



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

**MINUTES
REGULAR MEETING
OF MUNICIPAL COUNCIL
MONDAY, MARCH 7, 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
Jeff Miller, Director of Engineering & Public Works
Trevor Parkes, Senior 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.

2. LATE ITEMS

- (1) Item 7 (2):
 - Lighthouse Point Water Reclamation Facility – Fact Sheet – Blaine
 - Wastewater Treatment process – Renton
- (2) Item 8 (1):
 - Public input from B. Christensen
 - Public Input from Jennifer Wheeler

3. APPROVAL OF THE AGENDA

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

4. MINUTES

- (1) Minutes of the Regular Meeting of Council, February 21, 2011

MOTION: That the Minutes of the Regular Meeting of Council, February 21, 2011 be approved as amended. **MOVED/SECONDED.** Councillor Linge/Councillor Brame. **CARRIED UNANIMOUSLY.**

5. PRESENTATIONS

- (1) Gillian Lindquist, Victoria Family Court and Youth Justice Committee, Presentation of Annual Report

Ms. Lindquist presented the highlights from the Annual Report, noting that the organization works closely with youth including youth from Esquimalt. Funding is received from the Capital Regional District. Appointments to the Committee are one representative from each municipality and the School District, with 7 additional members coming from the CRD. Currently one of the challenges is getting a First Nations representative.

Ms. Lindquist noted activities this year included the Bright Ideas Youth Conference which struggled with enrollment again this year, but for those who attended it was a great success. As well, this area was one of the first in Canada to implement CASA (Court Appointment Special Advocates), which are volunteers who assist children in the legal system. A challenge for the Youth Justice Committee organization is the referral of increasingly complex cases to the Family Court system.

- (2) Robert Lapham, Capital Regional District, Transportation Corridor Plan and Gas Tax Funding Priorities

Mr. Lapham gave a power point presentation on the CRD's Transportation Corridor Plan and Gas Tax funding priorities, noting the focus is to address the increased dependency on vehicles which still has not met anticipated targets. The objective of the Federal Gas Tax Funds is to achieve a reduction in GHG emissions and he gave an overview of the four funds involved.

The Transportation Corridor Plan consists of four components involving a number of authorities. To date, \$11.3 million has been received for the E&N rail trail with work currently being completed on some strategic areas; funding is being sought for completion. The next phase is through Esquimalt to Victoria.

Mr. Lapham noted the next objective is to have consultations with municipalities to determine local priorities, key strategic objectives and to disseminate information to the regions. Council asked Mr. Lapham to provide information on the timing and cost of the E&N rail trail through Esquimalt.

6. PUBLIC INPUT

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

7. DELEGATION

- (1) Rick Goodacre, Heritage BC, Campaign to Restore Provincial Heritage Program

Mr. Goodacre reported that Heritage BC is a non-profit organization representing 165 community groups in the province. In 2009, Heritage BC lost its funding from the provincial government and is currently using their Heritage Legacy Funds to finance operations. Rick Goodacre requested that Council join 12 other municipalities in sending a resolution to the UBCM to restore funding to Heritage BC.

- (2) Lorne Argyle and Karen James, CRD Sewage Treatment Plant Site Tour of February 18, 2011

Karen James and Lorne Argyle spoke to the CRD organized tour of two waste water treatment plants in Washington State. They noted that Esquimalt was highly represented on the tour with four members. There was also representation from Colwood and Vic West. There was disappointment at the low value of biosolids and the recovery of gas sales. The presentation compared the Blaine and Renton sewage disposal systems to Victoria's current system. The marine environment around Victoria is ideal compared to the marine environment in the Seattle area. A forum is being planned outside of Esquimalt to target the whole Greater Victoria area. The point was made that more attention needs to be paid to source control.

8.

HEARING

- (1) Hearing – Development Variance Permit (924 and 928 Selkirk Avenue)

Councillor Linge declared himself in a conflict by virtue of his business relationship and left Council Chambers at 8:15 p.m.

Mayor Desjardins called the hearing to order at 8:16 p.m. The purpose of the application is to retain a new fence that spans both properties and measures 2 metres (6.5') in height which is 0.8 metres (32") higher than permitted.

Alan Robb, the proponent, spoke to the issue of front/back yard orientation and that the property abutting Selkirk Avenue should be considered the back yard and the property fronting the Gorge Inlet be considered the front yard. The property predates the bylaw identifying front and back yard designations and requested an exemption be considered.

