



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

**MINUTES
REGULAR MEETING
OF MUNICIPAL COUNCIL
MONDAY, OCTOBER 3, 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
Will Wieler, Engineering Manager
Pat Mulcahy, Manager of Human Resources
Anja Nurvo, Manager of Corporate Services
Marlene Lagoa, Sustainability Coordinator [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.

Mayor Desjardins announced that:

- October 1st marked the First National Seniors Day.
- Uganda delegates John Halani, Honorary Consul, Consulate of Uganda, and Ambassador George Marino Abola, High Commissioner, Uganda High Commission, visited Municipal Hall to view the Coast Salish "Peace" Mural.
- The Esquimalt Centennial 2012 Kick-Off Event would be taking place on October 8th.

3. **APPROVAL OF THE AGENDA**

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

4. **MINUTES**

(1) Minutes of the Special Meeting of Council, September 12, 2011

MOTION: That the Minutes of the Special Meeting of Council, September 12, 2011 be approved as circulated. MOVED/SECONDED. Councillor Hundleby/Councillor Gaul. **CARRIED UNANIMOUSLY.**

5. **PUBLIC INPUT**

Mayor Desjardins noted that Esquimalt Council valued public input and recommended that residents use the Esquimalt website to submit their questions on agenda items to Council and staff before the meeting so that it can be addressed in a timely manner.

Rod Lavergne, resident, stated his concerns with Esquimalt's Permissive Tax Exemptions. He asked Council to review Permissive Tax Exemptions. He also asked that Council not increase property taxes.

Terry Prentice, resident, requested that the full Council agenda package should be made available online. In regards to the regulation on feeding of squirrels, he suggested that the regulations should state that a person or household can be ticketed for putting out food or not cleaning up their property.

Muriel Dunn, resident, stated that five banner holders on Craigflower Road were not enough and asked that a banner not be placed in the same area as the flashing speed sign. She also asked that the banner holders be lit, and for a welcome sign on Arm Street. She also believed that the full Council Agenda should be available online.

John Noyes, resident, noted there was some confusion with the east and west location of the signs in the staff report. He believed that the welcome sign on the west entrance was a good idea and that there is room for the sign to be installed at the east entrance on the south side of Craigflower Road. He agreed that five banner holders on Craigflower Road was not enough, and suggested that staff look at installing ten banner poles. He noted that if the Craigflower banners were to be consistent with Esquimalt Road that the banner holders should be lit. He also disagreed with having a banner in the same area as the speed meter.

Dave Hodgins, resident, agreed the welcome sign on the west side of Admirals Road was a great idea, and that a similar sign was needed at Arm Street. He believed it was important that people understand when they are in Esquimalt.

6. DELEGATIONS

- (1) Lisa and Russell Gelling, Enforcement Issues: Tree Protection Bylaw and 875 Phoenix Street

Russell Gelling, resident, distributed a letter along with photos to members of Council, stating the following concerns regarding enforcement issues of Esquimalt's Tree Protection Bylaw:

- The poplar tree located on 869 Phoenix Street, which is the largest tree on the block, is endangered;
- The improvements proposed for 875 Phoenix Street such as additional trees and landscaping improvements were not completed prior to the property being sold;
- Photos present a view of the lot over the years including a rusted truck, a toilet and couch;
- The developer's action has resulted in exposing the tree roots;
- The municipality has not done anything to enforce the Tree Protection Bylaw in this situation.

He stated that an agreement was signed to remove the poplar tree on his property; however doing so would kill his cedar tree. He requested that the municipality take action to resolve this issue.

7. STAFF REPORTS

Administration

- (1) Council Remuneration Bylaw, Staff Report No ADM-11-046

Council discussed the proposed amendments to the Council

Remuneration Bylaw and the following points were raised:

- The need for a policy which outlines a review process for Council remuneration on an ongoing basis;
- Whether to reduce Council remuneration should the Victoria Consumer Price Index drop below zero;
- Council remuneration still being lower compared to other municipalities, and being a deterrent for those who may want to run for Council; and
- Acknowledgment of the hard work and process that was followed by the Special Committee to Review Council Remuneration.

