Study, Staff Report No. ADM-10-005

Moved by Councillor Garrison, seconded by Councillor Brame that Council authorize the Mayor and Corporate Administrator to sign the BC Hydro Energy Study Agreement dated January 11, 2010 which awards Coral Engineering Limited as the Consultant.
The motion **CARRIED UNANIMOUSLY**.

- (3) Climate Change Education for Students, Staff Report No. ADM-10-006

Moved by Linge, seconded by Councillor Brame that Council support in principle the carry over of \$2450 from the 2009 Sustainability Initiatives budget for the delivery of the BC Sustainable Energy Association's *Climate Change Showdown* Program for Grade 5 students at École Victor Brodeur and Macaulay Elementary School.

Discussion:

In response to Council's query, Sustainability Coordinator Lagoa advised that the program would likely not be conducted in French for the École Victor Brodeur students.

Moved by Councillor Garrison, seconded by Councillor Brame that if the *Climate Change Showdown* Program cannot be delivered in French to Grade 5 students at École Victor Brodeur, that this amount be deducted from the funding.
The motion **CARRIED UNANIMOUSLY**.

In response to Council's query, Chief Administrative Officer Hurst advised that funds in the local grant program do not carry over from the previous year. The next intake is March 15th. Sustainability Coordinator Lagoa added that the *Climate Change* program limits exposure to students and families and would not qualify for Parks & Recreation grant funding which is for events open to everyone.

Councillor Gaul expressed hesitation at using funds set aside for sustainability initiatives for this program.

THE QUESTION WAS CALLED ON THE MAIN MOTION AND DECLARED **CARRIED UNANIMOUSLY**.

- (4) Community Gardens Task Force, Staff Report No. ADM-10-007

Sustainability Coordinator Lagoa advised that due to the timing of committee meetings, she cannot meet Council's deadline of end of February to have a task force formed. Discussion ensued on the most effective way of advertising the opportunity.

Moved by Councillor Brame, seconded by Councillor Garrison that Staff Report No. ADM-10-007, Community Gardens Task Force, be received.

The motion **CARRIED UNANIMOUSLY**.

Moved by Councillor Garrison, seconded by Councillor Brame that the formation of the Community Gardens Task Force proceed with the Committee foundation being two representatives each from the Parks & Recreation Advisory Committee and Environmental Advisory Committee, with public representatives added at a later date.

The motion **CARRIED UNANIMOUSLY**.

- (5) Appointments to Capital Regional Water Supply Commission, Staff Report No. ADM-10-008

Moved by Councillor Linge, seconded by Councillor Brame that the appointments to the Capital Regional Water Supply Commission made at Council's Regular Meeting held December 7th, 2009 be amended as follows:

- (1) That the appointment of Councillor Megan Brame as the Alternate be rescinded;
- (2) That Mayor Barbara Desjardins be appointed as the Alternate;
- (3) That the appointment of Councillor Lynda Hundleby be reinstated;

And That the Capital Regional Water Supply Commission be notified of the change in representation.

The motion **CARRIED UNANIMOUSLY**.

Engineering and Public Works

- (6) Various Residential Parking Requests [TO # 1181 & 1182], Staff Report No. EPW-10-001

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

- TO # 1181 – Residential Parking Only zone on Gosper Crescent from 1001-1029, and 1002-1028.

- TO # 1182 – Residential Parking Only zone on Agnes Street, both sides.

The motion **CARRIED UNANIMOUSLY**.

Development Services

- (7) Addition to Esquimalt Heritage Register and Acceptance of Statement of Significance for 330 Kinver Street, Staff Report No. DEV-10-003

Moved by Councillor Linge, seconded by Councillor Brame that the residential building [in situ] at 330 Kinver Street [Lot A, Section 11, Esquimalt District, Plan 27698] be added to the municipal Heritage Register;

AND that Council consider adoption of the Statement of Significance for the residential building [in situ] at 330 Kinver Street [Lot A, Section 11, Esquimalt District, Plan 27698] as presented.

Discussion:

Question was asked if the mature landscaping on the property could be thinned and pruned, to which Director of Development Services Snyder responded in the affirmative. She stated that once the Statement of Significance is approved, it will be forwarded to the property owner and the Minister responsible for the *Heritage Conservation Act*.

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

- (8) Rezoning, OCP Amendment and Development Permit, 924 Esquimalt Rd, [Lot 2, Section 11, Esquimalt District, Plan 13060], 928 Esquimalt Rd, [Lot 1, Section 11, Esquimalt District, Plan 13060], 912 Carlton Terrace, [Lot 3, Section 11, Esquimalt District, Plan 13060], 914 Carlton Terrace, [Lot 4, Section 11, Esquimalt District, Plan 13060], Staff Report No. DEV-10-005

Director of Development Services Snyder clarified that the Building Code requires only one elevator for this 62 unit development, and that the Fire Department no longer has concerns with six storey wood framed buildings.