Norman Jackson, 934 Selkirk Avenue and Mr. Robb's neighbour for the past 24 years, supported the definitions as proposed by the proponent as these properties are unique. The main entrance to the home overlooks the water and the original kitchen was at the rear of the home overlooking the back of the property. He considers the front of the property being the part that overlooks the water and supported the variance being granted.

Muriel Dunn, 1193 Old Esquimalt Road, supported the application and stated it was obvious to her that the back of the property is on Selkirk. She didn't think that the height of the fence should be an issue and it matches nicely with other properties. Ms. Dunn also pointed out the safety issue of tall hedges which are obscuring signage around Lampson and Head streets that intersect with Esquimalt Road.

Three letters were received in support of the application from Bent Christensen of 907 Selkirk Avenue; Jennifer Wheeler of 407-912 Selkirk Avenue; and Norman and Lynn Jackson, 934 Selkirk Avenue.

There being no further public input, Mayor Desjardins declared the Hearing closed at 8:33 p.m.

9.

HEARING STAFF REPORT

- (1) Development Variance Permit, 924 and 928 Selkirk Avenue, [Lot 3, Block 1, Section 10, Esquimalt District, Plan VIP 862 and Lot 4, Block 1, Section 10, Esquimalt District VIP 862], Staff Report No. DEV-11-019.

Council discussed the application. They recognized the uniqueness of the properties and that if the portion that bordered Selkirk was designated as the back of the property the fence would be compliant

with the Zoning Bylaw.

MOTION:

1. That Council authorize the requested relaxation to permit the existing fence to remain at the present height of 2.0 metres (6.5 feet); and
2. That the following variance be approved, issued and registered on the titles of 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];
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 hard shall not exceed 1.2 metres, i.e. the permitted fence height would increase 0.8 metres from 1.2 meters to 2.0 metres.

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

Councillor Linge returned to Council Chambers at 8:50 p.m.

10. STAFF REPORTS

Administration

- (1) Memorandum of Understanding: Francophone Affairs Program, Staff Report No. ADM-11-16

It was noted that the books would be distributed throughout the Greater Victoria Public Library system, with the majority housed in Esquimalt due to the large francophone population here.

MOTION: That the Memorandum of Understanding between the Province of BC Intergovernmental Relations Secretariat and the Township of Esquimalt for the purchase of French library material be approved and that the Mayor and Corporate Administrator be authorized to sign the document.

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

- (2) BC Transit Future Network Plan – Draft Letter, Staff Report No. ADM-11-018

Council requested that the word 'line' be added after 'E & N' so that the letter reads as 'E & N Line'.

MOTION: That the draft letter to BC Transit dated March 7, 2011 endorsing the Transit Future Network, Vision and Goals, including Council's priorities, be approved as amended.

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

- (3) Timelines for RFP and Solicitor General Report, Staff Report No. ADM-11-019

Council expressed their appreciation to the members of the Esquimalt Policing and Law Enforcement Advisory Board, the Mayor and Staff for their work in preparing the Request For Proposal for provision of policing services.

MOTION: That Staff Report ADM-11-019 be received for information.
MOVED/SECONDED. Councillor Brame/Councillor Hundleby.
CARRIED UNANIMOUSLY.

Development Services

- (4) Rezoning Application and Development Permit, 363 Kinver Street [Lot 1, Section 11, Esquimalt District, Plan 6063], Staff Report No. DEV-11-017

Councillor Linge declared himself in a conflict by virtue of his business relationship and left Council Chambers at 9:00 p.m.

Staff stated the proponent had amended the plans and provided for better parking that is now consistent with the parking requirements for both sites.

MOTION:

1. That Bylaw No. 2758, which would amend Zoning Bylaw, 1992, No. 2050 by changing the zoning designation of Lot 1, Section 11, Esquimalt District, Plan 6063 [363 Kinver Street] shown cross-hatched on Schedule 'A', attached hereto, from RD-3 [Two Family /Single Family Residential] to CD No. 78 [Comprehensive Development District No. 78], be considered for 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 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 returned to Council for consideration.

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

Councillor Linge returned to Council Chambers at 9:03 p.m.

- (5) Amendments to the Official Community Plan and Zoning Bylaws to Accommodate Phase 1 of the Esquimalt Village Project, Staff Report No. DEV-11-018

A wide ranging discussion was held by Councillors over a number of issues including the removal of the hotel reference, anticipated parking

for individuals with disabilities and public notification about this development proposal. Staff were asked to be proactive in creating a greater scope of notification for this project and ensure attention was paid to notifying as many of the potentially affected residents as possible. Staff acknowledged that an error had been made in removing the reference of hotel use and it would be reinstated.

