



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

MINUTES
REGULAR MEETING
OF MUNICIPAL COUNCIL
MONDAY, NOVEMBER 1, 2010

7:00 P.M.
COUNCIL CHAMBERS

PRESENT:

Mayor Barbara Desjardins
Councillor Meagan Brame
Councillor Randall Garrison
Councillor Bruce McIldoon
Councillor Lynda Hundleby
Councillor Ali Gaul
Councillor Don Linge

STAFF:

Laurie Hurst, Chief Administrative Officer
Barb Snyder, Director of Development Services
Scott Hartman, Director of Parks & Recreation
Mary Turner, Deputy Director of Financial Services
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.**

4. **MINUTES**

- (1) Minutes of the Regular Meeting of Council, October 4, 2010

Moved by Councillor Linge, seconded by Councillor Brame that the Minutes of the Regular Meeting of Council, October 4, 2010, be approved as amended.

The motion **CARRIED UNANIMOUSLY.**

5. **PRESENTATIONS**

- (1) Heritage Recognition Certificate

Mayor Desjardins presented the owner of the property located at 549 Lampson Street with a certificate for the special efforts in preserving and enhancing their 1903 heritage home.

- (2) Swearing In Ceremony of New Member of the Esquimalt Policing and Law Enforcement Advisory Board

Mayor Desjardins invited Richard Mandy to come forward. Carollyne Evans, Commissioner for Taking Oaths, swore Mr. Mandy into his position as a member of the Esquimalt Policing and Law Enforcement Advisory Board.

Mayor Desjardins stated an opportunity for the residents to provide input on policing needs in Esquimalt was held October 27, 2010. A similar opportunity for the business community is scheduled for November 10, 2010 in Council Chambers from 6 – 7 p.m. Those who cannot attend can give their input on line.

- (3) Jeff Ward, CRD Regional Parks' Land Acquisition Program Update

Mr. Ward, Manager of Planning, Resource Management & Development of Regional Parks, gave a power point presentation on the Regional Parks Land Acquisition Program, a ten year program that commenced in 2000. Mr. Ward stated that councils are advised annually of the acquisitions and expenditures from the land acquisition fund for the previous year. The levy has been \$10 per average household and the Township of Esquimalt annually contributes 3% to the Regional Parks budget. In January 2010 the CRD Board agreed to extend the Program for a further 10 years to 2019, with an increase to the average household to \$12 in 2010. Each year after that the levy will be increased to \$2 per year until it reaches \$20 in 2014 and will then remain at \$20 per year until 2019.

Mr. Ward noted the focus of the land acquisition program has been to acquire parkland for the Sea to Sea Green Blue Belt which is now 83% complete.

Council pointed out that CRD owned parkland for the E&N trail, which is within Esquimalt's boundaries, is not shown on the maps.

Council thanked Mr. Ward for his presentation. He left brochures for the public on the Regional Parks Land Acquisition Fund.

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

Mayor Desjardins called for public input.

Muriel Dunn of Old Esquimalt Road stated she supports Rock Solid relocating to the Chafe House property and hopes it goes ahead.

7. DELEGATIONS

(1) Parishioners of St. Paul's Church, Name Change

Admiral Hughes, representing the parishioners of St. Paul's Anglican Church, stated he has some concerns over long-term damage to the legacy of the historic St. Paul's Church by changing its name. He added that the confusion is due to letters and emails the parishioners have received in which "parish" and "church" have been used interchangeably. Admiral Hughes requested Council write to Bishop Cowan if Council has any concerns over the church's status as a heritage property.

Bruce Bryant Scott, Executive Officer and Archdeacon of the Anglican Diocese of BC, gave a message from the Bishop's office. Archdeacon Scott provided a history of St. Paul's Church dating from the deed issued in 1866 as St. Paul's

Esquimalt as a place of worship for naval officers. Archdeacon Scott clarified that what is being proposed is a change to the name of the parish, not the building; the name of the building will remain as St. Paul's Church. He encouraged members of the parish to contact him or any member of the transition team.

