



# **CORPORATION OF THE TOWNSHIP OF ESQUIMALT**

**MINUTES  
REGULAR MEETING  
OF MUNICIPAL COUNCIL  
MONDAY, FEBRUARY 15, 2010**

**8:15 P.M.  
COUNCIL CHAMBERS**

**PRESENT:** Mayor Barbara Desjardins  
Councillor Lynda Hundleby  
Councillor Meagan Brame  
Councillor Alison Gaul  
Councillor Donald Linge  
Councillor Randall Garrison

**REGRETS:** Councillor Bruce McIldoon

**STAFF:** Laurie Hurst, Chief Administrative Officer  
Barbara Snyder, Director of Development Services  
Carollyne Evans, Corporate Administrator

1. **CALL TO ORDER**

Mayor Desjardins called the meeting to order at 8:15 p.m.

2. **LATE ITEMS**

There were no late items.

3. **APPROVAL OF THE AGENDA**

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

The motion **CARRIED UNANIMOUSLY.**

4. **MINUTES**

(1) Minutes of the Regular Meeting of Council, January 18, 2010

Moved by Councillor Hundleby, seconded by Councillor Brame that the Minutes of the Regular Meeting of Council, January 18, 2010 be approved.

The motion **CARRIED UNANIMOUSLY.**

(2) Minutes of the Regular Meeting of Council, February 1, 2010

Page 3: Under Emmy Labonte change "rezoning" to "greenspace"

Moved by Councillor Linge, seconded by Councillor Brame that the Minutes of the Regular Meeting of Council, February 1, 2010 be approved as amended.

The motion **CARRIED UNANIMOUSLY.**

5. **PUBLIC INPUT (On items listed on the Agenda)**

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

Gloria Edwards of Bewdley Street commented there are a few issues brought up in the Hughes Fire Department Audit. She noted trust has to be rebuilt. She stated \$60,000 was spent on the report and she takes exception, as a taxpayer, if Council does not follow through on implementing Mr. Hughes' recommendations. Esquimalt has already gone through many reorganizations and it is unacceptable if morale does not improve.

Muriel Dunn of Old Esquimalt Road commented that as a taxpayer she appreciates the terrific job Director Snyder has done presenting the height and density information. Ms. Dunn asked if there is anything that can be done about the atrocious reporting of Council meetings? Ms. Dunn asked how often the Building Inspector goes out and looks at proposed buildings. She referred to the number of trees cut down on

Plaskett Place and the restricted access to the public beach. Trees were cut down on Garthland and a fine was paid, a slap on the wrist. Ms. Dunn asked if the building at Tillicum and Craigflower was following the plan that was approved as it does not look like anything that was agreed to. Ms. Dunn asked if the Mayor and Councillors respond to all the letters they get and how accountable are they for correspondence received.

**6. PUBLIC HEARING**

**(1) PUBLIC HEARING – REZONING, OCP AMENDMENT AND DEVELOPMENT PERMIT  
[924 & 928 ESQUIMALT ROAD AND 912 & 914 CARLTON TERRACE]**

The Public Hearing commenced at 8:27 p.m.

Director of Development Services Barb Snyder gave an overview of the development, a consolidation of four properties to construct a 6 storey, 62 unit, wood frame condominium building. The subject properties are part of a Development Permit Area [multi-unit residential] and should the application be approved, a development permit controlling the form and character of development, including the landscaping, would be registered on the property titles.

Director Snyder noted the application has received recommendation of approval from the Advisory Planning Commission and the Committee of the Whole. She noted that the applicant, representing Kang and Gill Construction Company, is present to answer any questions.

Mayor Desjardins called for public input.

Council raised a question of there being only one elevator and if consideration had been given to including a second elevator for the convenience of seniors. The applicant stated he just completed a 69 unit project in Langford with only one elevator and the proposed building in Esquimalt has 10 units per floor, less than Langford's.

