



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

**MINUTES
REGULAR MEETING
OF MUNICIPAL COUNCIL
MONDAY, MAY 16, 2011**

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

PRESENT:

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

STAFF:

Laurie Hurst, Chief Administrative Officer
Karen Blakely, Director of Financial Services
Barbara Snyder, Director of Development Services
Marlene Lagoa, Sustainability Coordinator

OTHER:

Carla Venter, Recording Secretary

1. **CALL TO ORDER**

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

2. **LATE ITEMS**

There were no late items to the Agenda.

3. **APPROVAL OF THE AGENDA**

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

4. **MINUTES**

(1) Minutes of the Regular Meeting of Council, March 7, 2011

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

(2) Minutes of the Regular Meeting of Council, May 2, 2011

Amendments to Minutes:

- Item 7 (7), to correct the spelling error for principal to principle;
MOTION: That Council adopt in principle The Heritage Policy Update prepared by Donald Luxton & Associates Inc., dated April 2011.
- Item 10 (4) , to add a Motion that had been omitted;
MOTION: That a letter be sent to the CALWMC regarding an additional item for inclusion in the Terms of Reference for the Harbours Environmental Action Program which would include developing a work/action plan together with measureable goals and an appropriate budget so that the work of the Program can be properly evaluated and be accountable. **MOVED/SECONDED.** Councillor Hundleby/Councillor Brame. **CARRIED UNANIMOUSLY.**

MOTION: That the Minutes of the Regular Meeting of Council, May 2, 2011 be approved as amended. **MOVED/SECONDED.** Councillor Brame/Councillor Linge. **CARRIED UNANIMOUSLY.**

(3) Minutes of the Special Meeting of Council, May 9, 2011

MOTION: That the Minutes of the Special Meeting of Council, May 9, 2011 be approved as circulated. **MOVED/SECONDED.** Councillor Brame/Councillor Hundleby. **CARRIED UNANIMOUSLY.**

(4) Minutes of the Special Meeting of Council, May 11, 2011

MOTION: That the Minutes of the Special Meeting of Council, May 11, 2011 be approved as circulated. **MOVED/SECONDED.** Councillor Hundleby/Councillor Brame. **CARRIED UNANIMOUSLY.**

5. PRESENTATIONS

(1) Insp. Darrel McLean, Cst. Calvin Ewer and Police Service Dog (PSD) Bondo, Victoria Police K-9 Section.

Inspector McLean introduced Constable Ewer and new Police Service Dog (PSD) Bondo and explained the important roll of the K-9 unit to the Victoria Police Department (VicPD). Insp. McLean noted that the VicPD K-9 unit is based out of its West Division in Esquimalt.

(2) Mike Wicks and Karla Dolinsky, Blue Beetle Books, Community and Economic Development Book Proposal.

Mr. Wicks presented a power point presentation of the Blue Beetle Books Proposal. Mr. Wicks explained that the coffee table book can be used to promote Esquimalt as an Economic Development Piece and advertising content from local business will cover the cost of producing the book for the municipality.

6. PUBLIC INPUT

Dale Wood, 1174 Greenwood Avenue, posed a question to Council with regards to the progress of the Esquimalt Policing Advisory Panel.

7. DELEGATIONS

(1) Jim Hesketh, Re: Esquimalt Village Project Public Hearing

Jim Hesketh, 1207 Carlisle Street, addressed Council on the EVP and stated the following:

- The proposed height of 8-12 storeys is too high;
- Parking and traffic issues are unresolved;
- Depreciation of property value around the Village is an issue;
- An unwanted proposal is being forced on the community;
- The public needs more information and involvement; and
- Recommendation that a referendum be held to determine if the Esquimalt Village Project should go ahead.