8. PUBLIC HEARING

(1) PUBLIC HEARING – OFFICIAL COMMUNITY PLAN AMENDMENT AND ZONING AMENDMENT [617 ADMIRALS ROAD]

Mayor Desjardins called the Public Hearing to order at 7:30 p.m.

Councillor Gaul declared herself in a perceived conflict of interest due to the proximity of her personal residence and left Council Chambers.

Barb Snyder, Director of Development Services, gave an overview of the application which seeks to construct 4 - three storey townhomes on a vacant property. Director Snyder noted this is a difficult infill site due to a narrow building envelope to work within and bordered by two apartment buildings.

Mike Levin, Architect, detailed the attributes of the development. He noted that after taking off the setbacks, there is no room left for a commercial building and parking.

Mayor Desjardins called three times for public input on the Official Community Plan Amendment and Zoning Amendment for 617 Admirals Road, and there was none.

Mayor Desjardins declared the Hearing closed at 7:44 p.m.

9. PUBLIC HEARING STAFF REPORT

- (1) OCP Amendment, Rezoning and Development Permit Application, 617 Admirals Road, [Lot 171, Suburban Lot 43, Esquimalt District, Plan 2854, Except that part lying to the West of a boundary parallel to and perpendicularly distant 5 feet from the Westerly boundary of said lot], Staff Report No. DEV-10-082

Moved by Councillor Linge, seconded by Councillor Hundleby:

1. That Bylaw No. 2746, which would amend Official Community Plan Bylaw, 2006, No. 2646 by changing the land use designation of Lot 171, Suburban Lot 43, Esquimalt District, Plan 2854, Except that part lying to

2. That Bylaw No. 2747, which would amend Zoning Bylaw, 1992, No. 2050 by changing the zoning designation of Lot 171, Suburban Lot 43, Esquimalt District, Plan 2854, Except that part lying to the West of a boundary parallel to and perpendicularly distant 5 feet from the Westerly boundary of said lot [617 Admirals Road] shown cross-hatched on Schedule 'A', attached hereto, from RM-4 [Multiple Family Residential] to CD No. 74 [Comprehensive Development District No. 74], be considered for third reading and adoption; and
3. That should Amending Bylaws No. 2746 and No. 2747 be adopted, Development Permit No. 09/2010 limiting the form and character of the proposed development to that shown on architectural plans provided by Praxis Architects Inc. stamped "Received June 8, 2010", the landscape plan prepared by Michael Bocking Landscape Architect Limited stamped "Received September 3, 2010", and sited as detailed on the survey plan prepared by Brad Cunnin Land Surveying stamped "Received August 19, 2010", be approved, issued and registered on the title of Lot 171, Suburban Lot 43, Esquimalt District, Plan 2854, Except that part lying to the West of a boundary parallel to and perpendicularly distant 5 feet from the Westerly boundary of said lot [617 Admirals Road].

Discussion:

Support for the project's design was expressed as well as a concern that Esquimalt was losing an opportunity for badly needed commercial space on a main corner.

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

Council Gaul returned to Council Chambers.

10. STAFF REPORTS

Finance

- (1) Five Year Financial Plan 2011 – 2015 Public Input – Local Businesses, Staff Report No. FIN-10-028

Laurie Hurst, Chief Administrative Officer, stated that there are three public input sessions throughout the budget

process which will be advertised in the newspaper, newsletter and on the municipal website.

Moved by Councillor Brame, seconded by Councillor Hundleby that Staff Report No. FIN-10-028, Five Year Financial Plan 2011 – 2015 Public Input – Local Businesses, be received for information.

The motion **CARRIED UNANIMOUSLY**.

Parks and Recreation

- (2) Vending Contract, Staff Report No. P&R-10-015

Scott Hartman, Director of Parks & Recreation, spoke to his report. Discussion ensued on use of the space now that Bullen Perk has closed and the transition to more fresh food and healthy food choices provided by vending machines.

Moved by Councillor Brame, seconded by Councillor Hundleby that Council award a three year contract for Food & Beverage Vending Services to Complete Vending Services.

The motion **CARRIED UNANIMOUSLY**.

