



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

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

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

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

STAFF: Laurie Hurst, Chief Administrative Officer
Robin Middleton, Director of Financial Services
Jeff Miller, Director of Engineering & Public Works
Barb Snyder, Director of Development Services
Marlene Lagoa, Sustainability Coordinator
Carollyne Evans, Corporate Administrator

1. **CALL TO ORDER**

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

2. **LATE ITEMS**

There was one late item:

7 (8) Appointment of Deputy Approving Officer, Staff Report No. ADM-10-21

3. **APPROVAL OF THE AGENDA**

Moved by Councillor Brame, seconded by Councillor Hundleby that the Agenda be approved as amended.
The motion **CARRIED UNANIMOUSLY**.

4. **MINUTES**

(1) Minutes of the Regular Meeting of Council, March 1, 2010

Page 4: item 11(1): Councillor Gaul was in a conflict due to her employment with VIHA, not Ministry of Health as noted.

Page 6: item (7) delete the first sentence of the second paragraph that reads "Mayor Desjardins stated that the Committee's Plan will go to BC Transit and then to the CRD for approval".

Page 8: Delete the first sentence which starts with " Mr. Lavergne" and replace with "Mr. Lavergne commented on Council's initiative to contribute to Our Place early morning initiative.

Moved by Councillor Linge, seconded by Councillor Brame that the minutes of the Regular Meeting of Council, March 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.

Mayor Desjardins called for public input.

Lorne Argyle of Bewdley Avenue noted that Access Awareness Day is the same day as the ALS Flower Day. He also asked for clarification on the total project cost of the Admirals/Colville Intersection project.

John Noyes of Garthland Road commented on the March 8, 2010 Minutes of the Committee of the Whole referring to the Craigflower Road Phase 1 issues and suggested wording changes for the two recommendations. Mr. Noyes asked if some of the \$1.5 million in surplus could be used to build a small sidewalk from the Ironwood

development to Garthland. Mayor Desjardins responded that any works would have to fall within the boundaries defined by the grant funding, which staff will look into.

6 PUBLIC HEARING

(1) PUBLIC HEARING – ZONING BYLAW AMENDMENT [RECOVERY HOMES]

Mayor Desjardins called the Public Hearing to order at 7:10 p.m.

Director Snyder gave a general overview of the recovery homes process and stated the general purpose of the amendments are to ensure that dwelling units cannot be used as recovery houses unless they are zoned appropriately. A specific zone will be added to the Zoning Bylaw when an application for recovery home comes forward and is approved.

Mayor Desjardins called three times for public input. Hearing none, the Public Hearing was adjourned at 7:15 p.m.

7. PUBLIC HEARING STAFF REPORT

(2) Recovery Homes, Staff Report No. DEV-10-022

Moved by Councillor Hundleby, seconded by Councillor Garrison that Zoning Bylaw, 1992, No. 2050, Amendment Bylaw [No. 186], 2009, 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 given third reading and adoption.

The motion **CARRIED UNANIMOUSLY**.

8. STAFF REPORTS

Administration

(1) Earth Hour 2010, Staff Report No. ADM-10-018

Moved by Councillor Brame, seconded by Councillor Gaul that Council proclaim the Township of Esquimalt’s participation and support of Earth Hour on March 27, 2010 at 8:30 p.m. by turning off non-essential lights in municipal buildings and promoting Earth Hour to residents and businesses.

The motion **CARRIED UNANIMOUSLY**.

(2) Community Gardens Task Force – Report # 2, Staff Report No. ADM-10-019

Sustainability Coordinator Lagoa stated since the writing of her report, a meeting was held with the eight enthusiastic

applicants on March 11th. The Committee is very dynamic, having held five meetings in February. Potential sites for community gardens will be brought forward to the Committee of the Whole meeting scheduled for April 12th.

Request was made to bring the official names of the applicants to the next Council meeting so they can be formally appointed.

Moved by Councillor Brame, seconded by Councillor Hundleby that Council receive Staff Report No. ADM-10-019, Community Gardens Task Force Report #2, for information.

The motion **CARRIED UNANIMOUSLY**.

- (3) Solar BC – Solar Communities Program, Staff Report No. ADM-10-020

Sustainability Coordinator Lagoa gave an overview of the SolarBC Program grant funding process, noting that the complete application will be brought back to the April 6th Council meeting for approval.

Moved by Councillor Garrison, seconded by Councillor Brame that Council support the Township of Esquimalt submitting an application to become a Solar Community under the SolarBC Program.