In response to questions from Council, Director Snyder clarified that the majority of parking is underground with a ratio of 1:3 stalls per unit, reduced from 1:2. In return, the applicant is providing a car share program, bus passes and bicycle lock ups. Tree issues have been identified with the Parks Department and the landscape plan strives to retain as many trees as possible on Esquimalt Road. Director Snyder was not aware of a tree replacement plan. With respect to requiring the applicant to install a second elevator, Director Snyder stated developers are held to the BC Building Code and are not forced to provide a higher level than the Code.

A motion was put forward, that was subsequently withdrawn, that the amending bylaws receive three readings and a report be brought back on the possibility of a second elevator.

Discussion ensued on the accessibility to and from the building by seniors, delivery drivers, care aids, and emergency personnel and no alternative if the elevator is broken or unavailable for use. Councillor Brame, one of Council's representatives on the Access Awareness Committee, stated the Committee has a keen interest in this issue.

Henry Van Der VLugt, owner of the apartment building at 908 Carlton Terrace, stated the development is a vast improvement over what was there, although he had hoped for a better transition between two stories and 6 stories. He stated his main concern is traffic, which he does not welcome. The parking situation is one side of the street only and if both sides of the street were used, emergency vehicles would not be able to get through.

Owner of the Carlton Club located at 900 Carlton Terrace and Co-Chair of the Esquimalt Business Association stated he is not opposed to the development. Esquimalt needs potential new residents and needs to support the business tax base. He stated he is concerned that the new residents will complain about his late night business as others have in the past with patrons leaving at 2:30 a.m. He noted the Carlton Club has been in business since 1950 and caters to a lot of people in the community. The Carlton Terrace has been there for 22 years. He stated the noise issues need to be addressed; the developers have not contacted him.

Director Snyder commented that the developers are aware the building is next door to the Club and there is already a lot of traffic. The owner stated he is interested in talking to the developers to work at keeping the noise down and dealing with it effectively.

Emmy Labonte of Dunsmuir Road stated she is happy to have new neighbours. She stated she is a tree hugger and counted 38 trees that may be impacted by the development. Ms. Labonte's question was if the municipality would be compensated by the owner for any municipal trees that are removed.

Dale Wood of Greenwood noted the four properties had gone for rezoning previously and asked what the changes were with this proposal. In response to his question regarding the smallest unit size, Director Snyder responded the smallest is 60 m<sup>2</sup> or 645 sq. ft. The largest apartment is 1100 sq. ft. with two bedrooms.

Mr. Wood stated he has a number of concerns. One is the elevator issue in event of medical emergency and the cost of a second elevator could be cost recovered by the developer by adding the cost to the retail value. Mr. Wood noted the developer was before Council 2 years ago and given a fairly generous opportunity to develop. Two years have lapsed and the developer is now looking to increase density. Eleven lots are impacted by this development and he stated Esquimalt needs an A-B-C list of developers. There are better opportunities for high, mid and low end development. The diagram of the proposed building shows the back corner has only partial view and

no sunlight. He stated that rather than develop only one part of the block, why not wait to develop the whole block and produce a quality development instead of piecemeal.

Mr. Wood stated in 1975 there was a fire at the Lions Lodge and a senior citizen life was lost because the senior couldn't get out of the building. Shortly afterwards the municipality purchased the snorkel truck. When applications come forward, some consideration should be given to residents' safety. Council must look at quality, more comprehensive development to keep the interest in the community. When Doug Grant says we have no police in this community, we have a problem. Council should place a moratorium on any zoning.

Sandy Rozon of Old Esquimalt Road stated she is concerned with the few parking spaces for 62 apartment units and there is already a parking problem. The cul de sac is already full. She asked where emergency vehicles can park.

Gloria Edwards of Bewdley Avenue stated there has to be opportunities for more affordable housing, however, this development is not good for families. There is no green space, no place to play. She would like to see lower density, townhouse development, row houses, development that conforms to the neighbourhood and offers more of a family orientation. This development caters to the older community rather than families.