(2) C A Cunningham, Re: Official Community Plan Public Hearing

Christine Cunningham, 512 Fraser Street, addressed Council on the EVP and stated the following:

- Recommended a referendum be held during the municipal election;

- Against using municipal land for private development;
- Objected that tax payers were not consulted about the monetary implications of this project;
- Open houses were not well attended;
- Proposal understated how many residents are opposed to the height of the proposed building; and
- Asked about the financial risk involved if condominiums do not sell.

Ms. Cunningham informed Council of a petition containing the signatures of 100 residents opposed to the project. The petition was handed to staff.

(3) Colin MacLock, Re: Esquimalt Village Plan

Colin MacLock, 865 Wollaston Street, addressed Council on the EVP and stated the following:

- Disagrees with the use of public land which belongs to the community of Esquimalt;
- Objected to Council and Mayor not listening to the concerns of the community; and
- Objected to a lack of cultural and heritage development.

(4) Brian Smith, Re: Esquimalt Village Project

Brian Smith, 1217 Carlisle Avenue, addressed Council on the EVP and stated the following:

- Children and community members, including himself, enjoy using the park in Town Square;
- Lack of proper process being followed including there being no feasibility study being done on the proposed project ;
- Tax increases due to high density housing; and
- Infrastructure unable to handle this kind of development.

(5) Gary Thomas Mullins, Re: Esquimalt Village Project

Gary Thomas Mullins, 1215 Carlisle Avenue, stated that he attended the EVP Open House in 2007 & 2008 and the project was favourably considered by the community due to its small scale. Mr. Mullins noted that the new proposal includes a 10 – 12 storey building which is not acceptable to the community of Esquimalt. He also stated that the minimum 5 years of construction will destroy the neighbourhood and that the existing properties will suffer the worst consequences.

8. HEARING

Councillor Linge declared a conflict of interest and left Council Chambers at 7:45 p.m.

(1) HEARING – DEVELOPMENT VARIANCE PERMIT [1130

- i) Notice of Hearing
- ii) Background Information
 - Staff Report No. DEV-11-028

Mayor Desjardins called the Public Hearing to order at 7:46 p.m.

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

Mayor Desjardins declared the Public Hearing on Development Variance Permit for 1130 Munro Street closed at 7:49 p.m.

Councillor Linge returned to Council Chambers at 7:49 p.m.

9. PUBLIC HEARING

(1) PUBLIC HEARING – AMENDMENT TO THE OFFICIAL COMMUNITY PLAN BYLAW AND ZONING BYLAW [ESQUIMALT VILLAGE PROJECT]

- i) Notice of Hearing
- ii) Background Information
 - Staff Report No. DEV-11-003
 - Staff Report No. DEV-11-018

Mayor Desjardins called the Public Hearing to order at 7:50 p.m.

Director of Development Services made a power point presentation which provided highlights of the Esquimalt Village Project.

Key points from the presentation included:

- The key to development is to promote mixed land use;
- Building height raised concerns with residents on Carlisle St.; and
- Overall, feedback received from the community at Open Houses were positive.

The Mayor called for public input:

Rod Lavergne, 485 Fraser Street, raised the question of what the density of the proposed building would be as well as the issue around the need for additional parking space. He requested that the municipality provide the community with more information.

Pauline Majcher, 1230 Old Esquimalt Road, applauded the municipality for the effort to improve the Town Square and noted she would support a 4-5 storey development. Ms. Majcher also raised the

following concerns:

- Proposed height of the building and subsequent density in the residential area;
- Taller buildings will block sun and water views and lead to wind tunneling; and
- Set a precedence where Esquimalt will see similar development applications in the future.

Mike Mayer, 511 Comerford Street, noted that he lives in Esquimalt because it is a quiet neighbourhood and he enjoys his privacy.

Tania Tanguay, 505 Comerford Street, noted that she and her son enjoy all the amenities already offered in Esquimalt. She feels that a 12 storey building will not contribute to the village feeling that already exists in Esquimalt.

