



# CORPORATION OF THE TOWNSHIP OF ESQUIMALT

MINUTES  
REGULAR MEETING  
OF MUNICIPAL COUNCIL  
TUESDAY, APRIL 6, 2010

7:00 P.M.  
COUNCIL CHAMBERS

**PRESENT:**

Mayor Barbara Desjardins  
Councillor Lynda Hundleby  
Councillor Meagan Brame  
Councillor Donald Linge  
Councillor Randall Garrison  
Councillor Bruce McIldoon

**REGRETS:**

Councillor Alison Gaul

**STAFF:**

Laurie Hurst, Chief Administrative Officer  
Mary Turner, Deputy Director of Financial Services  
Marlene Lagoa, Sustainability Coordinator  
Trevor Parkes, Senior Planner  
Carollyne Evans, Corporate Administrator

1. **CALL TO ORDER**

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

2. **LATE ITEMS**

There were no late items.

3. **APPROVAL OF THE AGENDA**

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

The motion **CARRIED UNANIMOUSLY.**

Mayor Desjardins pointed out the “MacLachlan” tartan tie she was wearing which was selected for her by Don and Leanne Hunter. The Hunters presented Mayors in all the surrounding municipalities with a tie for Tartan Day, April 6<sup>th</sup>.

4. **MINUTES**

(1) Minutes of the Regular Meeting of Council, March 15, 2010

Moved by Councillor Linge, seconded by Councillor Brame that the minutes of the Regular Meeting of Council, March 15, 2010 be approved as amended.

The motion **CARRIED UNANIMOUSLY.**

5. **PRESENTATION**

(1) Cynthia Day and Meagan Duncan, Victoria Family Court and Youth Justice Committee

Ms. Duncan, the Township’s Public Appointee on the Committee, provided Council with an overview of the Victoria Family Court and Youth Justice Committee, its governance structure, authority and activities. The Committee is mandated by provincial and federal legislation, appointed by municipalities and the Capital Regional District and funded by the CRD. An information manual and the 2009 Annual Report were included on the Council Agenda.

Mayor Desjardins thanked Ms. Duncan and Ms. Day for providing the informative report.

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

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

Mayor Desjardins called for public input and there was none.

7.

**STAFF REPORTS**

*Administration*

- (1) Appointment of Community Gardens Task Force Members, Staff Report No. ADM-10-022

Moved by Councillor Brame, seconded by Councillor Hundleby that Council appoint Blair Irwin, Mark Salter, Willie MacGillivray, Natasha MacKinnon, Sally Challenger and Olga Liberchuk to the Community Gardens Task Force.

Discussion:

Councillor Garrison noted the Committee of dedicated volunteers is working extremely hard and effectively. He thanked Councillor Hundleby for giving the push to keep the project moving forward.

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

- (2) Solar Community Application, Staff Report No. ADM-10-023

Sustainability Coordinator Marlene Lagoa noted the application date should be March 31 not March 30 and explained how the \$5,000 grant will be used to meet the objectives.

Moved by Councillor Brame, seconded by Councillor Linge that Council support the Township of Esquimalt's Solar Community Application dated March 31, 2010

Discussion:

Concern was expressed that the \$1,000 earmarked for plaques could be better spent. Coordinator Lagoa clarified that the funds can be moved between categories of initiatives as long as they are not used for installation of a solar hot water system. Grant funding announcements are expected in May.

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

*Development Services*

- (3) Rezoning and Development Permit, 933 Colville Road, [Lot 6, Block 1, Section 10, Esquimalt District, Plan 6277], Staff Report No. DEV-10-023

Staff stated the purpose of the application is to create a Comprehensive Development Zone that would allow one single family residence and a meditation centre. A great room on the main floor could also be used for meetings.

Moved by Councillor Linge, seconded by Councillor Hundleby

1. That Bylaw No. 2734, which would amend Zoning Bylaw, 1992, No. 2050 by changing the zoning designation of Lot 6, Block 1, Section 10, Esquimalt District, Plan 6277 [933 Colville Road] shown cross-hatched on Schedule 'A', attached hereto, from RS-1 [Single Family Residential] to CD No. 70 [Comprehensive Development District No. 70], be given first and second reading; and
2. That a Public Hearing be scheduled; and
3. 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 provided by Hartmann's Drafting and Design and stamped "Received March 18, 2010, the landscape plan prepared by Doug McLean, Landscape Design and stamped "Received January 25, 2010", and the survey plan supplied by Glen Mitchell Land Surveying Inc. and stamped "Received February 19, 2010", be returned to Council for consideration.

Discussion:

Concern was expressed that there is no disabled access, and would there be any obstacle later to retrofit the building to install an elevator.

