



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

**MINUTES
REGULAR MEETING
OF MUNICIPAL COUNCIL
MONDAY, FEBRUARY 7, 2011**

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

PRESENT:

Mayor Barbara Desjardins
Councillor Meagan Brame
Councillor Randall Garrison
Councillor Alison Gaul
Councillor Lynda Hundleby

REGRETS:

Councillor Bruce McIldoon
Councillor Don Linge

STAFF:

Laurie Hurst, Chief Administrative Officer
Barbara Snyder, Director of Development Services
Jeff Miller, Director of Engineering & Public Works
Karen Blakely, Director of Financial Services
Mary Turner, Deputy Director of Financial Services
Carollyne Evans, Corporate Administrator

OTHER:

Inspector Darrell McLean, OIC West Division
Anthony Beks, Recording Secretary

1. **CALL TO ORDER**

Mayor Desjardins called the meeting to order at 7:05 pm.

2. **LATE ITEMS**

- (1) Two responses regarding 948 Aral Street [item 8(a)]
- (2) Rise and Report [item 14]

3. **APPROVAL OF THE AGENDA**

MOTION: That the agenda be approved as amended. **MOVED/SECONDED.** Councillor Brame/Councillor Hundleby. **CARRIED UNANIMOUSLY.**

4. **MINUTES**

- (1) Minutes of the Regular Meeting of Council, December 6, 2010.

MOTION: That the Minutes of the Regular Meeting of Council, December 6, 2010 be approved as circulated. **MOVED/SECONDED.** Councillor Garrison/Councillor Gaul. **CARRIED UNANIMOUSLY.**

- (2) Minutes of the Special Meeting of Council, December 13, 2010.

MOTION: That the Minutes of the Special Meeting of Council, December 13, 2010 be approved as circulated. **MOVED/SECONDED.** Councillor Brame/Councillor Hundleby. **CARRIED UNANIMOUSLY.**

- (3) Minutes of the Regular Meeting of Council, January 17, 2011.

MOTION: That the Minutes of the Regular Meeting of Council, January 17, 2011 be approved as amended. **MOVED/SECONDED.** Councillor Brame/Councillor Hundleby. **CARRIED UNANIMOUSLY.**

5. **PRESENTATIONS**

- (1) Scott Seivewright, 2011 Victoria Police Budget

The Mayor acknowledged Scott Seivewright, Deputy Chief Del Manak and Chief of Police Jamie Graham who were in attendance to make a presentation regarding the 2011 Victoria Police budget. She noted Donna Humphries and Graham Lang from the Esquimalt Policing Advisory Board were also present.

Chief Graham provided an overview of expenses for the year, reviewed some of the issues facing the police force and summarized service levels in Esquimalt. He also made reference to statistical data for the Victoria/Esquimalt area and how the police force stood in relation to other forces in the province.

Scott Seivewright provided a power point presentation. He indicated that the proposal is to increase the police budget by 5.42% for 2011. This increase would allow for the creation of 6 new staff positions and other possible increases such as wages and operation/capital expenses. Esquimalt's contribution would be an additional \$462,747.

Comments from the Mayor and Councillors regarding the presentation:

- Acknowledgement of the great work of the police men and women serving in Esquimalt and of the contribution of Inspector McLean.
- Funding formula continues to be an issue
- The 5 year forecast results in between a 25% to 30% increase which is not sustainable
- Transparency of budget expenditures
- Lack of information regarding the police direction/strategic vision

Chief Graham agreed that a presentation on the strategic plan could be arranged for Esquimalt Council.

(2) Shamus McGrath, Ryder Hesjedal's Tour de Victoria

Barry Lycett presented on behalf of Shamus McGrath. This the first event of the Victoria International Cycling festival and is a mass ride to take place May 28th, 2011. The ride will pass through Esquimalt between approximately 7:05 and 7:10 am, and again at 8:05 to 8:10 am. The organizing committee also has appropriate insurance coverage for the event. A further update will be available after March 8th, 2011 and residents and businesses along the corridor will be notified soon thereafter.