Moved by Councillor Brame, seconded by Councillor Linge that Bylaw No. 2727, which would amend Official Community Plan Bylaw, 2006, No. 2646 by changing the land use designation of Lots 1, 2, 3, and 4 Section 11, Esquimalt District, Plan 13060 [924 and 928 Esquimalt Road, 912 and 914 Carlton Terrace] as shown hatched on Schedule 'A' attached hereto, from Multi-Unit, Low Rise Residential to Multi-Unit, High Rise Residential, be given first and second reading;

AND that Bylaw No. 2728, which would amend Zoning Bylaw, 1992, No. 2050 by changing the zoning designation of Lots 1, 2, 3, and 4 Section 11, Esquimalt District, Plan 13060 [924 and 928 Esquimalt Road, 912 and 914 Carlton Terrace] shown cross-hatched on Schedule 'A' Schedule 'A' attached hereto, from RM-4 [Multiple Family Residential] to CD No. 69 [Comprehensive Development District No. 69], be given first and second reading;

AND that a Public Hearing be scheduled;

AND that prior to a Public Hearing, a draft Development Permit limiting the form and character of the proposed development to that shown on architectural plans prepared by Misra Architect, stamped "Received November 12th, 2009", and a landscape plan prepared by Lombard North Group stamped "Received November 13th, 2009" be returned to Council for consideration. The motion **CARRIED UNANIMOUSLY**.

(9) Recovery Homes, Staff Report No. DEV-10-006

Director of Development Services Snyder stated that legal counsel has advised against creating a new zone which does not have at least one parcel to which that zone applies as the bylaw could be challenged. The recommendation is to make the revisions to the definitions section only of Zoning Bylaw 2050 at this time and only add a new zone containing regulations when an application for recovery home use is being considered.

Moved by Councillor Brame, seconded by Councillor Linge that Bylaw No. 2705, which would amend Zoning Bylaw, 1992, No. 2050 by changing the definition of "Family" to exclude residents of a Recovery Home and add a new definition for "Recovery Home", be amended and brought back for first and second reading.

The motion **CARRIED** with Acting Mayor Hundleby, Councillors McIldoon, Linge, Brame, Gaul in favour and Councillor Garrison opposed.

11. REPORTS FROM COMMITTEES

(1) Committee of the Whole Report, January 11, 2010

Moved by Councillor Brame, seconded by Councillor Garrison that the Committee of the Whole Report, January 11, 2010 be approved as follows:

- (a) That Policy No. ADMIN – 57 "Youth Involvement in the Community" be forwarded to Council with a recommendation of approval.
- (b) That FIN – 16 Permissive Tax Exemption Policy be adopted by Council.

- (c) That the application for a Development Permit, limiting the form and character of development to that shown on architectural plans provided with the application stamped "Received December 3, 2009" and sited as shown on the survey plan prepared by Brad Cunnin Land Surveying stamped "Received December 11, 2009" for 5 Single Family Dwellings located on Lot 1, Section 11, Esquimalt District, Plan VIP78069 [849 Dunsmuir Road], and including the following relaxation to Zoning Bylaw, 1992, No. 2050, be forwarded to Council with a recommendation of approval.

Zoning Bylaw, 1992, No. 2050, Section 67.38(7)(b) – Siting Requirements - a 5.2 metre reduction to the requirement that no building shall be located within 9.0 metres of an Interior or Exterior Side Lot Line to authorize the siting of House #2 and the Accessory Buildings of House #1 and House #2 as shown on the survey plan prepared by Brad Cunnin Land Surveying stamped "Received December 11, 2009".

The motion **CARRIED UNANIMOUSLY**.

- (2) Committee of the Whole Report, January 18, 2010

Moved by Councillor Brame, seconded by Councillor Linge that the Committee of the Whole Report, January 18, 2010 be approved as follows:

- (a) That section 18 (1) of Council Procedure Bylaw No. 2715, 2009 be amended as follows:
Change (b) and (f): delete "right hand" and replace with "your hand";
Add (i): "when the vote of Council is carried with all Councillors voting in the affirmative, the motion shall be recorded as "carried unanimously".
- (b) That section 18 (1) of Council Procedure Bylaw No. 2715, 2009 be amended as follows:
Change (h): "whenever a vote of Council on a matter is taken, the vote of each Councillor shall be recorded in the affirmative or negative.
- (c) That Third Reading of Council Procedure Bylaw No. 2715, 2009 be rescinded and a new Third Reading be given as amended.
- (d) That Council authorize staff to begin the process of amending Official Community Plan Bylaw, 2006, No. 2646 and Zoning Bylaw, 1992, No. 2050 to effect the changes identified in Option 2, that is to amend the current OCP to allow greater building height and floor area figures [i.e., substitute new figures] to encourage new development. Once the OCP has been amended, revisions would be made to the Zoning Bylaw to reflect the new figures.