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

- (4) Rezoning and Development Permit, 1187 Colville Road, [Lot 1, Block 17, Section 10, Esquimalt District, Plan 2546], Staff Report No. DEV-10-025

Staff stated the purpose of the application is to create a Comprehensive Development Zone to allow two residences to be built on a fee simple parcel.

Moved by Councillor Linge, seconded by Councillor Brame

1. That Bylaw No. 2735, which would amend Zoning Bylaw, 1992, No. 2050 by changing the zoning designation of Lot 1, Block 17, Section 10, Esquimalt District, Plan 2546 [1187 Colville Road] shown cross-hatched on Schedule 'A', attached hereto, from RD-3 [Two Family /Single Family Residential] to CD No. 71 [Comprehensive Development District No. 71], be given first and second reading; and
2. That a Public Hearing be scheduled; and
3. 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 provided by Mesa Design Group Inc. stamped "Received January 29, 2010, the landscape plan prepared by Koi Dragon Enterprises Ltd. stamped "Received March 26, 2010", and the survey plan supplied by J.E. Anderson and Associates

Discussion:

Comment was made about the development being so close to the railway and would there be any issues in the future if the railway increased its runs. It was noted that the proponent is aware and prepared should the rail service change.

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

- (5) Rezoning and Development Permit, 847 Carrie Street, [Lot 3 and Lot 4, Section 10, Esquimalt District, Plan 329], Staff Report No. DEV-10-026

Staff stated the purpose of the application is to create a Comprehensive Development Zone that would allow a total of three residences, each on a fee simple parcel. Two lots would be consolidated and re-subdivided into three lots.

Moved by Councillor Hundleby, seconded by Councillor Garrison

1. That Bylaw No. 2736, which would amend Zoning Bylaw, 1992, No. 2050 by changing the zoning designation of Lot 3 and Lot 4, Section 10, Esquimalt District, Plan 329 [847 Carrie Street] shown cross-hatched on Schedule 'A', attached hereto, from RS-1 [Single Family Residential] to CD No. 72 [Comprehensive Development District No. 72], be given first and second reading; and
2. That a Public Hearing be scheduled; and
3. 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 and landscape plans provided by Zebra Design, stamped "Received January 29, 2010, and sited as shown on the survey plan supplied by Powell and Associates BC Land Surveyors, stamped "Received February 5, 2010" be returned to Council for consideration.

Discussion:

Comment was made that this development is a great addition to the community, retaining some of the existing home and adding green features. Staff noted that the Engineering Department assessed local residents' input about the safety of three drive-ways accessing onto Carrie Street and had no concerns.

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

## **BYLAWS**

### *For Adoption*

- (1) Streets and Traffic Regulation Bylaw, 2005, Bylaw No. 2607 Amendment Bylaw [No. 6], 2010, No. 2729

Moved by Councillor Linge, seconded by Councillor Hundleby that Streets and Traffic Regulation Bylaw, 2005, Bylaw No. 2607 Amendment Bylaw [No. 6], 2010, No. 2729 be adopted.  
The motion **CARRIED UNANIMOUSLY.**

- (2) Reserve Funds Bylaw, 2006, No. 2638, Amendment Bylaw [No. 1], 2010, No. 2733

Moved by Councillor Brame, seconded by Councillor Hundleby that Reserve Funds Bylaw, 2006, No. 2638, Amendment Bylaw [No. 1], 2010, No. 2733 be adopted.  
The motion **CARRIED UNANIMOUSLY.**

## **9.**

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

- (1) Report from Mayor Desjardins, FCM Board of Director's Meeting – March 3 – 6, 2010

Moved by Councillor Brame, seconded by Councillor Hundleby that the report from Mayor Desjardins, FCM Board of Directors' meeting – March 3 – 6, 2010, be received.  
The motion **CARRIED UNANIMOUSLY.**

- (2) Report from Mayor Desjardins, UBCM Member Consultation, March 12, 2010

Moved by Councillor Brame, seconded by Councillor Garrison that the report from Mayor Desjardins, UBCM Member Consultation, March 12, 2010, be received.  
The motion **CARRIED UNANIMOUSLY.**

## **10.**

### **REPORTS FROM COMMITTEES**

- (1) Adopted minutes from the Advisory Planning Commission meeting, February 16, 2010

Moved by Councillor Garrison, seconded by Councillor Brame that the adopted minutes from the Advisory Planning Commission meeting, February 16, 2010, be received.  
The motion **CARRIED UNANIMOUSLY.**

- (2) Adopted minutes from the Environmental Advisory Committee meeting, February 25, 2010

Moved by Councillor Brame, seconded by Councillor Garrison that the adopted minutes from the Environmental Advisory Committee meeting, February 25, 2010, be received.  
The motion **CARRIED UNANIMOUSLY.**

- (3) Memorandum from the Environmental Advisory Committee, dated March 25, 2010, Re: Environmental Advisory Committee 2010 Work Plan

Moved by Councillor Brame, seconded by Councillor Garrison that the memorandum from the Environmental Advisory Committee, dated March 25, 2010, Re: Environmental Advisory Committee 2010 Work Plan, be received.