6. PUBLIC INPUT

No public input was received.

7. HEARING

(1) HEARING – DEVELOPMENT VARIANCE PERMIT [630 HEAD STREET]

Mayor Desjardins called the Public Hearing for Development Variance Permit [630 Head Street] to order at 8:10 p.m.

Barbara Snyder, Director of Development Services, noted there was no change to the use of the property or parking, it was simply to put a covering over three parking spaces and the south side entrance to the building.

The Mayor called for public input:

Don Graham, Head Street, spoke in favour of the application. The current building owners have increased their active management considerably.

The Mayor called three more times for public input. Hearing none, the Public Hearing on Development Variance Permit [630 Head Street] was declared closed at 8:17 p.m.

(2) PUBLIC HEARING – DEVELOPMENT VARIANCE PERMIT [948 ARAL ROAD]

Mayor Desjardins called the Public Hearing for Development Variance Permit [948 Aral Road] to order at 8:17 p.m.

Brad Cunnin, Land surveyor spoke on behalf of the owner. He advised that the owner has agreed to restrict vehicle access off Craigflower. He hadn't been able to speak with the neighbours but plans to do so to address their concerns.

The Mayor called for public input. The Mayor noted that two letters of opposition had been received from the public regarding this application

Mayor Desjardins called three more times for public input. Hearing none, the Public Hearing on Development Variance Permit [948 Aral Road] was declared closed at 8:21 p.m.

8.

HEARING STAFF REPORTS

(1) Development Variance Permit, 630 Head Street, [Lot 1, Section 11, Esquimalt District, Plan 29010] Staff Report No. DEV-11-009.

MOTION: That the application for a Development Variance Permit authorizing the construction shown on the attached site plan stamped "Received November 22, 2010", and including the following variance, at Lot 1 Section 11 Esquimalt District Plan 29010 [630 Head Street] be approved, issued and registered on the title of Lot 1, Section 11, Esquimalt District Plan 29010[630 Head Street]

Zoning Bylaw 1992, No. 2050, Section 44(5)(a) – Lot Coverage – a five percent (5%) increase to the thirty percent (30%) lot coverage limit for all Principle Buildings, Accessory Buildings and Structures, ie. from 30% to 35%.

MOVED/ SECONDED. Councillor Garrison/Councillor Hundleby.
CARRIED UNANIMOUSLY.

(2) Development Variance Permit, 948 Aral Road, [Proposed lot occupying the northernmost 540 square metres of parent parcel Lot 12, Section 2, Esquimalt District, Plan 5837] Staff Report No. DEV-11-010.

MOTION: That the application for a Development Variance Permit reducing the required Front Setback for a Principal Building for the proposed lot occupying the northernmost 540 square metres of parent parcel Lot 12, Section 2, Esquimalt District, Plan 5837 [948 Aral Road] as detailed on the site plan

prepared by Brad Cunnin Land Surveying, stamped "Received December 1, 2010", including the following relaxation to Zoning Bylaw, 1992, No. 2050, be approved, subject to registration of a covenant on the property title prohibiting driveway access from Craigflower Road for the proposed Lot A, i.e., that access be from Aral Road only; issued; and registered on the title of the proposed lot occupying the northernmost 540 square metres [legal description not yet established], of parent parcel Lot 12, Section 2, Esquimalt District, Plan 5837 [948 Aral Road]

Zoning Bylaw, 1992, No. 2050, Section 34(9)(a)(i) – Front Setback – a 2.0 metre reduction to the required setback for a Principal Building from the Front Lot.

MOVED/SECONDED. Councillor Garrison/Councillor Gaul. **CARRIED** (Councillors Gaul, Brame and Garrison In favour. Mayor Desjardins and Councillor Hundleby opposed).

Barbara Snyder, Director of Development Services, indicated that both resulting parcels are well over the minimum lot size. By varying the setbacks it would allow for a building that more closely resembles a house, rather than having an irregular style building. RS1 zoning also allows for a secondary suite.

9. STAFF REPORTS

Administration

(1) Tour de Victoria Cycling Event, Staff Report No. ADM-11-009.