Maureen Sherlock, 1225 Carlisle Avenue, voiced her disapproval of the proposed 12-storey building. Ms. Sherlock suggested that the Village Project is not a good mix for what should be the centre of the community.

Doug Scott, 630 Constance Avenue, noted his support for development in Esquimalt, although not for the building height being proposed for the Esquimalt Village Project.

Tony Cond, 1158 Old Esquimalt Road, raised the following objections to the Esquimalt Village Project:

- Proposed high rise building will lack character;
- Loss of municipal property;
- Staff will be overwhelmed by the size of the project; therefore, the development will be left at the mercy of consultants;
- Taxpayers are opposed to commit their dollars to these kind of developments; and
- The municipality needs to scale back the project substantially before the community will consider supporting the proposal.

Beth Sobieszczyk, 1216 Lyall Street, noted she fully supports the concept but rejects the idea of a 12 storey building.

Peter Ryan, 399 Fraser Street, noted his agreement with previous speakers. Mr. Ryan pointed to the fact that very little if any support is shown for the proposal and questioned the community input results that were presented.

Muriel Dunn, 1193 Old Esquimalt Road, addressed her concerns with the building height and hiring consultants from Vancouver to design the project. She noted that the public input being received at the hearing indicates that Council meetings are not well attended because residents do not feel that Council will listen.

Rod Burns, 940 Dunsmuir Road, noted his support for the Esquimalt Village Project but is opposed to the 12-storey building.

Bradley Clements, 1225 Carlisle Avenue, voiced his support for the Village Project and the mixed use proposal. Mr. Clement also commented on the advantage of the proposed underground parking. He raised concerns about the lack of public information and the height of the building.

Colin Maclock, 865 Wollaston Road, suggested that Council do not approve the rezoning application at this time and noted that the proposed condominiums will be used for speculation purposes which will have an impact on the affordability of these units.

Tina, 828 Wollaston Road, noted her objection to the height of the proposed building.

Anne Hoekema, 969 Esquimalt Road, noted that the proposed Village Project will not be inviting to the rest of the community and will only be used by the residents of the Village.

Bob McKie, 954 Lampson Place, objected to the 12-storey proposed building and suggested that 4-5 storeys would be more acceptable.

Terry Prentice, 1297 Rockcrest Avenue, noted that the public should attend more public meetings and get more involved in what is happening in their community. Mr. Prentice suggested that had there been more objections at previous public meetings, the proposed height of the building might have been reconsidered. He also objected to a 12-storey building facing the residential properties on Carlisle Street.

Brian Howden, 483 Fraser Street, noted that Esquimalt is a 'bedroom community' with residents not working in the area and questioned whether such a Village Project would be viable for the area.

Bonnie Turner, 1020 Esquimalt Road, objected to the height and density of the proposal and believed it is inappropriate to refer to the project as a village.

Ed Avery, 506 Joffre Street, objected to a 12-storey building and does not believe it fits in this community.

Mary Degnan, 1153 Lyall Street, is opposed to the Village Project and finds it offensive to families that condominiums are being referred to as housing.

Dave Hodgins, 2-1115 Craigflower Road, thanked Council for the opportunity given to the public to be heard.

Beth Sobieszczyk, 1216 Lyall Street, requested Council to aim for LEED Platinum building should the Village Project go forward.

Muriel Dunn, 1193 Old Esquimalt Road, expressed her satisfaction with the hearing and suggested that the proposal for the Village Project should be reconsidered and should involve more public input.

Paul Gilbert, 540 Comerford Street, stated that he is vision impaired and finds it very easy to get around in Esquimalt. Mr. Gilbert objected to the big building that will dominate the neighbourhood and is concerned that Council is not listening to what the community wants.

Dale Wood, 1174 Greenwood Ave, supported the previous speakers and suggested that Council take a giant step back and hold on to the land. Mr. Wood emphasized the importance of community involvement and that no further money should be spent on consultants.