Discussion:

Council representative Randall Garrison praised the efforts of the Committee and the greater focus this year on selecting five priorities with a maximum of two projects under each.

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

- (4) Adopted minutes from the Centennial Celebrations Select Committee meeting, March 2, 2010

Moved by Councillor Linge, seconded by Mayor Desjardins Brame that the adopted minutes from the Centennial Celebrations Select Committee meeting, March 2, 2010, be received.

The motion **CARRIED UNANIMOUSLY.**

- (5) Draft minutes from the Arts, Culture and Special Events Advisory Committee meeting, March 3, 2010

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

Discussion:

Council representative Bruce McIlldoon noted the Committee is hosting a Seniors Tea at the Recreation Centre from 1 p.m. to 3 p.m. on Saturday, April 10<sup>th</sup>.

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

- (6) Memorandum from the Arts, Culture and Special Events Advisory Committee, dated March 22, 2010, Re: Arts, Culture and Special Events Advisory Committee Activities and Accomplishments in 2009

Moved by Councillor Brame, seconded by Councillor Garrison that the memorandum from the Arts, Culture and Special Events Advisory Committee, dated March 22, 2010, Re: Arts, Culture and Special Events Advisory Committee Activities and Accomplishments in 2009, be received.

Discussion:

Council representative Meagan Brame noted the Committee has been very busy this year. Mayor Desjardins commended all committees for their hard work.

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

- (7) Draft minutes from the Parks and Recreation Advisory Committee meeting, March 4, 2010

Moved by Councillor Brame, seconded by Councillor Garrison that the draft minutes from the Parks and Recreation Advisory Committee meeting, March 4, 2010, be received.  
The motion **CARRIED UNANIMOUSLY.**

- (8) Draft minutes from the Access Awareness Advisory Committee meeting, March 10, 2010

Moved by Councillor Linge, seconded by Councillor Hundleby that the draft minutes from the Access Awareness Advisory Committee meeting, March 10, 2010, be received.  
The motion **CARRIED UNANIMOUSLY.**

- (9) Draft minutes from the Advisory Planning Commission meeting, March 16, 2010

Moved by Councillor Garrison, seconded by Councillor Brame that the draft minutes from the Advisory Planning Commission meeting, March 16, 2010, be received.  
The motion **CARRIED UNANIMOUSLY.**

**11. COMMUNICATIONS**

- (1) Letter from the City of Burnaby, dated March 11, 2010, Re: Resolution Requesting FCM to Urge the Government of Canada to Not Provide European Union with Access to Sub-National Government Procurement

Moved by Councillor Hundleby, seconded by Councillor Brame that the letter from the City of Burnaby, dated March 11, 2010, Re: Resolution Requesting FCM to Urge the Government of Canada to Not Provide European Union with Access to Sub-National Government Procurement, be received.  
The motion **CARRIED UNANIMOUSLY.**



- (2) Letter from the Ministry of Community and Rural Development, dated March 23, 2010, Re: Reciprocal Access to Sub-National Procurement

Moved by Councillor Hundleby, seconded by Councillor Brame that the letter from the Ministry of Community and Rural Development, dated March 23, 2010, Re: Reciprocal Access to Sub-National Procurement, be received.  
The motion **CARRIED UNANIMOUSLY**.

- (3) Letter from the Capital Regional District, dated March 12, 2010, Re: CRD Bylaw 3692, Regional Parks Loan Authorization Bylaw No. 1, 2010

Moved by Councillor Hundleby, seconded by Mayor Desjardins, that Esquimalt Council give assent to the adoption of Capital Regional Parks Loan Authorization Bylaw No. 1, 2010 which will authorize the borrowing of up to \$11,000,000 to allow the CRD to purchase parkland.  
The motion **CARRIED UNANIMOUSLY**.

