



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

**MINUTES
REGULAR MEETING
OF MUNICIPAL COUNCIL
MONDAY, FEBRUARY 21, 2011**

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

PRESENT:

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

STAFF:

Laurie Hurst, Chief Administrative Officer
Scott Hartman, Director of Parks & Recreation Services
Jeff Miller, Director of Engineering & Public Works
Dave Ward, Fire Chief
Trevor Parks, City Planner
Carollyne Evans, Corporate Administrator

OTHER:

Anthony Beks, Recording Secretary

1. CALL TO ORDER

Mayor Desjardins called the meeting to order at 7:00 p.m. The Mayor recognized the work of the Legion in putting together the “Wall of Heroes” to commemorate Canadian soldiers killed in Afghanistan.

2. LATE ITEMS

- (1) Proclamation of “Heritage Week” [Item 9(3)]
- (2) Excerpt from the Victoria Police Board meeting [Item 114)]

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, February 7, 2011.

MOTION: That the Minutes of the Regular Meeting of Council, February 7, 2011 be approved as circulated. **MOVED/SECONDED.** Councillor Garrison/Councillor Gaul. **CARRIED UNANIMOUSLY.**

5. PRESENTATIONS

- (1) Kathy Ilott, Canadian Cancer Society, Victoria Branch, Presentation to Weber Family.

Kathy Ilott presented the Weber Family with a Certification of Appreciation in remembrance of the late Jack Weber and his 10 years of dedication to the Tour de Rock.

Wayne Weber, on behalf of his family, thanked Ms. Ilott and Esquimalt Council for this honour and shared some insight about his late father’s involvement with Tour de Rock.

- (2) Rockheights Middle School, Academy Video

The Corporate Administrator advised the presenters were unable to attend and the presentation was being rescheduled to a future date.

6. PUBLIC INPUT

Linda Jeurond, View Royal, spoke in support of the CRD underage Indoor tanning bylaw, and encouraged Council to support a provincial ban on underaged tanning.

Nancy Falconer, Canadian Cancer Society, spoke in support of the proposed AVICC resolution. Ms. Falconer noted there is strong public,

medical and scientific support for this ban.

Peter Ryan, Fraser Street, member of the Access Awareness Committee, spoke regarding the request for additional funds for the upgrades to 398 Fraser Street. He suggested that Council prepare a comprehensive plan and that this proposed work may still not be enough to make the building accessible for people with disabilities. He was concerned over the mounting costs and that the current request for money was simply putting good money after bad.

Rod Lavergne, Fraser Street, stated he had previously informed Council that the costs to upgrade the 398 Fraser Street house would be excessive.

Colleen Mathews, Munroe Street, also expressed her concern over the 398 Fraser Street upgrades.

7. STAFF REPORTS

Engineering and Public Works

- (1) Contract Award – Janitorial Services for Town Hall, Public Works Building and Public Safety Building, Staff Report No. EPW-11-006

Jeff Miller clarified that only 6 tenders were received and that the tender included reference to the Township's collective agreement equivalent wage clause.

MOTION: That the Janitorial Services Contract for cleaning of the Municipal Hall, Public Works Building and the Public Safety Building be awarded to Fantastic Cleaning Ltd, for the sum of \$5,167.00 per month excluding the HST. MOVED/SECONDED. Councillor Linge/ Councillor Hundleby. **CARRIED UNANIMOUSLY.**

Parks and Recreation

- (2) 398 Fraser Street Renovation Update, Staff Report No. P&R-11-003

Scott Hartman indicated that renovating the building from residential use to non-residential use (a semi-office building), triggered a building code requirement that one entrance be wheelchair accessible. Occupancy for the building will not be granted until the accessibility issues are addressed.

MOTION: That Council approve an additional \$30,000 from the Capital Project Reserve Fund for the completion of accessibility upgrades at 398 Fraser Street. MOVED/SECONDED. Councillor McIldoon/Councillor Gaul. **CARRIED.** (Mayor Desjardins and Councillors Gaul, Brame, Hundleby, Garrison, McIldoon In favour. Councillor Linge opposed).