The Public Hearing adjourned at 8:57 p.m.

## **PUBLIC HEARING STAFF REPORT**

- (2) 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-10-010

Moved by Councillor Garrison, seconded by Councillor Brame 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 third reading and adoption; The motion **CARRIED UNANIMOUSLY**.

Moved by Councillor Brame, seconded by Councillor Garrison 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 third reading and adoption.

The motion **CARRIED UNANIMOUSLY**.

Moved by Councillor Garrison, seconded by Councillor Brame that should Amending Bylaws No. 2727 and No. 2728 be adopted, Development Permit No. 05/2009 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 on the landscape plan prepared by Lombard North Group stamped "Received November 13th, 2009" and including the arborist report prepared by Tom Talbot of Talbot Mackenzie & Associates stamped "Received July 11, 2008" and the addendum to that report stamped "Received July 29, 2008", be approved, issued and registered on the titles of Lots 1, 2, 3, and 4 Section 11, Esquimalt District, Plan 13060 [924 and 928 Esquimalt Road, 912 and 914 Carlton Terrace].

The motion **CARRIED UNANIMOUSLY**.

Moved by Councillor Hundleby, seconded by Councillor Gaul that Council draft a resolution for the Association of Vancouver Island Coastal Communities and the Union of BC Municipalities requesting review of the BC Building Code to consider adding an additional elevator in buildings under 65 units.

The motion **CARRIED UNANIMOUSLY**.

## **7. MAYOR'S AND COUNCILLORS' REPORTS**

There were no reports.

## **8. REPORTS FROM COMMITTEES**

(1) Committee of the Whole Report, February 8, 2010

Moved by Councillor Gaul, seconded by Councillor Brame that the following recommendations from the February 8, 2010 Committee of the Whole be approved:

a) That Council postpone the discussion to set the maximum building height and establish the appropriate floor area ratio to the February 15th, 2010 Special Committee of the Whole Meeting to allow Council adequate time to review the full staff report details and to ensure the public has full access to the information as well.

b) That Council and staff have a meeting in the month of February to review options for setting a community wide Greenhouse Gas emission reduction target.

c) That the speed limit on Craigflower Road be lowered from 50 km/h to 40 km/h and that Streets and Traffic Regulation Bylaw, 2005, No. 2607 be amended accordingly.

d) That discussion on the four options in Staff Report No. EPW-10-003 showing the capital cost breakdown for altering the remaining six islands in Craigflower Road, Phase 1 infrastructure project be postponed until a staff report is brought back to Council giving options and recommendations for using the remaining project funds for improving public safety, landscaping [including suitable drought resistant plants], lighting [including solar lighting], and operational costs to maintain the islands.

e) That Council approve the detailed design of Craigflower Road, Phase 2, and authorize Staff to issue the construction tender.

f) That the September 8, 2008 resolution of Council to hold the Legion project at 622 Admirals Road in abeyance pending a review of the Official Community Plan be rescinded and that the applicants for the Legion project be advised they are welcome to bring the application back to Council for consideration.

The motion **CARRIED UNANIMOUSLY.**

(2) Committee of the Whole Report, February 15, 2010

Moved by Councillor Garrison, seconded by Councillor Hundleby that the following recommendations from the February 15, 2010 Committee of the Whole be approved:

a) That the maximum building height be set at twelve (12) stories and that the current floor area ratio [FAR] be changed from 2.0 to 3.0 for commercial and mixed use multi unit high rise buildings.

The motion **CARRIED** with Councillors Hundleby, Brame, Garrison, Gaul In Favour and Mayor Desjardins, Councillor Linge Opposed.

(3) Adopted minutes from the Arts, Culture and Special Events Advisory Committee meeting, January 14, 2010

Moved by Councillor Hundleby, seconded by Councillor Brame that the Arts, Culture and Special Events Advisory Committee meeting, January 14, 2010 be received.