Discussion:

Council commented that some monies could be used for public education and community engagement and liked the idea of promoting solar hot water heating by giving a small token grant to assist people who purchase a system.

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

Development Services

- (4) Timeline for Consideration of Bylaw No. 2730 Amending the Official Community Plan Regarding Height and Density, Staff Report No. DEV-10-021

Director Synder stated her recommendation for Option 3 timeline will not work with everyone's schedule and is therefore proposing Option 2.

Mayor Desjardins stated she is unavailable April 26th and Councillor Linge is the Acting Mayor.

Councillor Hundleby put forward a motion, seconded by Councillor Linge that Council approve Option 2 as the timeline.

Discussion:

Councillor Garrison stated he is unavailable on May 10th.

Councillor Hundleby and Councillor Linge consented to changing Option 2 to Option 1.

Moved by Councillor Hundleby, seconded by Councillor Linge that Council approve Option 1 as the timeline for consideration of "Official Community Plan Bylaw, 2006, No. 2646, Amendment Bylaw [No. 6], 2010.

The motion **CARRIED UNANIMOUSLY**.

Engineering and Public Works

- (5) Amendments to Streets and Traffic Regulation Bylaw, 2005, No. 2607, Staff Report No. EPW-10-007

Moved by Councillor Linge, seconded by Councillor Hundleby that Council approve the following:

1. That the Streets and Traffic Regulation Bylaw, 2005, No. 2067 be amended as follows: Reducing the speed limit to 40 km/hr on Craigflower Road from Dominion Road to Admirals Road.
2. That Streets and Traffic Regulation Bylaw 2005, No. 2607, Amendment Bylaw [No. 6], 2010, No. 2729 be given first, second and third reading.

Discussion:

Council noted that signage alerting drivers of the new speed, or a lit sign similar to that near Camosun College, would assist drivers adjust. Posting in the community newsletter was also suggested. Staff was asked to notify Inspector McLean and see if a grace period where warnings only were issued is feasible.

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

- (6) Contract Award – Craigflower Road Corridor Upgrades Phase 2, Staff Report No. EPW-10-008

Council commented on the \$1.5 million grant funding available for additional work and asked staff to bring back a report on options to use the funds. Suggestions given included works that were not able to be done in Phase 1, lighting at bus stops, and relocating the bus stop at Garthland Street to within Phase 2.

Director Miller stated that the criteria for tender awards are set in the contract and MMCD [Master Municipal Construction Documents] tender documents are used. Aggressive Excavating performed the works in Phase 1.

Moved by Councillor Linge, seconded by Councillor Hundleby that Council go *In Camera* at 8:44 p.m. pursuant to Section 90 of the *Community Charter* to discuss information that is prohibited from disclosure under section 21 of the *Freedom of Information and Protection of Privacy Act* pursuant to Section 90 (1) (j) and that the general public be excluded.

Council reconvened the Regular Meeting at 8:47 p.m.

Moved by Councillor Brame, seconded by Councillor Hundleby that the construction contract for Craigflower Road Corridor Upgrades Phase 2 be awarded to Aggressive Excavating for the sum of \$2,715,329.45 excluding the GST.
The motion **CARRIED UNANIMOUSLY**.

Finance

- (7) Short-term Capital Borrowing Bylaw (Admirals / Colville), Staff Report No. FIN-10-004

Moved by Councillor Linge, seconded by Councillor Brame that the Short-term Capital Borrowing Bylaw (Admirals / Colville), 2010, Bylaw No. 2731 be established and given 1st, 2nd and 3rd Reading
The motion **CARRIED UNANIMOUSLY**.

- (8) Appointment of Deputy Approving Officer, Staff Report No. ADM-10-21

Moved by Councillor Hundleby, seconded by Councillor Brame that the Director of Engineering and Public Works, Jeff Miller, be appointed to the position of Deputy Approving Officer effective immediately.
The motion **CARRIED UNANIMOUSLY**.

BYLAWS

For First and Second Reading

- (2) Official Community Plan Bylaw, 2006, No. 2646, Amendment Bylaw [No.7], 2010, No. 2732

Moved by Councillor Brame, seconded by Councillor Hundleby that Official Community Plan Bylaw, 2006, No. 2646, Amendment Bylaw [No. 7], 2010, No. 2732 be read a first and second time.
The motion **CARRIED UNANIMOUSLY**.

9. MAYOR'S AND COUNCILLORS' REPORTS

There were no reports.

10.