Development Services

(3) BC Transit Future Network Plan, Staff Report No. DEV-11-006

Council had a wide ranging discussion regarding the staff recommendation. Council agreed that the 5 areas of concern outlined in the December 14, 2010 letter to BC Transit should be included in their endorsement of the BC Transit Future Network Plan. There was concern about commuter use, workplace density, commuter rail as a level of service (not just protecting the corridor), goal of specific greenhouse targets, north/south service between Admirals and Tillicum and late night bus service to Esquimalt from downtown Victoria.

That Council direct staff to draft a letter of endorsement to the Victoria Regional Transit Commission supporting the Transit Future Network, Vision and Goals, including an outline of all the concerns that Council raised at its Regular Meeting held February 21, 2011, and to bring back the draft letter for approval on March 7, 2011. **MOVED/SECONDED.** Councillor Gaul/Councillor Hundleby. **CARRIED UNANIMOUSLY.**

Fire Rescue

(4) Dispatch and Communication Services Agreement, Staff Report No. FIRE-11-003

MOTION: That Esquimalt Township renew its agreement for Dispatch and Communication Services for the Fire Department with the Corporation of the District of Saanich for a five (5) year term. **MOVED/SECONDED.** Councillor Gaul/Councillor Garrison. **CARRIED UNANIMOUSLY.**

8. MAYOR'S AND COUNCILLORS' REPORTS

There were no reports.

9. MAYOR'S AND COUNCILLORS' REPORTS

(1) Committee of the Whole Report, February 14, 2011

MOTION: That Council approve the following recommendations from the Committee of the Whole dated February 14, 2011.

1. That Council Policy ADMIN – 61 be adopted.
2. That Council postpone discussion on Council Policy No. ADMIN – 63, Terms of Reference – Centennial Celebrations Select Committee, to the next Committee of the Whole on March 14, 2011.
3. That Staff Report No. ADM-11-014, Centennial Event: 2012 UBCM Convention, be referred to the Centennial Celebrations Select Committee and the Arts, Culture and

Special Events Advisory Committee for feedback.

4. That the application for a Development Variance Permit authorizing the construction shown on the attached photographs, at Lot 3 Block 1 Section 10 Esquimalt District Plan VIP862 And Lot 4 Block 1 Section 10 Esquimalt District Plan VIP862 [924 and 928 Selkirk Avenue] and including the following variance be forwarded to Council with a recommendation to forward to the Hearing process to allow the variance:

Approval of this proposal requires the following relaxation of Zoning Bylaw 1992, No. 2050, **Section 36(10) – Fencing** – a relaxation of the requirement that the Height of a Fence within 7.5 metres of a Highway adjoining the Front Yard shall not exceed 1.2 metres, i.e. the permitted fence height would increase 0.8 metres from 1.2 metres to 2.0 metres.

5. *Recommendation #1* - The Township should not establish a DCC capital program and DCC bylaw at this time.

Recommendation #2 – the Township should continue to use the works and services provisions of its existing subdivision bylaw to ensure that the community receives the required engineering infrastructure to service development in the community.

Recommendation #3 – The Township should continue to use the provisions of its existing subdivision bylaw to ensure that the community receives the required contribution to parkland acquisition necessary to support development in the community.

Recommendation #4 – The Township should not pursue the use of latecomer agreements as alternative financial tools to help meet the community's growth related engineering infrastructure needs at this time. This tool should be considered in unique situations.

Recommendation #5 – The Township should consider the use of negotiated agreements to secure specific engineering works as a complementary tool to works and services requirements. This tool will have limited application in Esquimalt due to the type and amount of development anticipated in the community.

6. That the application for a Development Permit to authorize an Accessory Building within 20 metres of the High Water Mark of the Gorge Waterway and limiting landscaping on the northern portion of Lot 3, Section 2, Esquimalt District, Plan 6330 [946 Forshaw Road] to that shown on the landscape plan provided by LADR Landscape Architects, stamped

“Received December 23, 2010” and including the following waivers and relaxations to Official Community Plan Bylaw, 2006, No. 2646 and Zoning Bylaw, 1992, No. 2050, be denied.