Mayor Desjardins declared the Public Hearing on Amendment to the Official Community Plan Bylaw and Zoning Bylaw closed at 8:57 p.m.

Council took a short recess at 8:57 p.m.

RECONVENE Council reconvened the meeting at 9:06 p.m.

10. HEARING AND PUBLIC HEARING STAFF REPORTS

Councillor Linge declared himself in conflict of interest and left Council Chambers at 9:06 p.m.

- (1) Development Variance Permit, 1130 Munro Street, [Lot A, Section 11, Esquimalt District, Plan VIP85403], Staff Report No. DEV-11-042

MOTION:

That the application for a Development Variance Permit authorizing construction as shown on architectural plans provided by Mesa Design Group Inc., stamped "Received February 15, 2011" and sited as detailed on the survey plan prepared by Glen Mitchell Land Surveying Inc., stamped "Received March 1, 2011", and including the following relaxations to Zoning Bylaw, 1992, No. 2050, be approved, issued and registered on the title of Lot A, Section 11, Esquimalt District, Plan VIP85403 [1130 Munro Street]

Zoning Bylaw, 1992, No. 2050, Section 40(9)(a)(ii) – Principal Building - Side Setback – a 2.2 metre reduction to the required 3.6 metre setback from an Exterior Side Lot Line [i.e. from 3.6 metres to 1.4 metres]. **MOVED/SECONDED.** Councillor Brame/Councillor Hundleby. **CARRIED UNANIMOUSLY.**

Councillor Linge returned to Council Chambers at 9:07 p.m.

- (2) Amendments to the Official Community Plan and Zoning Bylaws to Accommodate Phase 1 of the Esquimalt Village Project, Staff Report No. DEV-11-044

Council discussion ensued on the input received at the public hearing and the following key points were made:

- The community's disapproval of the proposal and a building height of up to 12-storeys is clear;
- There is more need for public involvement and to keep the public well informed on the project; and
- There were no plans to move forward with the project at this time - the bylaw amendments were to allow the municipality to plan for the future.

MOTION: That discussion on amendments to the Official Community Plan Bylaw, 2006, No. 2646 and Zoning Bylaw, 1992, No. 2050 be postponed indefinitely. **MOVED/SECONDED.** Councillor Linge/Councillor Hundleby. **CARRIED UNANIMOUSLY.**

11. **STAFF REPORTS**

Administration

- (1) Recorded Public Input # 2, Staff Report No. ADM-11-029

MOTION: That Council Policy ADMIN-65, Recorded Input be approved. **MOVED/SECONDED.** Councillor Brame/Councillor Hundleby. **CARRIED UNANIMOUSLY.**

Finance

- (2) Initial 2011 Local Grant Distribution, Staff Report No. FIN-11-009

Appointees to the Local Grant Committee noted that there was a large increase in the requests received this year. In addition, Tourism Victoria has requested that Esquimalt become a member and that in the future it should be brought forward through the budget process. Discussion ensued on the allocation of funding to schools and the desire for the distributions to be fair.

MOTION: That Council approve the distribution of \$107,942 for Local Grants as set out in the attached Schedule 1. **MOVED/SECONDED.** Councillor Linge/Councillor Hundleby. **CARRIED UNANIMOUSLY.**

MOTION: That staff bring back a report reviewing Council Policy on Local Grants. **MOVED/SECONDED.** Councillor Gaul/Councillor Brame. **CARRIED UNANIMOUSLY.**

Development Services

- (3) Development Permit, 819 Condor Avenue [Lot 4, Block 20, Section 10, Esquimalt District, Plan 2546], Staff Report No. DEV-11-043

MOTION: That Development Permit No. 01/2011, limiting the form and character of development to that shown on architectural plans provided by McNeil Building Designs Limited, stamped "Received March 9, 2011", and on the landscape plan prepared by Koi Dragon Enterprises Ltd., stamped "Received May 10, 2011", and sited as detailed on the survey plan prepared by Powell and Associates BC Land Surveyors, stamped "Received February 9, 2011", be approved, issued and registered on the title of Lot 4, Block 20, Section 10, Esquimalt District, Plan 2546 [819 Condor Avenue].
MOVED/SECONDED. Councillor Brame/Councillor Hundleby.
CARRIED UNANIMOUSLY.