- (e) That the motion to set the maximum building height to twelve (12) stories be postponed until the appropriate floor area ratio is known.

The motion **CARRIED UNANIMOUSLY**.

- (3) Draft minutes from the Special Heritage Advisory Committee meeting, December 8, 2009

Moved by Councillor Brame, seconded by Councillor Garrison that the draft minutes from the Special Heritage Advisory Committee meeting, December 8, 2009 be received.

The motion **CARRIED UNANIMOUSLY**.

- (4) Memorandum from the Heritage Advisory Committee, dated December 21, 2009, Re: Johnson Street Bridge Heritage Significance

Moved by Councillor Garrison, seconded by Councillor McIlDoon that staff provide a letter in response from Council to the Heritage Advisory Committee that the Committee exceeded its jurisdiction and went beyond its mandate to advise Council to give advice to other municipalities.

The motion **CARRIED UNANIMOUSLY**.

- (5) Draft minutes from the Advisory Planning Commission meeting, December 15, 2009

Moved by Councillor Brame, seconded by Councillor Garrison that the draft minutes from the Advisory Planning Commission meeting, December 15, 2009 be received.

The motion **CARRIED UNANIMOUSLY**.

- (6) Draft minutes from the Special Heritage Advisory Committee meeting, January 5, 2010

Moved by Councillor Brame, seconded by Councillor Garrison that the Draft minutes from the Special Heritage Advisory Committee meeting, January 5, 2010 be received.

The motion **CARRIED UNANIMOUSLY**.

12. COMMUNICATIONS

- (1) Letter from Dr. Keith Martin, MP, dated December 1, 2009, Re: Reinstatement of Funding for the Urgent Short Term Assessment and Treatment (USTAT) Program at Esquimalt Neighbourhood House

Moved by Councillor Brame, seconded by Councillor Linge that the letter from Dr. Keith Martin, MP, dated December 1, 2009, Re: Reinstatement of Funding for the Urgent Short Term Assessment and Treatment (USTAT) Program at Esquimalt

Neighbourhood House be received.
The motion **CARRIED UNANIMOUSLY.**

- (2) Letter from the Vancouver Island Health Authority, dated December 8, 2009, Re: Termination of Contract with Esquimalt Neighbourhood House for Counseling Services

Moved by Councillor Brame, seconded by Councillor Linge that the letter from the Vancouver Island Health Authority, dated December 8, 2009, Re: Termination of Contract with Esquimalt Neighbourhood House for Counseling Services be received.
The motion **CARRIED UNANIMOUSLY.**

- (3) Letter from Law, Government and Community Engagement in BC, received December 7, 2009, Re: Being an Active Citizen

Moved by Councillor Garrison, seconded by Councillor Brame that the Mayor write a letter of support for the inclusion of the *Being an Active Citizen* materials in the present Social Studies curriculum to the Ministry of Education, and that Esquimalt's Council's "Youth involvement in the Community" Policy be forwarded as well.
The motion **CARRIED UNANIMOUSLY.**

- (4) Letter from the Capital Regional District, dated December 10, 2009, Re: CRD Bylaw No. 3652, Capital Regional District Regional Housing Trust Fund Service Establishment Bylaw No. 1, 2005, Amendment Bylaw No. 6, 2009

Moved by Councillor Linge, seconded by Councillor Gaul that Esquimalt Council gives consent to the adoption of CRD Bylaw No. 3652, Capital Regional District Regional Housing Trust Fund Service Establishment Bylaw No. 1, 2005, Amendment Bylaw No. 6, 2009, that would delete the five-year expiry clause to provide continued participation by the current participants in the service, and to add the Southern Gulf Islands Electoral Area as a participant.
The motion **CARRIED UNANIMOUSLY.**

- (5) Letter from the English Inn and Resort, dated December 11, 2009, Re: Notice of Change of Ownership

Moved by Councillor Brame, seconded by Councillor Garrison that Council invite the new owners of the English Inn & Resort to make a presentation to Council.
The motion **CARRIED UNANIMOUSLY.**

- (6) Letter from Mayor Dean Fortin, Chair, Victoria Police Board, dated December 14, 2009, Re: Policing Costs for Olympic Torch Relay

Moved by Councillor Brame, seconded by Councillor Linge that the letter from Mayor Dean Fortin, Chair, Victoria Police Board, dated December 14, 2009, Re: Policing Costs for Olympic Torch Relay be received.