Official Community Plan Bylaw, 2006, No. 2646, Section 9.6.5(a) – a waiver from the requirement that new buildings and structures not be located within 20 metres of the High Water Mark of the Gorge Waterway and a 16.15 metre reduction in the required setback between any building or structure and the High Water Mark of the Gorge Waterway from 20 metres to 3.85 metres.

Zoning Bylaw, 1992, No. 2050, Section 36(8)(a) – Lot Coverage – a one percent (1%) increase to the thirty percent (30%) lot coverage limit for all Principle Buildings, Accessory Buildings and Structures [i.e. from 30% to 31%].

Zoning Bylaw, 1992, No. 2050, Section 36(9)(b)(ii) – Side Setback – a 3.0 metre reduction to the required 3.6 metre setback from an Exterior Side Lot Line [i.e. from 3.6 metres to 0.6 metres].

Zoning Bylaw, 1992, No. 2050, Section 36(9)(b)(iii) – Rear Setback – a waiver from the required 1.5 metre setback from a Rear Lot Line [i.e. from 1.5 metres to 0 metres].

Zoning Bylaw, 1992, No. 2050, Section 36(9)(b)(iv) – Waterfront Setback – a 0.65 metre reduction to the required 4.5 metre setback from the High Water Mark [i.e. from 4.5 metres to 3.85 metres].

7. Rezoning Application and Development Permit, 363 Kinver Street, [Lot 1, Section 11, Esquimalt District, Plan 6063], Staff Report No. DEV-11-016

That the application for rezoning authorizing a new single family dwelling and development permit limiting the form and character of development to that shown on architectural plans provided by Mesa Design Group stamped “Received January 31, 2011”, the landscape plan prepared by Koi Dragon Enterprises Ltd., stamped “Received January 31, 2011”, and sited as detailed on the survey plan prepared by Robert Hartnell Land Surveyor stamped “Received November 19, 2010”, be forwarded to Council with a recommendation of approval, subject to appropriate notification, preparation of amending bylaws and a public hearing being held.

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

- (2) Draft Minutes from the Environmental Advisory Committee Meeting, January 27, 2011

MOTION: That Council receive the draft minutes of the Environmental Advisory Committee Meeting, January 27, 2011
MOVED/SECONDED. Councillor Linge/Councillor Brame.
CARRIED UNANIMOUSLY.

- (3) Memorandum from the Heritage Advisory Committee, dated February 10, 2011, re: Heritage Week 2011 – Proclamation.

Mayor Desjardins read the Proclamation declaring Heritage Week in Esquimalt from February 21 to 27, 2011.

MOTION: That the memorandum from the Heritage Advisory Committee, dated, February 10, 2011, re: Heritage Week – 2011 - Proclamation be received. **MOVED/SECONDED.** Councillor Brame/Councillor Hundleby. **CARRIED UNANIMOUSLY.**

- (4) Memorandum from the Heritage Advisory Committee, dated February 10, 2011, Re: Request from Heritage BC for Support of the Province's Heritage Program.

MOTION: That Council postpone discussion on the request from Heritage BC for support of the Province's Heritage Program until March 7, 2011, and that Rick Goodacre, Executive Director for Heritage BC be invited to make a presentation. **MOVED/SECONDED.** Councillor Hundleby/Councillor McIlldoon. **CARRIED UNANIMOUSLY.**

10. COMMUNICATIONS

- (1) Letter from the BC Government and Service Employees' Union, dated February 10, 2011, Re: Community Social Services Awareness Month.

MOTION: That Council receive the letter from the BC Government and Service Employee's Union and declare the month of March as Community Social Awareness Services Month. **MOVED/SECONDED.** Councillor Hundleby/Councillor Garrison. **CARRIED UNANIMOUSLY.**

- (2) Letter from Mayor Joanne Monaghan, District of Kitimat, Dated February 15, 2011, Re: Allocation of Pacific Halibut to the Sports Fishing Sector.

It was noted that the letter from the District of Kitimat was contrary to the motion passed by the CRD.

