



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

**MINUTES
REGULAR MEETING
OF MUNICIPAL COUNCIL
MONDAY, JUNE 20, 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
Jeff Miller, Director of Engineering and Public Works
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**

Pertaining Agenda Item 12. (2) Letter from John Shaw, Seaspan Shipyards, dated May 16, 2011, Re: National Shipbuilding Procurement Strategy

- Copy of Letter from Darrell Mussatto, Mayor, City of North Vancouver, dated June 17, 2011, Re: Request for Resolution from the Metro Vancouver Board on June 24, 2011 in support of Seaspan Shipyards' bid on the National Shipbuilding Strategy
- Draft Resolution to support Seaspan Shipyards' bid to the National Shipbuilding Procurement Strategy

3. **APPROVAL OF THE AGENDA**

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

4. **MINUTES**

(1) Minutes of the Regular Meeting of Council, May 16, 2011

Amendments to Minutes:

- Item 4. (2) Amendments to Minutes Item 10 (4) that the Mover be changed from Councillor Brame to be Councillor Hundleby.
- Item 9, Public Hearing, that the speaker Tom Cond, 1158 Esquimalt Road, be corrected to Tony Cond, 1158 Esquimalt Road.

MOTION: That the Minutes of the Regular Meeting of Council, May 16, 2011 be approved as circulated. **MOVED/SECONDED.** Councillor Hundleby/Councillor Linge. **CARRIED UNANIMOUSLY.**

5. **PRESENTATIONS**

(1) Marlene Lagoa, Capital Regional District EcoStar Awards

Ms. Lagoa introduced the winner of the Capital Regional District EcoStar Award for Community Environmental Leader, Mr. Mark F. Salter. A CRD promotional video was presented which highlighted Mr. Salter's leadership in establishing the first community garden in Esquimalt.

Mayor Desjardins welcomed Mr. Salter to come forward and speak to

Council. Mr. Salter thanked Mayor, Council and Staff for their support and gave a short overview of future plans to expand community gardens in the municipality.

6. PUBLIC INPUT

Mayor Desjardins informed the public that input with regards to the Esquimalt Village Project Bylaw Amendments, which have been the subject of a Public Hearing, cannot be raised during this public input period.

Muriel Dunn, 1193 Old Esquimalt Road, asked whether the decision to demolish the Old Municipal Hall could be postponed until more information was available on the Esquimalt Village Project.

Don Dashney, 1142 Lockley Road, raised his concerns about the blind corner on Lockley Road when turning left onto Admirals Road as well as speeding that occurs on Lockley from motorists that are avoiding the new intersection at Admirals and Colville Road. Mr. Dashney suggested that the shrubs be trimmed back in order to improve visibility at the corner.

Chris Moerike, President of the Esquimalt Baseball Association, thanked the Mayor, Council and the Township of Esquimalt for their continued support and referred to the presentation of the Citizen's award to Tony Bendall and Esquimalt Park's Turf and Tree Crew as well as a signed baseball to Mayor Desjardins.

Terry Prentice, 1297 Rockcrest Avenue, noted that previous councils agreed on the unsatisfactory condition of the old Municipal Hall and that it cannot be renovated. Mr. Prentice reminded Council that it already made a decision to demolish the building when it placed a call for tenders. Mr. Prentice urged Council to unanimously vote to proceed with the demolition.

Dale Wood, 1174 Greenwood Avenue, commented on Staff Report No. ADM-11-036, Esquimalt Village Project – Amendments to OCP and Zoning Bylaws. Mr. Wood referred Council to the motion that discussion on the bylaw amendments be postponed indefinitely and that it was carried unanimously. Mr. Wood noted that parliamentary procedure indicated that in such a case the whole process would have to start over. Mr. Wood stated that Council is compromising the process.

Paul Gilbert, 520 Comerford Street, indicated that the issues of the demolition of the old Municipal Hall and the Esquimalt Village Project cannot be separated. Mayor Desjardins reminded the speaker that public input on the Esquimalt Village Project can not be heard.

7. DELEGATIONS

- (1) Peter Such, Victoria College of Art, Alternatives to Demolition of Old Municipal Hall and Suggest Economically Viable Restoration Strategies

Mr. Such proposed to Council that they partner with the Victoria College of Art to preserve and renovate the Old Municipal Hall. Mr. Such noted that 10 years earlier the College and municipality were in negotiations for the College to use the building.

Mr. Such indicated he would acquire funding to reconstruct the building in addition to the College offering an educational program which will allow 300 students to work on the project. Mr. Such reminded Council that the Old Municipal Hall will be a lost to future generations should the building be demolished.