The motion **CARRIED UNANIMOUSLY.**

(4) Adopted minutes from the Access Awareness Advisory Committee meeting, January 21, 2010

Moved by Councillor Hundleby, seconded by Councillor Brame that the adopted minutes from the Access Awareness Advisory Committee meeting, January 21, 2010 be received.

The motion **CARRIED UNANIMOUSLY.**

(5) Memorandum from the Access Awareness Advisory Committee, dated January 25, 2010, Re: Request to Amend Access Awareness Advisory Committee Terms of Reference

Moved by Councillor Gaul, seconded by Councillor Garrison, that the question to amend the Access Awareness Committee Terms of Reference to allow a voting representative from the Parks and Recreation Advisory Committee and a voting representative from BC Transit be divided.

The motion **CARRIED UNANIMOUSLY**.

- a) That the Parks and Recreation Advisory Committee representative be appointed as a voting member of the Access Awareness Committee and that the Terms of Reference be amended accordingly.

The motion **CARRIED** with Mayor Desjardins, Councillors Linge, Brame, Gaul In Favour and Councillors Hundleby and Garrison Opposed.

- b) That the BC Transit representative be appointed as a voting member of the Access Awareness Committee.

The motion was **DEFEATED** with Mayor Desjardins, Councillors Hundleby, Brame, Garrison, Gaul Opposed and Councillor Linge In Favour.

- (6) Draft minutes from the Heritage Advisory Committee meeting, January 26, 2010

Moved by Councillor Hundleby, seconded by Councillor Brame that the Draft minutes from the Heritage Advisory Committee meeting, January 26, 2010 be received.

The motion **CARRIED UNANIMOUSLY**.

- (7) Memorandum from the Heritage Advisory Committee, dated February 10, 2010, Re: Recognition Plaque for First Nations Carving Located in Wurtele Room

Moved by Councillor Hundleby, seconded by Councillor Brame that Council approve the purchase of a small engraved plaque in recognition of Floyd Joseph, carver of the First Nations art located in the Wurtele Room of the Esquimalt Municipal hall, and that payment be made from the Heritage Advisory Committee budget.

The motion **CARRIED UNANIMOUSLY**.

- (8) Memorandum from the Heritage Advisory Committee, dated February 10, 2010, Re: Heritage Alteration Permit Application – St. Paul’s Anglican Church Memorial Window

Moved by Councillor Linge, seconded by Councillor Gaul that Council approve the Heritage Alteration Permit application for the installation of the Memorial Window in the West Façade of St. Paul’s Anglican Church.

The motion **CARRIED UNANIMOUSLY**.

- (9) Heritage Advisory Committee – Proclamation of Heritage Week, February 15 – 21, 2010



Moved by Councillor Brame, seconded by Councillor Hundleby that Heritage Week be proclaimed in the Municipality of Esquimalt, Province of British Columbia, for the week of February 15 – 21, 2010. The motion **CARRIED UNANIMOUSLY**.

Mayor Desjardins then read the Proclamation.

9.

### **COMMUNICATIONS**

- (1) Email from Deborah Nohr, VPEC ,dated January 27, 2010, Re: Advocacy for Esquimalt Students – An Invitation to Speak at the School Board Meeting

Moved by Councillor Brame, seconded by Mayor Desjardins that Council send a letter to Deborah Nohr, Co-Chair, VPEC, advising Council has received her letter of January 27, 2010 regarding advocacy for Esquimalt students and invitation to speak at the School Board meeting and would appreciate receiving background information.

The motion **CARRIED** with Mayor Desjardins, Councillors Linge, Brame, Gaul In Favour and Councillors Hundleby, Garrison Opposed.

- (2) Letter from Local Government Program Services, dated January 27, 2010, Re: Community Tourism Program (Phase 2)

Moved by Councillor Brame, seconded by Councillor Hundleby that the letter from Local Government Program Services, dated January 27, 2010, Re: Community Tourism Program (Phase 2) be received.

The motion **CARRIED UNANIMOUSLY**.