MOTION: That the letter from the District of Kitimat dated February 15, 2011 Re: Allocation of Pacific Halibut to the Sports Fishing Sector be received. **MOVED/SECONDED.** Councillor Brame/Councillor Gaul. **CARRIED UNANIMOUSLY.**

MOTION: That Mike Hicks, Regional Director for Port Renfrew, be invited to make a presentation and update on the halibut quota. **MOVED/SECONDED.** Councillor McIlldoon/Councillor Brame. **CARRIED UNANIMOUSLY.**

11.

OTHER BUSINESS

- (1) Updated 2009 – 2011 Strategic Plan

Council made a few changes to the Plan.

MOTION: That Council adopt the Updated 2009 – 2011 Strategic Plan, as amended. **MOVED/SECONDED.** Councillor Brame/Councillor Hundleby. **CARRIED UNANIMOUSLY.**

- (2) Continued Discussion of Nine Policy Papers for CRD Regional Sustainability Strategy.

Council discussed the policy papers.

MOTION: That Council ask for clarification at the CRD's Forum of Councils on Regional Sustainability Strategy set for March 5, 2011 on:

- (i) absence of greenhouse gas emission reduction targets for 2050 in its Climate Change Strategy Policy;
- (ii) status of Regional Corridor Plan in its Transportation Strategy Policy as Esquimalt Council has not endorsed Craigflower Road as a four lane high traffic route and has some concerns with previous drafts of Regional Corridor Plans.

MOVED/SECONDED. Mayor Desjardins/Councillor Hundleby. **CARRIED UNANIMOUSLY.**

- (3) Proposed AVICC Resolution – To Move Forward the CRD Resolution on Underage Indoor Tanning to AVICC

MOTION: That Nancy Falconer from the Canadian Cancer Society be permitted to speak. **MOVED/ SECONDED.** Councillor Hundleby/Councillor Garrison. **CARRIED UNANIMOUSLY.**

Nancy Falconer advised banning indoor tanning for youth under 18 sends a very strong message and is consistent with the World Health Organization and with medical health officers who have endorsed this. She stated by using the age limit of 18 it was hoped it would not develop tanning habits at an early age and would make adults reconsider using the indoor tanning facilities.

MOTION: To move forward the CRD resolution on Underage Indoor Tanning to AVICC as follows:

WHEREAS using indoor tanning devices is particularly damaging for youth and increases their risk of melanoma (the deadliest form of skin cancer);

AND WHEREAS the Medical Health Officers' Council of BC calls upon the Province of British Columbia to use its regulatory powers to restrict use of indoor tanning beds by persons under

the age of 18;

THEREFORE BE IT RESOLVED that UBCM lobby the provincial government to introduce legislation to ban indoor tanning for youth under the age of 18.

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

- (4) Late Item – Excerpt from Victoria Police Board Meeting of February 15, 2011.

MOTION: That the Excerpt from the Victoria Police Board Meeting be received for information. MOVED/SECONDED. Councillor Brame/Councillor Hundleby. **CARRIED UNANIMOUSLY.**

12. NOTICE OF MOTION

- (1) Public Forum on Taxation and Service Provision

Staff advised that a meeting could be scheduled for Tuesday or Wednesday during the last week of March.

MOTION: That Esquimalt Council hold a public forum regarding taxation and service provision to allow Council to receive input from taxpayers, which would assist in the formulation of budget deliberation within the 2011 process. MOVED/SECONDED. Mayor Desjardins/Councillor Gaul. **CARRIED UNANIMOUSLY.**

13. PUBLIC QUESTION AND COMMENT PERIOD

Kelly Bryant, Esquimalt, noted that many plaques which define Esquimalt's history are tarnished and need cleaning. Scott Hartman agreed to follow up with Mr. Bryant.

Colleen Matthews, Munroe Street, spoke to the renovation of 398 Fraser Street. Director Hartman agreed to follow up with her regarding her concerns around accessibility.

Peter Ryan, Fraser Street, spoke on the 398 Fraser Street renovation and suggested that in future Council obtain a fuller understanding of the costs necessary in completing such a project.

14. ADJOURNMENT at 8:55 p.m.

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

MAYOR OF THE CORPORATION OF THE
TOWNSHIP OF ESQUIMALT
THIS 7th DAY OF MARCH, 2011

CERTIFIED CORRECT:

CAROLLYNE EVANS
CORPORATE ADMINISTRATOR