- (2) Colin MacLock, Reasons to Save the Only Municipally Owned Heritage Building – The Old Town Hall

Mr. MacLock stated that culture and heritage goes hand in hand. He noted that he took up the challenge of bringing new industry into Esquimalt 12 years ago, which had been the arts, and that it is still ongoing. Mr. MacLock reminded Council that the restoration of the Old Municipal Hall would be of no cost to the Municipality and that they should not reject the Victoria College of Art's offer.

8. OTHER BUSINESS

MOTION: To receive the following communications:

- (1) Letter from the Heritage Advisory Committee, dated May 19, 2011, Re: Demolition of Old City Hall
- (2) Letter from the Victoria College of Art, received June 7, 2011, Re: Tenders on Demolition of Old Town Hall

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

9. STAFF REPORTS

Development Services

- (1) Information Relating to the Old Municipal Hall Site, Staff Report No. DEV-11-048

Council discussion ensued on the state of the Old Municipal Hall site, the importance of heritage and the costs associated with upgrading the site. It was noted that input from the public on preserving the building only surfaced late in the process.

MOTION: To receive the Information Relating to the Old Municipal

Hall Site, Staff Report No. DEV-11-048. **MOVED/SECONDED.** Councillor Brame/Councillor Hundleby. **CARRIED** (Mayor Desjardins, Councillors Hundleby, Gaul, Linge and Brame in favour; Councillor McIldoon opposed).

Engineering and Public Works

(2) Tender Recommendations for Municipal Structures Deconstruction Project, Staff Report No. EPW-11-015

Council discussion ensued on the process of removing the Old Municipal Hall from the demolition tender, the municipality's responsibility to remediate the brownfield site, uncertainty that funding will be available for renovations and the cost of the Old Municipal Hall building remaining empty.

MOTION: To cancel the Deconstruction Project Tender and delay the Project until 2012. **MOVED/SECONDED.** Councillor Hundleby/Councillor Gaul. **DEFEATED** (Councillors Gaul, McIldoon and Hundleby in favour; Mayor Desjardins, Councillors Linge and Brame opposed).

MOTION:

1. That Council award the contract for the Municipal Structures Deconstruction Project to H.L. Demolition and Waste Management Ltd. at cost of \$346,848.00 (not including HST); and
 2. That Council approves the implementation of Option 1 with the additional funds being received from the Capital Project Reserve.
- MOVED/SECONDED.** Councillor Brame/Councillor Linge.

MOTION: To postpone the recommendation before Council to the next meeting. **MOVED/SECONDED.** Councillor Gaul/Councillor McIldoon. **DEFEATED** (Councillors Hundleby, Gaul and McIldoon in favour; Mayor Desjardins, Councillors Linge and Brame opposed).

Mayor Desjardins called a vote on the main motion.

CARRIED (Mayor Desjardins, Councillors Hundleby, Linge and Brame in favour; Councillors Gaul and McIldoon opposed).

RECESS Council took a short recess at 8:45 p.m.

RECONVENE Council reconvened the meeting at 8:55 p.m.

Administration

(3) Liquor Licensing Application Process, Staff Report No. ADM-11-031

MOTION: To receive for information the 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 Licence and Relocation Applications. MOVED/SECONDED. Councillor Brame/Councillor Linge. **CARRIED UNANIMOUSLY.**

(4) By-election, Staff Report No. ADM-11-032

MOTION: That a by-election not be held to fill the vacancy on Council. MOVED/SECONDED. Councillor Hundleby/Councillor Gaul. **CARRIED UNANIMOUSLY.**

(5) Esquimalt Village Project – Amendments to OCP and Zoning Bylaws, Staff Report No. ADM-11-036

Council discussion ensued on the motion of May 16, 2011 to indefinitely postpone discussions on the amendments to the Official Community Plan Bylaw, 2006 No. 2646 and Zoning Bylaw, 1992, No 2050. Staff provided clarification on parliamentary and public hearing procedures.

Councillor Linge stated that the original intention of the motion was to allow any future Council to bring forward a new public hearing based on the material originally submitted, including information from the first public hearing, before making a decision.

Council members expressed a desire to be able to receive more information from the public on the Esquimalt Village Project bylaw amendments.

MOTION: That staff bring back a report with appropriate wording for a referendum question regarding the Esquimalt Village Project. MOVED/SECONDED. Councillor Brame/Councillor Gaul. **CARRIED** (Councillors Hundleby, Linge, Gaul, Brame and McIldoon in favour; Mayor Desjardins opposed).