The motion **CARRIED UNANIMOUSLY**.

- (7) Letter from Mayor Dean Fortin, Chair, Victoria Police Board, dated December 14, 2009, Re: Request for Assistance

Moved by Councillor Garrison, seconded by Councillor Brame that the letter from Mayor Dean Fortin, Chair, Victoria Police Board, dated December 14, 2009, Re: Request for Assistance be received.

The motion **CARRIED UNANIMOUSLY**.

- (8) Letter from the Capital Regional District, dated December 15, 2009, Re: CRD Bylaw 3662, Millstream Site Remediation Cost Service Loan Authorization Bylaw No. 1, 2008, Amendment Bylaw No. 1, 2009; and CRD Bylaw 3663, Millstream Site Remediation Cost Service Establishment Bylaw No. 1, 2008, Amendment Bylaw No. 1, 2009

Moved by Councillor Hundleby, seconded by Councillor Brame that Esquimalt Council consent to the adoption of CRD Bylaw 3662, Millstream Site Remediation Cost Service Loan Authorization Bylaw No. 1, 2008, Amendment Bylaw No. 1, 2009 and CRD Bylaw 3663, Millstream Site Remediation Cost Service Establishment Bylaw No. 1, 2008, Amendment Bylaw No. 1, 2009;

AND that Esquimalt Council consent to the increase in the cost sharing formula.

The motion **CARRIED UNANIMOUSLY**.

Moved by Councillor McIldoon, seconded by Councillor Brame that Council proceed past 10 p.m. per its Council Procedure Bylaw.

The motion **CARRIED UNANIMOUSLY**.

- (9) Letter from the Millstream Meadows Remediation Cost-Sharing Advisory Committee, dated January 6, ~~2009~~(2010), Re: Proposed CRD Bylaw 3663

Moved by Councillor Linge, seconded by Councillor Gaul that the letter from the Millstream Meadows Remediation Cost-Sharing Advisory Committee, dated January 6, ~~2009~~(2010), Re: Proposed CRD Bylaw 3663 be received.

The motion **CARRIED UNANIMOUSLY**.

- (10) Letter from the Vancouver Island Economic Alliance, dated January 6, 2010, Re: Economic Development on Vancouver Island

Moved by Councillor Brame, seconded by Councillor Linge that the letter from the Vancouver Island Economic Alliance, dated January 6, 2010, Re: Economic Development on Vancouver Island be received.

The motion **CARRIED UNANIMOUSLY**.

- (11) Letter from the Mustard Seed Church, dated January 7, 2010, Re: Letter of Appreciation

Moved by Councillor Brame, seconded by Councillor Linge that the letter from the Mustard Seed Church, dated January 7, 2010, Re: Letter of Appreciation be received.

The motion **CARRIED UNANIMOUSLY**.

13. RISE AND REPORT

- (1) Report from the In Camera Meeting of Council, January 11, 2010, Re: CREST

Acting Mayor Hundleby read the motion passed at Council's *In Camera* meeting on January 11, 2010 that was sent to the City of Victoria regarding CREST:

"WHEREAS the Township of Esquimalt Council recognizes the importance of the safety of all protective services personnel; and

WHEREAS the scope of the provincial police audit includes the issues of CREST, service delivery, an equitable funding formula, and governance;

IT IS NOW HEREBY RESOLVED that the Township of Esquimalt will not commit themselves or another Council, to actions, direct or indirect, with financial or legal implications until the Township of Esquimalt receives and reviews the provincial police audit of the Victoria Police Department."

10. PUBLIC QUESTION AND COMMENT PERIOD

Catherine Lunan of Gosper Crescent spoke on the traffic congestion on Tillicum Road. She stated there are two entrances to Gosper with the entrance closest to Craigflower seeing more accidents. It is harder and harder to turn left onto Tillicum from Gosper, drivers are impatient, there is now only one lane due to construction, and more pressure will be put on the corner once a new 10 story development commences. Acting Mayor Hundleby commented a traffic study would be helpful.

11. ADJOURNMENT

Moved by Councillor Brame, seconded by Councillor McIlldoon that the meeting be adjourned at 10:10 p.m.

The motion **CARRIED**.

MAYOR OF THE CORPORATION OF THE
TOWNSHIP OF ESQUIMALT
THIS 15th DAY OF FEBRUARY, 2010

CERTIFIED CORRECT:

CAROLLYNE EVANS
CORPORATE ADMINISTRATOR