MOTION: That the Council of the Corporation of the Township of Esquimalt gives 1st, 2nd and 3rd reading to the Council Remuneration Bylaw, 2011, No. 2778. **MOVED/SECONDED.** Councillor Linge/Councillor Gaul. **CARRIED** (Mayor Desjardins, Councillors Linge, Gaul and Brame in favour; Councillors Hundleby and McIlldoon opposed).

Finance

(2) Permissive Exemptions 2012, Staff Report No FIN-11-037

Council discussion ensued on the 2012 Permissive Tax Exemption Committee's recommendations and the following points were raised:

- Changes to wording in the policy and the number of members on the committee needs to be reviewed at a future meeting of Committee on the Whole;
- Possibility of the municipality granting permissive tax exemption for only a portion of the applicant's property taxes;
- That the finances and operations of applicants should be scrutinized in greater detail, and other ways for the municipality to show support for community services be reviewed;
- Suggestion that tax exemptions be granted for a period of only one year;
- That Council should examine which organizations receive both a permissive tax exemption and a local grant and if they should be eligible to receive both.

MOTION: That the Council of the Corporation of the Township of Esquimalt:

1. Approves the 2012 Permissive Tax Exemptions set out in Staff Report No. FIN-11-037; and
2. Gives 1st, 2nd and 3rd reading to the Tax Exemption (Non-Profit Organizations) Bylaw, 2011, No. 2776.

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

- (3) Mileage Reimbursement for Council Members, Staff Report No. FIN-11-038

Mayor Desjardins noted that the staff report was to provide further clarification on mileage reimbursement.

MOTION: That the Council of the Corporation of the Township of Esquimalt approves the revisions to policy ADMIN -13 Car Allowance – Municipal Staff and Elected Officials as set out in Report No: FIN-11-038. **MOVED/SECONDED.** Councillor Brame/Councillor Hundleby. **CARRIED UNANIMOUSLY.**

Engineering and Public Works

- (4) Craigflower Road Banner Holders and Welcome Signs Update, Staff Report No EPW-11-022

Mayor Desjardins suggested that the issue of banner holders and welcome signs be discussed separately.

The Engineering Manager noted there was a correction in the staff report for the location of the welcome signs.

Council discussion ensued on the number and type of banner holders to be installed on Craigflower Road and the following points were raised:

- There are minimal cost savings in ordering a larger quantity of banner holders;
- The banner holders with lighting would only light the banners and are not relied on to light the roadway;
- Christmas lights can only be affixed to banner holders which already have lighting capacity;
- The traffic islands on Phase I of the Craigflower Road Upgrade do not have electricity and therefore staff recommends that banner holders in the area not include lighting due to extra costs;
- Concerns were raised about the cost of having banner holders which are consistent with Esquimalt Road, and that a plan with budget implications should be completed before a decision is made;
- The traffic island with the speed board already has an electricity source for lighting; however, there is little interest in moving the board;
- Overhead lighting of the banner holders would cost \$3,000 each whereas going underground would cost \$6,000;
- Suggestion that the installation of 8 banner holders with lighting be considered at a cost of \$15,000 each.

MOTION: That a report come back to Council considering a further three (3) locations to install a total of eight (8) decorative banner holders with overhead lighting capacity. **MOVED/SECONDED.** Councillor McIlldoon/Councillor Brame.

MOTION: To amend the motion by removing the words ‘that a report come back to Council considering a further three (3) locations to install a total of eight (8) decorative banner holders with overhead lighting capacity’ and adding ‘that Council approve the purchase and installation of five (5) decorative banner holders with overhead lighting capacity at the locations determined and proceed in the 2011 Budget year (Option 3)’. **MOVED/SECONDED.** Councillor Brame/Councillor Hundleby. **CARRIED** (Mayor Desjardins, Councillors Linge, Hundleby, McIlldoon and Brame in favour; Councillor Gaul opposed).

A vote was taken on the main motion as amended, with the final wording being as follows:

MOTION: That Council approve the purchase and installation of five (5) decorative banner holders with overhead lighting capacity at the locations determined and proceed in the 2011 Budget year (Option 3). **CARRIED** (Mayor Desjardins, Councillors Linge, Hundleby, and McIlldoon in favour; Councillors Gaul and Brame opposed).