MOTION: That staff prepare a report regarding the proper process for Council to allow them to receive further input on the Esquimalt Village Plan bylaw amendments until a decision is made and implications that holding a referendum has on the public input process. MOVED/SECONDED. Councillor Gaul/Councillor Brame. **CARRIED UNANIMOUSLY.**

Finance

(6) 2010 Financial Results vs 2010 Budget, Staff Report No. FIN-11-015

MOTION: That receive the 2010 Financial Results vs 2010 Budget, Staff Report No. FIN-11-015. MOVED/SECONDED. Councillor Hundleby/Councillor Brame. **CARRIED UNANIMOUSLY.**

(7) Audited Financial Statements, Staff Report No. FIN-11-016

MOTION: That Council approve the Township's audited financial statements for the year ended December 31, 2010. **MOVED/SECONDED.** Councillor Hundleby/Councillor McIldoon. **CARRIED UNANIMOUSLY.**

(8) Council Policy No. ADMIN – 29 – Local Grants – Esquimalt Community School, Staff Report No. FIN-11-017

Trevor Mackenzie, representative of the Esquimalt High School basketball team, addressed Council. Mr. Mackenzie requested a \$1500 grant to cover the basketball team's expenses for tournaments, travel and equipment. He noted that the other school teams were aware and supportive of the basketball team's request for half of the \$3000 allocated funding for Esquimalt High's athletic programs.

MOTION: That upon a presentation to Council by a representative of the Esquimalt High School basketball team, Council approve a local grant request in the amount of \$1,500.00 under the Council Policy Local Grants – Esquimalt Community School No. ADMIN – 29, Athletic Program section. **MOVED/SECONDED.** Councillor Brame/Councillor Hundleby. **CARRIED UNANIMOUSLY.**

Development Services

(9) Rezoning Application and Development Permit, 1141 Bewdley Avenue [Lot 10, Section 11, Esquimalt District, Plan 6077], Staff Report No. DEV-11-045

MOTION:

1. That Bylaw No. 2765, which would amend Zoning Bylaw, 1992, No. 2050 by changing the zoning designation of Lot 10, Section 11, Esquimalt District, Plan 6077 [1141 Bewdley Avenue] shown cross-hatched on Schedule 'A', attached hereto, from RD-3 [Two Family /Single Family Residential] to CD No. 79 [Comprehensive Development District No. 79], 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 Cindy Pflieger, stamped "Received March 29, 2011", the landscape plan prepared by Koi Dragon Enterprises Ltd., stamped "Received March 29, 2011", and sited as detailed on the survey plan prepared by Powell and Associates BC Land Surveyors stamped "Received March 29, 2011", be returned to Council for consideration.

MOVED/SECONDED. Councillor Linge/Councillor Brame.

CARRIED (Mayor Desjardins, Councillors Hundleby, Linge, Gaul and Brame in favour; Councillor McIldoon opposed).

- (10) Amendment to Zoning Bylaw for Height of Fences Abutting the E & N Right-Of-Way, Staff Report No. DEV-11-047

MOTION: That Bylaw No. 2766, which would amend Section 22 of Zoning Bylaw No. 2050 to permit fences with heights greater than normally permitted for properties immediately adjacent to the north side of the E & N right of way, be considered for first and second reading. **MOVED/SECONDED.** Councillor Brame/Councillor Hundleby. **CARRIED UNANIMOUSLY.**

- (11) Additions to the Community Heritage Register, Staff Report No. DEV-11-049

MOTION:

That the following properties be added to the Esquimalt Community Heritage Register:

- Work Point Guard House
- 1214 Old Esquimalt Road
- #3 - 704 Rockheights Avenue
- 1209 Lyall Street

Buildings Previously Designated by Bylaw

- 649 Admirals Road - "Peter N. Cotton House" "Trafalgar"
- 1379 Esquimalt Road - ** St. Paul's Anglican Church
- 1388 Esquimalt Road - "Devon Cottage"
- 622 Head Street - "Trafalgar House"
- 657 Lampson Street - "Windford"
- 670 Lampson Street- Lampson Street School
- 727 Lampson Street
- 1179 Munro Street - "Stonehenge Park"
- 706 Warder Place (previously 1182 Old Esquimalt Road) – "Lyndhurst"
- 851 Wollaston Street
- 901 Wollaston Street (previously 572 Head Street) – "Seascape"
- 1221 Old Esquimalt Road.

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

10.