REPORTS FROM COMMITTEES

- (1) Memorandum from Carollyne Evans, Corporate Administrator, dated March 10, 2010, Re: Craigflower Road, Phase 1 Recommendations from COTW March 8, 2010

Council clarified that only two items of the list of eight were discussed at the Committee of the Whole meeting held March 8th.

Request was made that staff have the signage reviewed where it impedes sight lines from a safety perspective if that can be included in the Phase 2 funding. Director Miller advised he will review the signage. Signage is put up per the standard design guidelines and altering the elevation of signs or removing them can create a distraction for drivers.

The six items that were not discussed will be brought back to the next Committee of the Whole meeting for discussion.

- (2) Committee of the Whole Report, March 8, 2010

Moved by Councillor Brame, seconded by Councillor Linge that the Committee of the Whole Report, March 8, 2010, attached to and forming part of these Minutes as Schedule "A", be approved as amended.

Discussion:

Council asked that the two resolutions on Craigflower Road, Phase 1, issues be corrected as follows:

1. That the Township landscape the four islands located west of Sioux Place and east of Garthland Road on Craigflower Road with drought resistant plants, shrubs and trees as illustrated in the Phase 2 public handout;
2. That two street lights be installed on existing poles on either side of the bus stop located on the southside of Craigflower, between Forshaw and Shirley Roads.

The QUESTION WAS CALLED ON THE MOTION AS AMENDED AND DECLARED **CARRIED UNANIMOUSLY**.

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

Moved by Councillor Brame, seconded by Councillor Hundleby that the adopted minutes from the Arts, Culture and Special Events Advisory Committee meeting, February 3, 2010 be received.

The motion **CARRIED UNANIMOUSLY**.

- (4) Memorandum from the Arts, Culture and Special Events Advisory Committee, dated March 2, 2010, Re: Arts, Culture and Special Events Advisory Committee 2010 Work Plan

Moved by Councillor Brame, seconded by Councillor Hundleby that the memorandum from the Arts, Culture and Special Events Advisory Committee meeting, dated March 2, 2010, Re: Arts, Culture and Special Events Advisory Committee 2010 Work Plan be received.

The motion **CARRIED UNANIMOUSLY**.

- (5) Adopted minutes from the Access Awareness Advisory Committee meeting, February 10, 2010

Moved by Councillor Brame, seconded by Councillor Hundleby that the memorandum from the Access Awareness Advisory Committee meeting, February 10, 2010, be received.

The motion **CARRIED UNANIMOUSLY**.

- (6) Memorandum from the Access Awareness Advisory Committee, dated March 2, 2010, Re: Access Awareness Advisory Committee Accomplishments in 2009

Moved by Councillor Brame, seconded by Councillor Hundleby that the memorandum from the Access Awareness Advisory Committee, dated March 2, 2010, Re: Access Awareness Advisory Committee Accomplishments in 2009, be received

The motion **CARRIED UNANIMOUSLY**.

- (7) Memorandum from the Access Awareness Advisory Committee, dated March 2, 2010, Re: Access Awareness Advisory Committee 2010 Work Plan

Moved by Councillor Brame, seconded by Councillor Hundleby that the memorandum from the Access Awareness Advisory Committee, dated March 2, 2010, Re: Access Awareness Advisory Committee 2010 Work Plan, be received

The motion **CARRIED UNANIMOUSLY**.

- (8) Memorandum from the Access Awareness Advisory Committee, dated March 4, 2010, Re: Gold Star Awards Program

Moved by Councillor Brame, seconded by Councillor Hundleby that the memorandum from the Access Awareness Advisory Committee, dated March 4, 2010, Re: Gold Star Awards Program, be received

The motion **CARRIED UNANIMOUSLY**.

Mayor Desjardins stated Council is very pleased and excited about the Committee Work Plans and commends each Committee for the ambitious tasks they have set before them,

their energy and excitement and for all the work they do.

- (9) Memorandum from the Access Awareness Advisory Committee, dated March 5, 2010, Re: Request to Appoint Representative to Advisory Planning Commission

Moved by Councillor Linge, seconded by Councillor Hundleby that the memorandum from the Access Awareness Advisory Committee, dated March 5, 2010, Re: Request to Appoint Representative to Advisory Planning Commission, be received. The motion **CARRIED UNANIMOUSLY**.

Staff was asked to send information to the Access Awareness Committee on the local government legislation and bylaw governing the Advisory Planning Commission, and suggest to the ACC that a representative start attending APC meetings. The AAC representative should get an agenda package at the same time as the APC members.