12. BYLAWS

- (1) Development Approval Procedures Bylaw, 2003, No. 2562, Amendment Bylaw [No. 4], 2011, No. 2762

MOTION: To adopt Development Approval Procedures Bylaw, 2003, No. 2562, Amendment Bylaw [No. 4], 2011, No. 2762.
MOVED/SECONDED. Councillor Linge/Councillor Hundleby.
CARRIED UNANIMOUSLY.

13. MAYOR'S AND COUNCILLORS' REPORTS

- (1) Letter from Councillor Randall Garrison, dated May 12, 2011, Re: Letter of Resignation

Council extended their congratulations to Randall Garrison.

MOTION: To accept Randall Garrison's resignation from Esquimalt Council. MOVED/SECONDED. Councillor Hundleby/Councillor Brame. **CARRIED UNANIMOUSLY.**

- (2) Report from Mayor Barbara Desjardins, Re: Committee Appointments

MOTION: To receive a report from Mayor Barbara Desjardins, Re: Committee Appointments. MOVED/SECONDED. Councillor Hundleby/Councillor Brame. **CARRIED UNANIMOUSLY.**

- (3) Verbal Report from Councillor McIldoon, Re: CRD Arts Committee

Councillor McIldoon wished to review the municipality's funding agreement with the CRD Arts Committee. Mayor Desjardins requested that a written report be forwarded to the Committee of the Whole for discussion.

14.

REPORTS FROM COMMITTEES

- (1) Committee of the Whole Report, May 9, 2011

MOTION: That Council approve the following recommendations from the Committee of the Whole dated May 9, 2011:

1. SAFERhome Standards Society

1. That information on SAFERhome Standards Society be referred to the Access Awareness Committee and the Advisory Planning Commission; and
2. That staff bring back a report to Council on municipal membership to the SAFERhome Standards Society.

2. Revised Terms of Reference – Centennial Celebrations Select Committee, Staff Report No. ADM-11-030

1. That “be thanked” be removed from the revised Policy No. ADMIN – 63, Terms of Reference – Centennial Celebrations Select Committee; and
2. That Council adopt the revised Council Policy No. ADMIN – 63, Terms of Reference – Centennial Celebrations Select Committee as amended.

3. Rezoning Application and Development Permit, 1141 Bewdley Avenue , [Lot 10, Section 11, Esquimalt District, Plan 6077], Staff Report No. DEV-11-039

That the application for rezoning authorizing two single family dwellings and a development permit limiting the form and character of development to that shown on architectural plans provided by Cindy Pflieger stamped “Received March 29, 2011”, and on the landscape plan prepared by Koi Dragon Enterprises Ltd., stamped “Received March 29, 2011”, and sited as detailed on the survey plan prepared Powell and Associates BC Land Surveyors, stamped “Received March 29, 2011”, for the proposed development located at Lot 10, Section 11, Esquimalt District, Plan 6077 [1141 Bewdley Avenue], be forwarded to Council with a recommendation of approval subject to appropriate notification, preparation of amending bylaws and a public hearing being held.

4. Township of Esquimalt Heritage Policy Update, Staff Report No. DEV-11-040

1. That the first two paragraphs under Section 5.5 Subdivision and Rezoning Applications, of the Heritage Policy Update prepared by Donald Luxton & Associates Inc., dated April 2011, be removed and replaced with

5.5.1 Subdivision

All applications for subdivision are reviewed by the Approving Officer, who takes into consideration comments from municipal departments including Development Services, Finance, Parks and Recreation, and Fire.