MOTION: That Council approve road closures along Craigflower Road for the Tour de Victoria cycling event scheduled for May 28, 2011, subject to the following conditions:

1. That the organizer, Seamus McGrath, Director, Ryder Hesjedal's Tour de Victoria, provide the Township of Esquimalt with proof of \$5,000,000 minimum liability insurance, adding the Township as an additional insured to the policy and indemnifying the Township of any liability;
2. That the organizer notify, at least one week in advance, all residents and businesses affected by the event [copy of notification to be provided to the Township];
3. That the organizer pay for any costs associated with the Tour de Victoria event;
4. That no costs are to be incurred by the Township; and
5. That the public be informed of this event by posting in the news section of the municipal website starting May 1st.

MOVED/SECONDED. Councillor Garrison/Councillor Hundleby. **CARRIED UNANIMOUSLY.**

Engineering and Public Works

(2) Esquimalt Village Project – Deconstruction Update, Staff Report No. EPW-11-003

MOTION: That Council receive Staff Report No. EPW-11-003 for information. **MOVED/SECONDED.** Councillor Brame/ Councillor Garrison. **CARRIED UNANIMOUSLY.**

- (3) Core Area Wastewater Treatment Project – Community Benefit/Framework Reports, Staff Report No. EPW-11-004

MOTION: That staff prepare and submit a letter to the Capital Regional District Core Area Liquid Waste Management Committee outlining Council's comments and concerns with the Community Benefit Framework Reports, and state our clear support for community benefits wherever the project may be located **MOVED/SECONDED.** Councillor Garrison/Councillor Brame. **CARRIED UNANIMOUSLY.**

Finance

- (4) 2011 Victoria Police Department Budget – Cost Sharing, Staff Report No. FIN-11-002

MOTION: That Council receive Staff Report FIN-11-002 for information. **MOVED/SECONDED.** Councillor Brame/Councillor Gaul. **CARRIED UNANIMOUSLY.**

10.

MAYOR'S AND COUNCILLORS' REPORTS

- (1) Report from Mayor Barbara Desjardins, Treaty Advisory Committee Update.

MOTION: That Council receive Mayor Barbara Desjardins' Treaty Advisory Committee Report Update. **MOVED/SECONDED** Councillor Garrison/Councillor Gaul. **CARRIED UNANIMOUSLY.**

11.

REPORTS FROM COMMITTEES

- (1) Committee of the Whole Report, January 24, 2011

MOTION: That Council ratify the following recommendation from the Committee of the Whole Meeting, January 24, 2011, as follows:

- 1) That Staff bring back a brief description of the discrepancies in the CRD Community Benefit Framework Reports and a summary of the input received at the January 24, 2011 Special Committee of the While, before a response goes back to the CRD on the Community Benefits Framework.

MOVED/SECONDED. Councillor Garrison/Councillor Brame. **CARRIED UNANIMOUSLY.**

- (2) Adopted minutes from the Arts, Culture and Special Events Advisory Committee meeting, January 12, 2011

- (3) Draft minutes from the Advisory Planning Commission meeting, January 18, 2011
- (4) Draft minutes from the Arts, Culture and Special Events Advisory Committee meeting, February 2, 2011

MOTION: That Council adopt the minutes from the Arts, Culture and Special Events Advisory Committee meetings of January 12, 2011 and February 2, 2011, and that Council adopt the Draft minutes from the Advisory Planning Commission Meeting, January 18, 2011. **MOVED/SECONDED.** Councillor Garrison/Councillor Hundleby. **CARRIED UNANIMOUSLY.**

12. COMMUNICATIONS

MOTION: That Council receive the following communication:

- (1) Letter of Appreciation from the Esquimalt Neighbourhood House, dated January 11, 2011.

MOVED/SECONDED. Councillor Garrison/Councillor Brame.

CARRIED UNANIMOUSLY.

MOTION: That Council receive the following communication:

- (2) Letter from Public Works and Government Services Canada, dated January 12, 2011, regarding review of Federal Payments in Lieu of Property Taxes.