- (4) Letter from the Federation of Canadian Municipalities, dated March 16, 2010, Re: FCM's National Board of Directors

Moved by Councillor Linge, seconded by Councillor McIldoon

**WHEREAS** the Federation of Canadian Municipalities (FCM) represents the interests of municipalities on policy and program matters that fall within federal jurisdiction; and

**WHEREAS** FCM's National Board of Directors is comprised of elected municipal officials from all regions and sizes of communities to form a broad base of support and provide FCM with the prestige required to carry the municipal message to the federal government; and

**WHEREAS** the 73<sup>rd</sup> FCM Annual Conference is from May 28 to 31, 2010, during which the Annual General Meeting will be held and followed by the election of FCM's National Board of Directors;

**THEREFORE BE IT RESOLVED** that Council of the Corporation of the Township of Esquimalt endorse BARBARA DESJARDINS to stand for election on FCM's National Board of Directors; and

**BE IT FURTHER RESOLVED** that Council assume all costs associated with BARBARA DESJARDINS attending FCM's National Board of Directors meetings.

The motion **CARRIED UNANIMOUSLY**.

- (5) Letter from the Ministry of Healthy Living and Sport, dated March 19, 2010, Re: Reducing Deaths and Disability Attributable to Harmful Alcohol Consumption

Moved by Councillor Hundleby, seconded by Councillor Brame that the letter from the Ministry of Healthy Living and Sport, dated March 19, 2010, Re: Reducing Deaths and Disability Attributable to Harmful Alcohol Consumption, be received.  
The motion **CARRIED UNANIMOUSLY**.

- (6) Letter from the Victoria Police Board, dated March 24, 2010, Re: Victoria Police Department Levy Payments for CREST Services

Moved by Councillor Hundleby, seconded by Councillor Brame that the letter from the Victoria Police Board, dated March 24, 2010, Re: Victoria Police Department Levy Payments for CREST Services, be received.  
The motion **CARRIED UNANIMOUSLY**.

- (7) Letter from the Victoria Police Board, dated March 25, 2010, Re: Victoria Police Department – Police Act Audit

Moved by Councillor Hundleby, seconded by Councillor Brame that the letter from the Victoria Police Board, dated March 25, 2010, Re: Victoria Police Department – Police Act Audit, be received.  
The motion **CARRIED UNANIMOUSLY**.

- (8) Letter from the Canadian Cancer Society, dated March 22, 2010, Re: Daffodil Day and Month Proclamation

Moved by Councillor Linge, seconded by Councillor Garrison that the letter from the Canadian Cancer Society, dated March 22, 2010, Re: Daffodil Day and Month Proclamation, be received.  
The motion **CARRIED UNANIMOUSLY**.

## 12. OTHER BUSINESS

- (1) Memorandum from Robin Middleton, Director of Financial Services, dated April 1, 2010, Re: Revenue, Tax, Budget and Financial Sustainability Policies and Objectives

Comment was made on Objective 4.1 if there would be an unintended consequence on Payments In Lieu of Taxes [PILT] if there were an increase to user fees, and if Council wanted to go in the direction of charging user fees rather than levying a general tax to all property owners.

Moved by Councillor Garrison, seconded by Councillor Hundleby that staff review Objective 4.1: “*user fees will be charged for services that are identifiable to specific users, versus levying a general tax to all property owners*” and consider the impact of revising the objective to “may consider user fees”.

The motion **CARRIED UNANIMOUSLY**.

Question was raised on Policy 5.2 and whether monies from the disposition of land could be separated to be used strictly for land purchases within the Capital Projects Reserve Fund.

Moved by Councillor Garrison, seconded by Councillor Hundleby that Policy 5.2 (b) be amended to read “*All money from the sale of land and improvements (other than park land and tax sale land) is credited to the Capital Projects Reserve Fund and earmarked for land purchase*”.

The motion **CARRIED UNANIMOUSLY**.

- (2) Reading of the Proclamation for the Canadian Cancer Society’s Daffodil Day and Month

Mayor Desjardins read the Proclamation for the Canadian Cancer Society’s Daffodil Month [April 2010] and Daffodil Day [April 9, 2010].

**13. PUBLIC QUESTION AND COMMENT PERIOD**

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

Muriel Dunn of Esquimalt Road asked for details and information on Community Gardens. Committee Liaison Marlene Lagoa noted that she would be making a presentation to Council’s Committee of the Whole on April 12<sup>th</sup> and would provide Ms. Dunn with the contact information for Chair Mark Salter.

**15. ADJOURNMENT**

Moved by Councillor Brame, seconded by Councillor Hundleby that the meeting be adjourned at 7:55 p.m.

The motion **CARRIED UNANIMOUSLY**.

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ACTING MAYOR OF THE CORPORATION  
OF THE TOWNSHIP OF ESQUIMALT  
THIS 19<sup>th</sup> DAY OF APRIL, 2010

CERTIFIED CORRECT:

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CAROLLYNE EVANS  
CORPORATE ADMINISTRATOR