MOTION:

1. That Official Community Plan Bylaw, 2006, No. 2646 Amendment Bylaw [No. 10], 2011, No. 2756 which would amend Official Community Plan Bylaw No. 2646 by adding Development Permit Area [No. 6], specific to Phase 1 of the Esquimalt Village Project, and provides for changes in the land use designation of Lot A, Section 11, Esquimalt District, Plan 18121 [1229 Esquimalt Road], Lot B, Section 11, Suburban Lot 40, Esquimalt District, Plan 18121 [1235 Esquimalt Road] and Lot 14, Section 1, Esquimalt District, Plan 1163 [1216 Carlisle Avenue] from Institutional to Esquimalt Village – Mixed Use Multiple Residential and Lot 12, Section 11, Esquimalt District, Plan 1163 [534 Fraser Street] from Parks and Open Space to Esquimalt Village – Mixed Use Multiple Residential, be considered for first and second reading; and
2. That Zoning Bylaw, 1992, No. 2050, Amendment Bylaw [No. 197], 2011, No. 2757 which provides for changes in the zoning designation of Lot A, Section 11, Esquimalt District, Plan 18121 [1229 Esquimalt Road], Lot B, Section 11, Suburban Lot 40, Esquimalt District, Plan 18121 [1235 Esquimalt Road] and Lot 14, Section 11, Esquimalt District, Plan 1163 [1216 Carlisle Avenue] from TC [Town Centre] to RM-EVP [Esquimalt Village – Mixed Use Multiple Residential] and Lot 12, Section 11, Esquimalt District, Plan 1163 [534 Fraser Street] from P-2 [Park and Open Space] to RM-EVP [Esquimalt Village – Mixed Use Multiple Residential], be considered for first and second reading; and
3. That a Public Hearing be scheduled.

MOVED/SECONDED. Councillor Linge/Councillor Hundleby.

CARRIED UNANIMOUSLY.

11. MAYOR'S AND COUNCILLORS' REPORTS

There were no reports.

12. REPORTS FROM COMMITTEES

- (1) Adopted minutes from the Heritage Advisory Committee meeting, January 19, 2011

MOTION: That the adopted minutes from the Heritage Advisory Committee meeting, January 19, 2011 be received.
MOVED/SECONDED. Councillor Brame/Councillor Hundleby.
CARRIED UNANIMOUSLY.

- (2) Draft minutes from the Access Awareness Advisory Committee meeting, February 9, 2011

MOTION: That the draft minutes from the Access Awareness Advisory Committee meeting, February 9, 2011 be received.
MOVED/SECONDED. Councillor Brame/Councillor Garrison.
CARRIED UNANIMOUSLY.

- (3) Memorandum from the Heritage Advisory Committee, dated February 22, 2011, Re: Heritage Advisory Committee Activities and Accomplishments in 2010

MOTION: That the Memorandum from the Heritage Advisory Committee, dated February 22, 2011, Re: Heritage Advisory Committee Activities and Accomplishments in 2010 be received.
MOVED/SECONDED. Councillor Garrison/Councillor Hundleby.
CARRIED UNANIMOUSLY

- (4) Memorandum from the Heritage Advisory Committee, dated March 3, 2011, Re: request to Support BC's Heritage Program

MOTION:

1. That Council support Heritage BC's A Call to Renew British Columbia's Heritage Program and endorse the five recommendations identified: Adopt a Provincial Heritage Strategy, Restore the Heritage Branch Budget, Resolve the Heritage Properties Question, Restore Community Support and Invest in the Heritage Legacy Fund; and
2. That Council write two letters in support of renewing heritage programs in BC in response to the letter from Larry Foster, President of Heritage BC, dated January 4, 2011: one letter to the Honourable Margaret MacDiarmid, Minister of Tourism, Trade and Investment (copied to the BC premier-designate Christy Clark and Heritage BC) and the other to the Union of British Columbia Municipalities in the form of a resolution.

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

13.

COMMUNICATIONS

- (1) Email from Clinton Shane Ekdahl, dated February 7, 2011, Re: Day of the Honey Bee 2011

MOTION: That the email from Clinton Shane Ekdahl, dated February 7, 2011, Re: Day of the Honey Bee be received for information.
MOVED/SECONDED. Councillor Linge/Councillor Hundleby.
CARRIED UNANIMOUSLY.