- (10) Memorandum from the Access Awareness Advisory Committee, dated March 8, 2010, Re: Request to Proclaim Access Awareness Day

Moved by Councillor Brame, seconded by Councillor Hundleby that the memorandum from the Access Awareness Advisory Committee, dated March 8, 2010, Re: Request to Proclaim Access Awareness Day on June 5, 2010, be received, and the proclamation be brought back to Council on May 17, 2010. The motion **CARRIED UNANIMOUSLY**.

- (11) Draft minutes from the Heritage Advisory Committee meeting, February 17, 2010

Moved by Councillor Garrison, seconded by Councillor Hundleby that the draft minutes from the Heritage Advisory Committee, be received. The motion **CARRIED UNANIMOUSLY**.

- (12) Memorandum from the Heritage Advisory Committee, dated March 9, 2010, Re: Heritage Advisory Committee Activities and Accomplishments in 2009

Moved by Councillor Garrison, seconded by Councillor Hundleby that the memorandum from the Heritage Advisory Committee, dated March 9, 2010, Re: Heritage Advisory Committee Activities and Accomplishments in 2009 be received. The motion **CARRIED UNANIMOUSLY**.

- (13) Memorandum from the Heritage Advisory Committee, dated March 9, 2010, Re: Heritage Advisory Committee 2010 Work Plan

Moved by Councillor Garrison, seconded by Councillor Hundleby that the memorandum from the Heritage Advisory Committee, dated March 9, 2010, Re: Heritage Advisory Committee 2010 Work Plan, be received.
The motion **CARRIED UNANIMOUSLY**.

11. COMMUNICATIONS

- (1) Letter from the Esquimalt Buccaneer Days Committee, dated January 15, 2010, Re: 2010 Buccaneer days Committee Appointments

Moved by Councillor Brame, seconded by Councillor Garrison that the letter from the Esquimalt Buccaneer Days Committee, dated January 15, 2010, Re: 2010 Buccaneer days Committee Appointments, be received.
The motion **CARRIED UNANIMOUSLY**.

- (2) Letter from the Canadian Cancer Society, dated February 18, 2010, Re: Canadian Cancer Society's Daffodil Month and Inaugural Daffodil Day

Moved by Councillor Linge, seconded by Councillor Brame that April be proclaimed as Canadian Cancer Society's Daffodil Month and April 9th as the inaugural Daffodil Day in the Township of Esquimalt, and that the proclamation be brought back April 6th for reading.
The motion **CARRIED UNANIMOUSLY**.

- (3) Email from the Victoria Esquimalt Harbour Society, dated February 22, 2010, Re: Addition of Esquimalt Representative to the Victoria / Esquimalt Harbour Society and Working Harbour Enhancement Project

Moved by Councillor Brame, seconded by Councillor Hundleby that That the Township advertise for a representative to support Esquimalt Council's participation in the Victoria / Esquimalt Harbour Society and our Working Harbour Enhancement Project.
The motion **CARRIED UNANIMOUSLY**.

- (4) Letter from Scouts Canada, dated February 24, 2010, Re: Invitation to 4th Annual Barnard Club Breakfast

Moved by Councillor Brame, seconded by Councillor Garrison that the letter from Scouts Canada, dated February 24, 2010, Re: Invitation to 4th Annual Barnard Club Breakfast, be received.
The motion **CARRIED UNANIMOUSLY**.

- (5) Letter from the Victoria Police Department, dated February 25, 2010, Re: Integration Opportunities of Area 911 and Records Management Functions

Moved by Councillor Brame, seconded by Councillor Garrison that the letter from the Victoria Police Department, dated February 25, 2010, Re: Integration Opportunities of Area 911 and Records Management Functions, be received.
The motion **CARRIED UNANIMOUSLY**.

- (6) Email from Crystal Dunahee, dated March 2, 2010, Re: 19th Annual Keep the Hope Alive Fun Run/Walk

Moved by Councillor Hundleby, seconded by Councillor Brame that the email from Crystal Dunahee, dated March 2, 2010, Re: 19th Annual Keep the Hope Alive Fun Run/Walk, be received.
The motion **CARRIED UNANIMOUSLY**.

Mayor Desjardins stated she is prepared to attend the function and speak.

- (7) Letter from Evelyn Cobley, dated March 2, 2010, Re: Sewage Treatment Decision Making Process

Moved by Councillor Brame, seconded by Councillor Garrison that the letter from Evelyn Cobley, dated March 2, 2010, Re: Sewage Treatment Decision Making Process, be received.
The motion **CARRIED UNANIMOUSLY**.