- (3) 398 Fraser Street, Staff Report No. P&R-10-016

Scott Hartman, Director of Parks & Recreation, spoke to his report, noting that it is hoped that over time the Chafe House will provide an opportunity for more non-profit groups to share the space. It is proposed that Rock Solid be relocated to the Chafe House under the same terms and conditions as they had when housed in the old public works building. The relocation will allow the Township to continue with the Esquimalt Village Plan project.

Moved by Councillor Brame, seconded by Councillor Garrison

1. That Council direct staff to negotiate a service contract with the Rock Solid Foundation for use of the Chafe House at 398 Fraser.
2. That Council approve the use of the basement and exterior space of the Chafe House for Parks Division storage and work space.

The motion **CARRIED UNANIMOUSLY**.

Moved by Councillor Brame, seconded by Councillor Hundleby that Council pre-approve upgrade costs to the Chafe House up to a maximum of \$15,000 to be paid from the contingency fund.

The motion **CARRIED UNANIMOUSLY**.

Development Services

- (4) Delegation of Authority for Development Permits, Staff Report No. DEV-10-081

Barb Snyder, Director of Development Services, stated delegating authority to the Director to approve changes to details of buildings that would not affect the overall intent of the original building permit will offer property owners considerable time savings and simplify the process. Should Council concur, the required bylaws will be brought back to Council for consideration.

Council requested a report back in a year's time on how this initiative has worked.

Moved by Councillor Linge, seconded by Councillor Hundleby that Staff Report No. DEV-10-081, Delegation of Authority for Development Permits, be received for information.

The motion **CARRIED UNANIMOUSLY**.

11. BYLAWS
For Adoption

- (1) Building Code Bylaw, 2002, No. 2538, Amendment Bylaw [NO. 5], 2010, No. 2744

Objection was expressed to the proposed \$125 annual fee to register a secondary suite.

Moved by Councillor Gaul, seconded by Councillor Brame that Building Code Bylaw, 2002, No. 2538, Amendment Bylaw [No. 5], 2010, No 2744, be adopted.

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

- (2) Ticket Information Utilization Bylaw, 2005, No. 2619, Amendment Bylaw [No. 7], 2010, No. 2749

Objection was expressed to the penalty for failing to renew registration of a secondary suite permit by April 1st.

Moved by Councillor Brame, seconded by Councillor Gaul that Ticket Information Utilization Bylaw, 2005, No. 2619, Amendment Bylaw [No. 7], 2010, No. 2749, be adopted.

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

12. MAYOR'S AND COUNCILLORS' REPORTS

- (1) Update from Mayor Barbara Desjardins on Te'mexw Treaty Advisory Committee and letter dated October 27, 2010 to participating municipalities for funding approval.

Moved by Councillor Brame, seconded by Councillor Garrison that Council approve the funding request from the Te'mexw Treaty Advisory Committee in the amount of \$1,500, and that the addition of the \$500 be paid from the contingency fund.

The motion **CARRIED UNANIMOUSLY**.

- (2) Report from Mayor Barbara Desjardins on UBCM – September 27 – October 2010

Moved by Councillor Brame, seconded by Councillor Garrison that the report from Mayor Barbara Desjardins on UBCM – September 27 – October 2010, be received.

The motion **CARRIED UNANIMOUSLY**.

- (3) Report from Councillor Lynda Hundleby on UBCM – September 27 – October 2010

Moved by Councillor Hundleby, seconded by Councillor Brame that the report from Councillor Lynda Hundleby on UBCM – September 27 – October 2010, be received.

The motion **CARRIED UNANIMOUSLY**.

13. REPORTS FROM COMMITTEES

- (1) Adopted minutes from the Centennial Celebrations Select Committee meeting, September 21, 2010

Moved by Councillor Linge, seconded by Councillor Hundleby that the adopted minutes from the Centennial Celebrations Select Committee meeting, September 21, 2010, be received.

The motion **CARRIED UNANIMOUSLY**.

- (2) Draft minutes from the Access Awareness Advisory Committee meeting, October 13, 2010

Moved by Councillor Hundleby, seconded by Councillor Brame that the draft minutes from the Access Awareness Advisory Committee meeting, October 13, 2010, be received.

The motion **CARRIED UNANIMOUSLY**.