For subdivision applications, where specific conditions are deemed to be necessary in order to protect the integrity of a heritage resource, they will be listed in the Preliminary Layout Assessment [PLA] so that they can be addressed before the plan of subdivision is approved.

5.5.2 Rezoning

Where an application for rezoning includes heritage considerations, the application will be referred to the Heritage Advisory Committee for comment prior to any approvals being granted. Where specific considerations are necessary to protect the integrity of the heritage resource, they will be included in the staff report to the Committee of the Whole which will also contain any recommendations from the Advisory Planning Commission.

2. That the amended Heritage Policy Update prepared by Donald Luxton & Associates Inc., dated April 2011, be adopted as Council Policy HER-05 and that Policy HER-04-Heritage Policy and Resources Management Plan [1994] be rescinded.

5. Admirals Road Transportation Study, Staff Report No. EPW-11-011

1. That Council approve in principle the Admirals Road Corridor Upgrades Project and authorize this project to proceed subject to receiving funding under UBCM General Strategic Priorities Fund; and
2. That Council receive this for information.

6. Regional Tower Crane Rescue Services Agreement, Staff Report No. FIRE-11-002

That the Corporation of the Township of Esquimalt enter into a Regional Tower Crane Rescue Services Agreement with the Corporation of the District of Saanich and the Corporation of the City of Victoria for a five (5) year term commencing on June 1, 2011.

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

- (2) Memorandum from the Access Awareness Advisory Committee, dated May 12, 2011, Re: Request to Proclaim Access Awareness Day

MOTION: To approve the request to proclaim Access Awareness Day.
MOVED/SECONDED. Councillor Linge/Councillor Gaul. **CARRIED UNANIMOUSLY.**

15. COMMUNICATIONS

MOTION: That Council receive the following communications:

- (1) Letter from Barbara Steel, Union of British Columbia Municipalities, dated April 26, 2011, Re: 2010 Resolutions
- (2) Letter from Ida Chong, Minister of Community, Sport and Cultural Development, dated April 28, 2011, Re: Response to Letter of Congratulations

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

- (3) Letter from Lorne Argyle, dated May 1, 2011, Re: Request for Leave of Absence from Advisory Planning Commission

MOTION: That Council grant Lorne Argyle a leave of absence from the Advisory Planning Commission from June 1 to August 31, 2011.
MOVED/SECONDED. Councillor Brame/Councillor Gaul. **CARRIED UNANIMOUSLY.**

- (4) Letter from Bob McKie and Bill Emery, Buccaneer Days Committee, dated May 6, 2011, Re: 2011 Buccaneer Days Committee Appointments

MOTION: That Council endorse the 2011 Buccaneer Days Committee appointments. MOVED/SECONDED. Councillor Hundleby/Councillor Gaul. **CARRIED UNANIMOUSLY.**

16. PUBLIC QUESTION AND COMMENT PERIOD

Sharon Hewitt, 8-1010 Ellery Street, spoke to the development permit at 819 Condor Avenue. Ms. Hewitt stated that she is in favour of the development but is concerned about the traffic problems that will be caused by additional vehicles in the area.

Muriel Dunn, 1193 Old Esquimalt Rd, noted her concern that community members only attend Council meetings when issues affect them directly. Ms. Dunn raised the question to Council as how to get the community interested in all matters concerning Esquimalt.

17. **ADJOURNMENT**

MOTION: That the Regular Meeting of Council be adjourned at 9:48 p.m. **MOVED/SECONDED.** Councillor Brame/Councillor Hundleby. **CARRIED UNANIMOUSLY.**

MAYOR OF THE CORPORATION OF THE
TOWNSHIP OF ESQUIMALT
THIS 20th DAY OF JUNE, 2011

CERTIFIED CORRECT:

LAURIE HURST
DEPUTY CORPORATE ADMINISTRATOR