- (8) Letter from Maurine Karagianis, MLA, dated March 3, 2010, Re: Funding Levels for Mental Health Programs

Moved by Councillor Brame, seconded by Councillor Garrison that the letter from Maurine Karagianis, MLA, dated March 3, 2010, Re: Funding Levels for Mental Health Programs, be received.
The motion **CARRIED UNANIMOUSLY**.

- (9) Letter from Esquimalt Neighbourhood House, dated March 3, 2010, Re: Cuts to Community-Based Mental Health and Addiction Services

Moved by Councillor Brame, seconded by Councillor Garrison that the letter from Esquimalt Neighbourhood House, dated March 3, 2010, Re: Cuts to Community-Based Mental Health and Addiction Services, be received.
The motion **CARRIED UNANIMOUSLY**.

- (10) Letter from the Greater Victoria Chamber of Commerce, dated March 10, 2010, Re: Business Mixer – February 18, 2010

Moved by Councillor Brame, seconded by Councillor Garrison that the letter from the Greater Victoria Chamber of Commerce, dated March 10, 2010, Re: Business Mixer – February 18, 2010, be received.

The motion **CARRIED UNANIMOUSLY**.

12. OTHER BUSINESS

- (1) Memorandum from Carollyne Evans, Manager of Corporate Services, dated March 10, 2010, re: ALS Flower Day and Proclamation

Moved by Councillor Hundleby, seconded by Councillor Brame that from memorandum from Carollyne Evans, Manager of Corporate Services, dated March 10, 2010, re: ALS Flower Day and Proclamation be received and the proclamation be brought back May 17, 2010.

The motion **CARRIED UNANIMOUSLY**.

- (2) Business Arising from the March 8, 2010 Meeting of Committee of the Whole

Councillors Hundleby and Gaul declared themselves in a conflict of interest due to their employment and left Council Chambers at 8:10 p.m.

Moved by Councillor McIldoon, seconded by Mayor Desjardins that Mayor Desjardins and Esquimalt Council send a letter of support to the Provincial Ministers of Health, the Solicitor General, Dr. Perry Kendall and VIHA, supporting the following recommendations made by the Centre for Addictions Research of BC and Dr. Perry Kendall, to reduce the public safety and health concerns associated with problematic alcohol use in our society.

1. Reduce the price of low alcohol content beverages and increase the price of high alcohol content beverages.
2. Set a minimum price per standard drink, \$1.50 in the liquor store and \$3.00 in a bar or restaurant. The minimum price for a bottle of wine would be \$7.80; \$9.00 for a six-pack of beer and \$26 for a bottle of spirits.
3. Tax wine and beer products sold at u-vin and u-brew outlets.
4. Index the price of alcohol to inflation.

Discussion ensued on the relevance of municipal government setting liquor prices which is the purview of provincial government.

THE QUESTION WAS CALLED ON THE MOTION AND DECLARED **CARRIED** with Mayor Desjardins, Councillors McIldoon, Linge, Brame In Favour and Councillor Garrison Opposed.

Councillors Hundleby and Gaul returned to Council Chambers at 8:14 p.m.

13. PUBLIC QUESTION AND COMMENT PERIOD

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

Barbara Noyes of Garthland Road asked why the public has to wait until the next Committee of the Whole meeting in April for Council to discuss the safety issues concerning the unmarked crosswalk that was in Craigflower Road Phase 1. She noted the non completion of the road marking is causing a serious deficiency in pedestrian safety. Mrs. Noyes also spoke to the signage obliterating the vision of pedestrians using the crosswalk at Forshaw Road, compounded by the fact that the crosswalk is at the bottom of a hill and motorists tend to increase their speed as they are descending. Mrs. Noyes implored Council to give direction to the Engineer to immediately correct this dangerous situation.

- 14.** Moved by Councillor Hundleby, seconded by Councillor Garrison that Council convene *In Camera* pursuant to Section 90 of the *Community Charter* and that the general public be excluded.
The motion **CARRIED UNANIMOUSLY.**

15. ADJOURNMENT

Moved by Councillor Hundleby, seconded by Councillor Brame that the meeting be adjourned at 8:16 p.m.
The motion **CARRIED UNANIMOUSLY.**

MAYOR OF THE CORPORATION OF THE
TOWNSHIP OF ESQUIMALT
THIS 6TH DAY OF APRIL, 2010

CERTIFIED CORRECT:

CAROLLYNE EVANS
CORPORATE ADMINISTRATOR