14. COMMUNICATIONS

- (1) Letter from the Honourable Tony Clement, Minister of Industry, dated October 6, 2010, Re: Canadian Census

Moved by Councillor Hundleby, seconded by Councillor Linge that the letter from the Honourable Tony Clement, Minister of Industry, dated October 6, 2010, Re: Canadian

Census, be received.

The motion **CARRIED UNANIMOUSLY**.

- (2) Letter from Mayor Nobutaka Azumi, dated October 8, 2010, Re: Twinning of Town of Onagawa & Township of Esquimalt

Mayor Desjardins stated the organizing committee met to discuss the letter from Mayor Azumi and Onagawa's decline to commit to a twinning arrangement with Esquimalt at this time. The committee proposes to send a letter back to Mayor Azumi to remain connected. Mayor Desjardins added that the Esquimalt Lions are quite excited to twin with their counterparts in Onagawa.

Moved by Councillor Hundleby, seconded by Mayor Desjardins that the letter from Mayor Nobutaka Azumi, dated October 8, 2010, Re: Twinning of Town of Onagawa & Township of Esquimalt be received.

The motion **CARRIED UNANIMOUSLY**.

- (3) Letter from the CRD Regional Housing Trust Fund, dated October 15, 2010, Re: Regional Housing Trust Fund (RHTF) Commission Appointment

Moved by Councillor Brame, seconded by Mayor Desjardins that Councillor Donald Linge be appointed as the Esquimalt Council representative to serve on the Regional Housing Trust Fund [RHTF] Commission for the term January 1 to December 31, 2011, and that Councillor Randall Garrison be appointed as the alternate.

The motion **CARRIED UNANIMOUSLY**.

- (4) Letter from the BC Child and Youth Advocacy Coalition, dated October 19, 2010, Re: Living Wage Policy

Moved by Councillor Hundleby, seconded by Councillor Linge that the letter from the BC Child and Youth Advocacy Coalition, dated October 19, 2010, Re: Living Wage Policy, be received.

The motion **CARRIED UNANIMOUSLY**.

- (5) Email from Lorraine Nygaard, dated October 24, 2010, Re: Within Sight of Shore, Esquimalt's Tribute

Moved by Councillor Hundleby, seconded by Councillor Gaul that Council send a local grant application form to Scott and Ian McMillan for recording costs associated with "Within Sight of Shore, Esquimalt's Tribute", and that the McMillan's be informed Council would be pleased if they could arrange a presentation in Esquimalt in 2011 or 2012.

The motion **CARRIED UNANIMOUSLY**.

- (6) Memorandum from the Union of British Columbia Municipalities, dated October 26, 2010, Re: Opportunity to Comment on Proposed Changes to the Ultimate Limitation Period

Moved by Councillor Linge, seconded by Councillor Brame that the memorandum from the Union of British Columbia Municipalities, dated October 26, 2010, Re: Opportunity to Comment on Proposed Changes to the Ultimate Limitation Period be received, and be brought back to the next Committee of the Whole, with notes [if available], from Mayor Desjardins and Councillor McIlldoon.

The motion **CARRIED UNANIMOUSLY**.

- (7) Email from the Island Corridor Foundation, dated October 27, 2010, Re: VIA Rail Passenger Service Improvements and Infrastructure Investment Request

Moved by Councillor Brame, seconded by Councillor Garrison that the email from the Island Corridor Foundation, dated October 27, 2010, Re: VIA Rail Passenger Service Improvements and Infrastructure Investment Request, be received.

The motion **CARRIED UNANIMOUSLY**.

Mayor Desjardins stated she will send a letter of support per Council's position on this matter.

15. PUBLIC QUESTION AND COMMENT PERIOD

Mayor Desjardins called three times for public input and there was none.

16. ADJOURNMENT

Moved by Councillor Brame, seconded by Councillor Hundleby that Council adjourn the Regular Meeting at 8:45 p.m.

The motion **CARRIED UNANIMOUSLY**.

MAYOR OF THE CORPORATION OF THE
TOWNSHIP OF ESQUIMALT
THIS 17th DAY OF JANUARY, 2011

CERTIFIED CORRECT:

CAROLLYNE EVANS
CORPORATE ADMINISTRATOR