MOTION: That Council direct staff to review possibilities for including additional banner holders with lighting on Craigflower Road for 2012 budget discussions. **MOVED/SECONDED.** Councillor Hundleby/Councillor Gaul. **CARRIED UNANIMOUSLY.**

Council discussion ensued on the location of the welcome signs and staff noted that the relocation of the signs would not impact sightlines.

MOTION: That the east “Welcome to Esquimalt” sign along the Craigflower Road corridor be mounted on a decorative pole complete with an overhead light at its current location (Option 7). **MOVED/SECONDED.** Councillor McIlldoon/Councillor Hundleby. **CARRIED** (Councillors Linge, Hundleby, McIlldoon, Gaul and Brame in favour; Mayor Desjardins opposed).

MOTION: That Council approve the following:

- That the west “Welcome to Esquimalt” sign along the Craigflower Road corridor be relocated to the ground level (Option 6);
- That the existing “Welcome to Esquimalt” signs be retained as is (Option 10); and
- That funding be reallocated from the Accumulated Surplus account to this capital project (Option A):
 - \$35,000 for upgrades to “Welcome to Esquimalt” signs:
 - \$18,000 for West entrance sign relocation (Option 6)
 - \$17,000 for East entrance sign relocation (Option 7)

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

MOTION: That funding be reallocated from the Accumulated Surplus account to this capital project (Option A): \$75,000 for decorative banner holders with overhead lighting capacity (Option 3).

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

RECESS The Regular Meeting of Council recessed at 8:35 p.m.

RECONVENE The Regular Meeting of Council reconvened at 8:42 p.m.

Development Services

(5) Hazmat Assessments for Renovations and Demolitions, Staff Report No. DEV-11-080

MOTION: That Hazmat Assessments for Renovations and Demolitions, Staff Report No. DEV-11-080 be received for information. MOVED/SECONDED. Councillor Hundleby/Councillor Brame.
CARRIED UNANIMOUSLY.

(6) Regulations Regarding the Feeding of Squirrels, Staff Report No. DEV-11-081

The Director of Development Services noted that the BC Ministry of Environment had an interest in municipalities regulating the feeding of squirrels and therefore ministerial approval is required before any bylaw is adopted.

Council discussion on regulating the feeding of squirrels ensued and the following points were raised:

- That the Province will take about six weeks to review the bylaw amendment;
- That the bylaw should prohibit the feeding by an individual person or household;
- Concerns were raised about the ability of such a bylaw to be enforced; and
- The possibility of also adding deer to the bylaw amendment.

MOTION: Provided that the appropriate approvals have been obtained from the Ministry of Environment, that bylaws to amend Maintenance of Property Bylaw No. 2180 and Ticket Information Utilization Bylaw No. 2619 be drafted and returned to the October 17th meeting for consideration of 1st, 2nd, and 3rd readings. MOVED/SECONDED. Councillor Brame/Councillor Hundleby. **CARRIED UNANIMOUSLY.**

MOTION: That Regulations Regarding the Feeding of Squirrels, Staff Report No. DEV-11-081 be referred to the Parks and Recreation Advisory Committee and Environmental Advisory Committee for further input on developing education and signage around the feeding of wildlife. MOVED/SECONDED. Councillor Hundleby/Councillor Brame.
CARRIED UNANIMOUSLY.

- (7) Development Permit, 1149 Esquimalt Road, [Lot A, Section 11, Esquimalt District, Plan 42081], Staff Report No. DEV-11-082

The Director of Development Services noted that the staff report included the same information that went forward to Committee of the Whole, with the addition of information clarifying the availability of parking spots for the new business.

MOTION: That Development Permit No. 04/2011, limiting the form and character of development to that shown on architectural plans provided by Kneider International Architecture and Interior Design, stamped "Received July 14, 2011", and on the sign plans prepared by Enseignes Pattison Sign Group, stamped "Received July 14, 2011", for the proposed tenant improvements and signage located at Lot A, Section 11, Esquimalt District, Plan 42081 [1149 Esquimalt Road], be approved, issued and registered on the title of Lot A, Section 11, Esquimalt District, Plan 42081 [1149 Esquimalt Road]. MOVED/SECONDED. Councillor Linge/Mayor Desjardins. **CARRIED UNANIMOUSLY.**

Councillor Gaul declared a conflict of interest with the upcoming Agenda item and left the meeting at 8:58 p.m.