MAYOR'S AND COUNCILLORS' REPORTS

- (1) Report from Mayor Desjardins, Re: Rainbow Kitchen

Mayor Desjardins spoke to her report and stated:

- The Rainbow Kitchen is in desperate need of volunteers.
- Mayor Desjardins volunteered at the Rainbow Kitchen and believed it was an eye opening experience as to the need that exists in the community.

- The Kitchen is experiencing constant growth with more people coming in all the time.
- The Kitchen is always looking for more funding.
- The Kitchen is one of the only organizations in Victoria that provide fresh fruit and vegetables and offer a vegetarian meal.
- The Rainbow Kitchen is unsure how long they will be able to remain at the church they are in and are looking for ideas on possible locations for the future.

MOTION: To receive a Report from Mayor Desjardins, Re: Rainbow Kitchen. MOVED/SECONDED. Councillor Gaul/Councillor Hundleby. **CARRIED UNANIMOUSLY.**

- (2) Report from Councillor Hundleby, Re: Report from Halifax FCM Conference June 3 – 6, 2011

MOTION: To receive a Report from Councillor Hundleby, Re: Report from Halifax FCM Conference June 3-6, 2011. MOVED/SECONDED. Councillor Hundleby/Councillor Linge. **CARRIED UNANIMOUSLY.**

11.

REPORTS FROM COMMITTEES

- (1) Committee of the Whole Report, June 13, 2011

MOTION:

That Council approves the following recommendations from the Committee of the Whole Report, June 13, 2011.

1. **Letter from the Greater Victoria Harbour Authority, dated April 20, 2011, Re: Ogden Point Shore Power Feasibility Study**

That the letter from the Greater Victoria Harbour Authority, dated April 20, 2011, Re: Ogden Point Shore Power Feasibility Study, be received.

2. **Gas Tax Agreement Funding – Regionally Significant Projects Grant, Staff Report No. FIN-11-011**

That Gas Tax Agreement Funding – Regionally Significant Projects Grant, Staff Report No. Fin-11-011, be received for information.

3. **Update on Surplus Funds from Phase 2 – Craigflower Road Corridor Upgrades, Staff Report No. EPW-11-013**

- (1) That Council approve and authorize Staff finalize the funding agreement with Union of British Columbia Municipalities (UBCM); and
- (2) That Council approve and authorize Staff to develop a scope of work for the Project and proceed with the design and construction of the

4. Tender Recommendation for the Operation of Yard and Garden Waste Disposal Facility, Staff Report No. EPW-11-014

- (1) That Council award the contract for the operation of the Yard and Garden Waste Disposal Facility and the associated composting activities to Ellice Recycle Ltd. under a five year contract; and
- (2) That Council direct Staff to proceed with executing the Cost Sharing Agreement with View Royal for this Contract.

5. Development Permit, 876 / 878 Lampson Street, [Lot 16, Block 6, Section 10, Esquimalt District, Plan 2546] Staff Report No. DEV-11-046

That the application for a Development Permit, limiting the form and character of development to that shown on architectural plans provided by Victoria Design Group, stamped "Received May 5, 2011", and on the landscape plan prepared by Duane Ensign Landscape Design, stamped "Received June 8, 2011", and sited as detailed on the site plan prepared by Powell and Associates BC Land Surveyors shown integrated with architectural plans, for the proposed development located at Lot 16, Block 6, Section 10, Esquimalt District, Plan 2546 [876/878 Lampson Street], be forwarded to Council with a recommendation of approval subject to staff completing appropriate notification and returning Development Permit No. 13/2010 to Council for consideration.

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

- (2) Adopted minutes from the Centennial Celebrations Select Committee meeting, April 5, 2011

MOTION: To receive adopted minutes from the Centennial Celebrations Select Committee meeting, April 5, 2011. **MOVED/SECONDED. Councillor Linge/Councillor Brame. CARRIED UNANIMOUSLY.**

- (3) Adopted minutes from the Heritage Advisory Committee meeting, April 20, 2011

MOTION: To receive adopted minutes from the Heritage Advisory Committee meeting, April 20, 2011. **MOVED/SECONDED. Councillor Brame/Councillor Gaul. CARRIED UNANIMOUSLY.**

- (4) Adopted minutes from the Centennial Celebrations Select Committee meeting, April 26, 2011

MOTION: To receive adopted minutes from the Centennial Celebrations Select Committee meeting, April 26, 2011. MOVED/SECONDED. Councillor Linge/Councillor Brame. **CARRIED UNANIMOUSLY.**

- (5) Adopted minutes from the Environmental Advisory Committee meeting, April 28, 2011