- (3) Letter from the Ministry of Community and Rural Development, dated January 29, 2010, Re: Review of Local Government Election Issues

Moved by Councillor Garrison, seconded by Councillor Brame that the letter from the Ministry of Community and Rural Development, dated January 29, 2010, Re: Review of Local Government Election Issues be received.

The motion **CARRIED UNANIMOUSLY**.

- (4) Letter from UBCM, dated February 10, 2010, Re: Local Government Elections Task Force – UBCM Member Consultation Meeting

Moved by Councillor Brame, seconded by Councillor Hundleby that the letter from UBCM, dated February 10, 2010, Re: Local Government Elections Task Force – UBCM Member Consultation Meeting be received.

The motion **CARRIED UNANIMOUSLY**.

- (5) Letter from the Need Crisis and Information Line, dated February 3, 2010, Re: Announcement of Cancellation of Crisis Line Service

Moved by Councillor Brame, seconded by Councillor Hundleby that the letter from the Need Crisis and Information Line, dated February 3, 2010, Re: Announcement of Cancellation of Crisis Line Service be received.

The motion **CARRIED UNANIMOUSLY**.

- (6) Letter from the Canadian Association of Home and Property Inspectors, dated February 4, 2010, Re: Province-wide registry of Grow-ops

Moved by Councillor Brame, seconded by Councillor Hundleby that the letter from the Canadian Association of Home and Property Inspectors, dated February 4, 2010, Re: Province-wide registry of Grow-ops be received.

The motion **CARRIED UNANIMOUSLY**.

- (7) Letter from the Victoria Joint Scottish Council, dated January 4, 2010, Re: Celebrate Tartan Day

Moved by Councillor Brame, seconded by Councillor Hundleby that the letter from the Victoria Joint Scottish Council, dated January 4, 2010, Re: Celebrate Tartan Day be received.

The motion **CARRIED UNANIMOUSLY**.

- (8) Letter from the ALS Society of BC, dated February 5, 2010, Re: ALS Flower Day Event – June 5, 2010

Moved by Councillor Linge, seconded by Councillor Hundleby that discussion be postponed until clarification is sought from the ALS Society of BC whether the proclamation of ALS Day and the ALS Flower Day Event June 5, 2010 included Esquimalt.

The motion **CARRIED UNANIMOUSLY**.

- (9) Email from the Federation of Canadian Municipalities, dated February 10, 2010, Re: FCM's 73<sup>rd</sup> Annual Conference and Municipal Expo

Council unanimously consented to Mayor Desjardins and Councillor Brame attending FCM from May 28<sup>th</sup> to May 31<sup>st</sup>, 2010.

## 10.

### **RISE AND REPORT**

Mayor Desjardins announced that Robin Middleton has been hired as the Township's new Chief Financial Officer and Director of Financial Services effective February 22<sup>nd</sup>, 2010. Robin is a chartered accountant with significant experience in strategic financial planning and budgetary management within complex organizations. She has previously held senior financial management positions at BC Ferries, Tourism British Columbia and KPMG LLP.

11. **PUBLIC QUESTION AND COMMENT PERIOD**

Muriel Dunn of Old Esquimalt Road congratulated the Mayor on the way she opened the 7 p.m. Committee of the Whole meeting as well as made the procedures for speaking loud and clear. Ms. Dunn particularly thanked all of Council for getting the OCP together and happy with the way it came together. She added Council must have listened to the input from the people.

Emmy Labonte thanked Council for all their work.

12. **ADJOURNMENT**

Moved by Mayor Desjardins, seconded by Councillor Garrison that the meeting be adjourned at 9:50 p.m.  
The motion **CARRIED UNANIMOUSLY.**

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MAYOR OF THE CORPORATION OF THE  
TOWNSHIP OF ESQUIMALT  
THIS 1<sup>ST</sup> DAY OF MARCH, 2010

CERTIFIED CORRECT:

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CAROLLYNE EVANS  
CORPORATE ADMINISTRATOR