- (2) Letter from Saferhome Standards, dated February 10, 2011, Re: Opportunities to Support 'Age-in-Place' Housing Solutions and Attracting Developers

MOTION: That the letter from Saferhome Standards, dated February 10, 2011, Re: Opportunities to Support 'Age-in Place' housing solutions and Attracting Developers be forwarded to the Access Awareness Committee, that Saferhome be invited to make a presentation to Council, and that the Committee members be invited to attend.

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

- (3) Letter from the Capital Regional District, dated February 11, 2011, Re: Request for Public Forum on Community Benefits

The Mayor stated that she was advised by the CRD that a motion is necessary from Esquimalt to the CRD requesting a public forum.

MOTION: Whereas the CRD has followed a process of public consultations in other municipalities, the Township of Esquimalt requires that the Core Area Liquid Waste Management Committee host a meeting in Esquimalt to hear from the community on the Core Area Liquid Waste Management Plan Amendment #8. MOVED/SECONDED. Councillor Hundleby/Councillor Brame. **CARRIED UNANIMOUSLY.**

Council requested that a draft response be prepared for review by the Committee of the Whole on March 14, 2011.

- (4) Letter from Victoria Chapter of the ALS Society of BC, dated February 14, 2011, Re: ALS Awareness Month – June 2011

MOTION: That Council issue a proclamation for the month of June 2011 as ALS Awareness Month in Esquimalt; and grant permission for the Flower Day Volunteers to conduct the ALS Flower Day on June 4, 2011. MOVED/SECONDED. Councillor McIlldoon/Councillor Brame. **CARRIED UNANIMOUSLY.**

- (5) Letter from the Liquor Control and Licensing Branch, dated February 16, 2011, Re: Input of Local Governments / First Nations Into the Licensing Process for New Liquor Primary and Liquor Primary Club License and Relocation Applications

MOTION: That the letter from the Liquor Control and Licensing Branch, dated February 15, 2011, Re: Input of Local Governments/First Nations Into the Licensing Process for New Liquor Primary and Liquor Primary Club Licences and Relocation Applications be tabled until staff can provide more information to Council. MOVED/SECONDED. Councillor Hundleby/Councillor Gaul. **CARRIED UNANIMOUSLY.**

- (6) Email from UVic Co-operative Education Program and Career Services, dated February 18, 2011, Re: Request to Proclaim National Co-op Week

MOTION: That the email from UVic Co-operative Education Program and Career Services, dated February 18, 2011, Re: Request to Proclaim National Co-op Week be received; and that National Co-Op week be proclaimed in Esquimalt from March 21 to March 25, 2011. MOVED/SECONDED. Councillor Hundleby/Councillor Brame. **CARRIED UNANIMOUSLY.**

- (7) Letter from the Capital Regional District, dated February 28, 2011, Re: CRD Bylaw No. 3768, Capital Regional District Regional Housing Trust Fund Service Establishment Bylaw No. 1, 2005, Amending Bylaw No. 7, 2011

MOTION: That Council consent to the adoption of CRD Bylaw No. 3768, Capital Regional District Regional Housing Trust Fund Service Establishment Bylaw No. 1, 2005, Amending Bylaw No. 7, 2011, in accordance with Section 801.4 of the *Local Government Act*. MOVED/SECONDED. Councillor Linge/Councillor Garrison. **CARRIED UNANIMOUSLY.**

- (8) Letter from the Greater Victoria Public Library Board, dated February 28, 2011, Re: 2011 Operating Budget and Five Year Financial Plan (2011 – 2015) – Final

MOTION: That Council approve the request for a 4.95% increase in the municipal contribution and receive the 5-year financial plan as presented in the letter dated February 28, 2011 from the Greater Victoria Public Library Board. MOVED/SECONDED. Councillor Hundleby/Councillor Garrison. **CARRIED UNANIMOUSLY.**

- (9) Notice of the Walk for Community Social Services, Saturday, March 26, 2011

MOTION: That the Notice of the Walk for Community Social Services, Saturday, March 26, 2011, be received. MOVED/SECONDED. Councillor Linge/Councillor Garrison. **CARRIED UNANIMOUSLY.**

14. PUBLIC QUESTION AND COMMENT PERIOD

No public comments were made.

15. ADJOURNMENT

MOTION: That the Regular Meeting of Council be adjourned at 9:50 p.m. MOVED/SECONDED. Councillor Hundleby/Councillor Brame. **CARRIED UNANIMOUSLY.**

MAYOR OF THE CORPORATION OF THE
TOWNSHIP OF ESQUIMALT
THIS 16th DAY OF MAY, 2011

CERTIFIED CORRECT:

LAURIE HURST
DEPUTY CORPORATE ADMINISTRATOR