- (8) OCP Amendment and Rezoning Application, 1037 Lyall Street [Lot B, Section 11, Esquimalt District, Plan VIP17210], 1039 Lyall Street [Lot A, Section 11, Esquimalt District, Plan VIP17210], Staff Report No. DEV-11-083

The Director of Development Services confirmed that the landscaped area would be irrigated.

MOTION:

1. That Bylaw No. 2773, which would amend Official Community Plan Bylaw, 2006, No. 2646 by changing the land use designation of Lot B, Section 11, Esquimalt District, Plan VIP17210 [1037 Lyall Street] and Lot A, Section 11, Esquimalt District, Plan VIP17210 [1039 Lyall Street] shown cross-hatched on Schedule 'A', attached hereto, from Single and Two Unit Residential to Institutional, be given 1st and 2nd reading; and
2. That Bylaw No. 2768, which would amend Zoning Bylaw, 1992, No. 2050 by changing the zoning designation of Lot B, Section 11, Esquimalt District, Plan VIP17210 [1037 Lyall Street] and Lot A, Section 11, Esquimalt District, Plan VIP17210 [1039 Lyall Street] shown cross-hatched on Schedule 'A', attached hereto, from RS-1 [Single Family Residential] and P-1 [Public/ Institutional] respectively to P-5 [Community Care Facility], be given 1st and 2nd reading; and
3. That a Public Hearing be scheduled.

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

Councillor Gaul returned to the meeting at 8:59 p.m.

- (9) Bylaw No. 2775 – Amendments to the Building Code Bylaw, Staff Report No. DEV-11-084

The Director of Development Services noted that the amendment to make new homes solar hot water ready was regulated by the Province, and currently only refers to single family dwellings.

MOTION: That Building Code Bylaw, 2002, No. 2538, Amendment Bylaw [No. 6], 2011, No. 2775 be given 1st, 2nd, and 3rd reading. MOVED/SECONDED. Councillor Hundleby/Councillor Brame. **CARRIED UNANIMOUSLY.**

8. MAYOR'S AND COUNCILLORS' REPORTS

There were no reports.

9. PUBLIC QUESTION AND COMMENT PERIOD

Dave Hodgins, resident, expressed his appreciation that something was being done about the squirrels and asked that something also be done about the feeding of rats. He was happy about the decision to have banners on Craigflower and asked if a bylaw can prohibit the 'tire' planters on Tillicum Road. Mr. Hodgins, on behalf of the Esquimalt Residents' Associations, expressed thanks to the keynote speaker Councillor Gaul at their Annual General Meeting, and the staff at the Sports Centre for helping with the set up.

Terry Prentice, resident, noted that earlier in the meeting the Mayor suggested that people send in their questions to staff through the municipal website. He suggested that members of Council also send their questions to members of staff seeking clarification before Monday meetings.

Rod Lavergne, resident, noted his concern with what was being discussed at In Camera Council meetings. He noted that a presentation by Sequel Integrated Resource Management & Chief Russell Chipps of Beecher Bay Band was made to Esquimalt Council at an In Camera meeting and later that night at an open meeting of Council in Colwood.

Tim Morrison, resident, noted his support for the full Council Agenda package being more accessible to the public. He noted that a lot of people in the community are having problems with picking up a package and asked that Council retract the rule of Agenda packages only being available for pick up in hard copy.

Rod Lavergne, resident, noted that the decision for the tire planters was made during Mr. Breen's time on the Parks and Recreation Commission. Mr. Lavergne also shared that a Smart Meter has been installed on his home and that his cancer is currently in remission.

Emmy Labonte, resident, asked that Council consider how much permissive tax exemption applicants pay their staff before providing a grant. Ms. Labonte was annoyed that there is going to be another Money Mart in Esquimalt. She noted her concern with the work being done to repair the caved in roadway at the bottom of Dunsmuir Road.

10. ADJOURNMENT

MOTION: That the Regular Meeting of Council be adjourned to *Special In Camera* meeting at 9:11 p.m. MOVED/SECONDED. Councillor Hundleby/Councillor Gaul. **CARRIED UNANIMOUSLY.**

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

CERTIFIED CORRECT:

ANJA NURVO
CORPORATE OFFICER