MOVED/SECONDED. Councillor Hundleby/Councillor Brame.

CARRIED UNANIMOUSLY.

MOTION: That Council receive the following communication:

- (3) Letter from Bob Clarke, dated January 17, 2011, regarding the Gorge Point Japanese Garden and that it be forwarded to the Parks and Recreation Advisory Committee and ETAG Committee.

MOVED/SECONDED. Councillor Hundleby/Councillor Brame.

CARRIED UNANIMOUSLY.

Mayor Desjardins stated she would be pleased to write to Mr. Clarke about ETAG and invite him to a meeting.

MOTION: That Council receive the following communication:

- (4) Letter from BC Water & Waste Association, dated January 18, 2011, regarding Drinking Water Week May 1 – 7, 2011, and that the Mayor issue a proclamation and refer the letter to the Environmental Advisory Committee.

MOVED/ SECONDED. Councillor Garrison/Councillor Gaul. **CARRIED UNANIMOUSLY.**

MOTION: That Council receive the following communication:

- (5) Letter from Minister Shirley Bond, Transportation and Infrastructure, dated January 20, 2011 regarding the E&N Rail Corridor.

MOVED/ SECONDED. Councillor Garrison/Councillor Hundleby. **CARRIED UNANIMOUSLY.**

It was suggested that the Mayor meet with Minister Bond.

MOTION: That Council receive the following communication:

- (6) Letter from the Heart and Stroke Foundation and the Lung Association, dated January 20, 2011, regarding Smoke-Free Outdoor Public Places.

MOVED/SECONDED. Councillor Brame/Councillor Gaul. **CARRIED UNANIMOUSLY**

MOTION: That Council receive the following communication and refer it to the next Committee of the Whole for discussion:

- (7) Email from Darcee Strawson, regarding the Nine Policy Papers for CRD Regional Sustainability Strategy, dated February 1, 2011.

MOVED/ SECONDED. Councillor Gaul/Councillor Brame. **CARRIED UNANIMOUSLY.**

13. NOTICE OF MOTION

- (1) Re-Naming of E&N Trail

MOTION: Given that the E&N Rail Trail already has a name by which it is well-known, and because this name reflects both its geographic location and the important role of the E&N Railway in the heritage of the communities through which it passes, that Esquimalt Council formally ask the Capital Regional District to cancel the proposed public contest for re-naming the E&N Rail Trail. MOVED/SECONDED. Councillor Garrison/Councillor Hundleby. **CARRIED UNANIMOUSLY.**

- (2) Public Forum on Taxation and Service Provision.

A notice of motion was received from Mayor Desjardins on public forum on taxation and service provision for discussion at the February 21, 2011 Council meeting.

14. RISE AND REPORT

- (1) Exempt Staff Wages

The following motion was referred from the *In Camera* meeting of February 7, 2011:

- 1) That Council approve a 2% increase for exempt staff for 2010.
- 2) That the increase be paid retroactive to January 1, 2010.
- 3) That Council Policy ADMIN – 27 be amended to reflect that exempt salary adjustment is to be equivalent to CUPE increase in relevant years for the intervening two years between comprehensive market analyses (revised policy to be brought back for approval in January 2011).

4) That CAO salary is adjusted as per 2009 executed agreement (equivalent to other officer positions in Township).

15. PUBLIC QUESTION AND COMMENT PERIOD

Muriel Dunn, Esquimalt Road, spoke in opposition of the CRD renaming of the E&N trail.

Rod. Laverne, Fraser Street, questioned the presence of the recording secretary and wished to be introduced.

16. ADJOURNMENT at 9:30 p.m.

MOTION: That the Regular Meeting of Council be adjourned. MOVED/SECONDED. Councillor Brame/Councillor Gaul.
CARRIED UNANIMOUSLY.

MAYOR OF THE CORPORATION OF THE
TOWNSHIP OF ESQUIMALT
THIS 21st DAY OF FEBRUARY, 2011

CERTIFIED CORRECT:

LAURIE HURST
DEPUTY CORPORATE ADMINISTRATOR