MOTION: To receive adopted minutes from the Environmental Advisory Committee meeting, April 28, 2011. MOVED/SECONDED. Councillor Gaul/Councillor Brame. **CARRIED UNANIMOUSLY.**

- (6) Draft minutes from the Arts, Culture and Special Events Advisory Committee meeting, May 4, 2011

MOTION: To receive Draft minutes from the Arts, Culture and Special Events Advisory Committee meeting, May 4, 2011. MOVED/SECONDED. Councillor Brame/Hundleby. **CARRIED UNANIMOUSLY.**

MOTION: That the Regular Meeting of Council be extended by 15 minutes. MOVED/SECONDED. Councillor Hundleby/Councillor Brame. **CARRIED** (Councillors Hundleby, Gaul, Brame, McIldoon and Mayor Desjardins in favour; Councillor Linge opposed).

- (7) Adopted minutes from the Access Awareness Advisory Committee meeting, May 11, 2011

MOTION: To receive Adopted minutes from the Access Awareness Advisory Committee meeting, May 11, 2011. MOVED/SECONDED. Councillor Linge/Councillor Brame. **CARRIED UNANIMOUSLY.**

- (8) Draft minutes from the Environmental Advisory Committee meeting, May 26, 2011

MOTION: To receive Draft minutes from the Environmental Advisory Committee meeting, May 26, 2011. MOVED/SECONDED. Councillor Hundleby/Councillor Brame. **CARRIED UNANIMOUSLY.**

- (9) Memorandum from the Access Awareness Advisory Committee, dated June 7, 2011, Re: Access Awareness Advisory Committee Accomplishments in 2010

MOTION: To receive a Memorandum from the Access Awareness Advisory Committee, dated June 7, 2011, Re: Access Awareness Advisory Committee Accomplishments in 2010. MOVED/SECONDED. Councillor Hundleby/Councillor Brame. **CARRIED UNANIMOUSLY.**

12.

COMMUNICATIONS

MOTION: That Council receive the following communications:

- (1) Letter from the Robert G Woodland, City of Victoria, dated May 12, 2011, Re: Prohibiting the Sale of Unsterilized Rabbits
- (3) Letter from Patrick Simpson, SAFERhome Society, dated May 19, 2011, Re: SAFERhome Presentation to Council – May 9, 2011

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

Councillor McIlldoon declared a conflict of interest due to the nature of his employment and left Council Chambers at 10:02 p.m.

- (2) Letter from John Shaw, Seaspan Shipyards, dated May 16, 2011, Re: National Shipbuilding Procurement Strategy

MOTION: That the Township of Esquimalt express its strong support for the British Columbia Shipbuilding industry and that based on the significant economic benefit at stake, the Honourable Christy Clark, Premier of British Columbia be encouraged to continue to actively support Seaspan Shipyards' bid to the National Shipbuilding Procurement Strategy. MOVED/SECONDED. Councillor Linge/Councillor Brame. **CARRIED UNANIMOUSLY.**

Councillor McIlldoon returned to Council Chambers at 10:05 p.m.

- (4) Letter from Judith Morton, received May 19, 2011, Re: Squirrel Population in Esquimalt

MOTION: To refer the Letter from Judith Morton, received May 19, 2011, Re: Squirrel Population in Esquimalt to the Parks and Recreation Advisory Committee. MOVED/SECONDED. Councillor Gaul/Councillor Linge. **CARRIED UNANIMOUSLY.**

13.

PUBLIC QUESTION AND COMMENT PERIOD

Paul Gilbert, 540 Comerford Street, commented on the 3 to 3 vote. Mayor Desjardins clarified that a tie vote means that the motion does not pass.

Christine Cunnigham, 512 Fraser Street, noted her approval of a possible referendum on the Esquimalt Village Project.

Emmy Labonte, 873 Dunsmuir Road, voiced her dissatisfaction with Council's decision to demolish the Old Municipal Building on the eve of Esquimalt's 100th year anniversary.

Jim Hesketh, 1207 Carlisle Street, noted his satisfaction with the possible referendum question on the Esquimalt Village Project and

asked that there be multiple questions asked on the ballot.

14. ADJOURNMENT

MOTION: That the Regular Meeting of Council be adjourned at 10:15 p.m. **MOVED/SECONDED.** Councillor Brame/Councillor Hundleby. **CARRIED UNANIMOUSLY.**

MAYOR OF THE CORPORATION OF THE
TOWNSHIP OF ESQUIMALT
THIS 4th DAY OF JULY, 2011

CERTIFIED CORRECT:

LAURIE HURST
DEPUTY CORPORATE ADMINISTRATOR