



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

MINUTES
SPECIAL MEETING
OF MUNICIPAL COUNCIL
MONDAY, OCTOBER 24, 2011

9:45 P.M.
COUNCIL CHAMBERS

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

STAFF: Laurie Hurst, Chief Administrative Officer
Barbara Snyder, Director of Development Services
Karen Blakely, Director of Financial Services
Pat Mulcahy, Manager of Human Resources
Anja Nurvo, Manager of Corporate Services
Marlene Lagoa, Sustainability Coordinator
Louise Payne, Recording Secretary

1. **CALL TO ORDER**

Mayor Desjardins called the Special Meeting of Council to order at 9:45 p.m.

MOTION: That Council approve an extension to 10:30 p.m. of the Special Meeting of Council. **MOVED/SECONDED.** Councillor Hundleby/Councillor Brame. (Mayor Desjardins, Councillors Brame, Gaul, McIlldoon, and Hundleby in favour; Councillor Linge opposed). **CARRIED.**

2. **LATE ITEMS**

Addition to Agenda Item 9 (6). Communications:

- Letter from Clayton J.D. Pecknold, Ministry of Public Safety and Solicitor General, dated October 14, 2011, Re: Study to Review Issues Pertaining to the Delivery of Policing in the City of Victoria and the Township of Esquimalt

3. **APPROVAL OF AGENDA**

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

4. **PUBLIC INPUT**

In response to concerns expressed previously by *Muriel Dunn, resident*, Mayor Desjardins provided clarification on the information provided on banner poles. The first staff report introduced the general idea of banner poles and an estimate of costs, and as the idea was refined, the costs became clearer. A number of changes (i.e. to landscaping and irrigation) resulted in a second set of numbers/costs. The money identified in the last staff report has been allocated toward Capital projects and is included in next year's Budget for banner poles.

Bruce Cuthbert, resident, commented on the policing situation, stating that he supported the need for Greater Victoria to find a solution at the regional level, as all communities fund policing.

5. **STAFF REPORTS**

Administration

(1) 2012 Council Meeting Schedule, Staff Report No. ADM-11-048

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

- a) Approves of the 2012 Regular Meeting Schedule of Council and Committee of the Whole as attached to Staff Report No. ADM-11-048;
- b) Gives **1st and 2nd reading** to Council Procedure Bylaw, 2009,

- No. 2715, Amendment Bylaw [No. 1], 2011, No. 2781; and
- c) Directs staff to proceed with the required notification of proposed amendments to Section 5 and Section 39 of Council Procedure Bylaw, prior to consideration of 3rd reading and adoption.
- MOVED/SECONDED. Councillor Brame/Councillor Hundleby.
CARRIED UNANIMOUSLY.

Councillors Brame and Hundleby declared a conflict of interest with the upcoming Agenda item, as candidates in the upcoming municipal election, and left the meeting at 9:55 p.m.

Finance

- (2) Fourth 2011 Local Grant Distribution, Staff Report No. FIN-11-042

Karen James, representative of the Esquimalt Residents Association, and Bruce Cuthbert, representative of the Esquimalt Chamber of Commerce presented an overview of their local grant application in the amount of \$700.00 in order to host an "All Candidates" meeting prior to the local municipal election on November 19, 2011.

Council expressed concern with the perceived conflict of interest and precedent set in funding this event. The applicants advised that they were looking at alternative sponsors (i.e. the Real Estate Board) for the next "All Candidates" meeting in 2014.

MOTION: That Council approve the new local grant application request, submitted by the Esquimalt Residents' Association and Esquimalt Chamber of Commerce, for \$700.00 for the hosting of an "All Candidates" meeting prior to the local municipal election to be held on November 19, 2011 from the local grants budget. MOVED/SECONDED. Councillor Linge/Councillor Gaul. **CARRIED UNANIMOUSLY.**

Councillors Brame and Hundleby rejoined the meeting at 10:13 p.m.

6. REPORTS FROM COMMITTEES

- (1) Committee of the Whole Report, October 24, 2011

MOTION: That Council approve the following recommendations from the Committee of the Whole meeting of October 24, 2011:

1. Terms and Conditions of Employment for Officers and Exempt Employees, Staff Report No. ADM-11-040

That the Officers Bylaw, 2011, No. 2777 and Council Policy PER-05 Terms and Conditions of Employment for Officers and Exempt Employees as set out in Staff Report No. ADM-11-040 be forwarded to Council with a recommendation that the Policy **be approved** and that Council consider giving 1st, 2nd and 3rd reading to the Bylaw.

2. Remuneration for Elected Officials ADMIN-62, Staff Report No. ADM-11-049

That Council Policy No. ADMIN-62 Remuneration for Elected Officials as set out in Staff Report No. ADM-11-049 be forwarded to Council with **a recommendation of approval**, with the addition of clause 5 to Process to include that Council will appoint five (5) members of the community to a Select Committee to review Council remuneration, similar to the recent committee review process.

3. Plastic Shopping Bags & Framework for Community Engagement in Climate Action, Staff Report No. ADM-11-050

That Council receive and consider during the Strategic Planning process, the attached Environmental Advisory Committee's recommendations on:

- (a) Plastic Bag Free Esquimalt Social Marketing Campaign
- (b) Framework for Community Engagement in Climate Action.

4. Revisions to Council Policy ADMIN-29 Local Grants Esquimalt High School, Staff Report No. FIN-11-036

That the revisions to Council Policy ADMIN-29 Local Grants Esquimalt High School as set out in Staff Report No. FIN-11-036 be forwarded to Council with **a recommendation of approval**, and that Council review scholarship amounts in the Policy prior to the next grant intake deadline.

5. Accumulated Surplus, Staff Report No. FIN-11-040

That the Council of the Corporation of the Township of Esquimalt approve the transfer of \$1,440,000 to the Capital Project Fund for unspecified projects and \$498,293 to the Machinery and Equipment Fund, to be allocated prorata on the 2010 end balances to the various components of the fund, from the Unappropriated Operating Funds balance as set out in Staff Report No. FIN-11-040.

6. Revisions to Council Policy FIN-16 Permissive Tax Exemption, Staff Report No. FIN-11-041

(a) That the revisions to Council Policy FIN-16 Permissive Tax Exemption as set out in Staff Report No. FIN-11-041 be forwarded to Council with **a recommendation of approval**.

(b) That the policies around Permissive Tax Exemptions and local grants be brought to Council for review at its Strategic Planning meetings.

7. Development Variance Permit, 601 – 605 Canteen Road, [Lot 1, Suburban Lot 26, Esquimalt District, Plan VIP63502], Staff Report No. DEV-11-088

That the application for a Development Variance Permit authorizing construction of a 10 square metre office building, sited as detailed on the survey plan prepared by Engineering Services staff, stamped "Received August 30, 2011", and including the following relaxation to Zoning Bylaw, 1992, No. 2050, be forwarded to Council with a **recommendation of approval**, subject to appropriate notification and a variance hearing being held:

Zoning Bylaw, 1992, No. 2050, Section 54(5)(c) – Side Setback – an exemption from the required 4.5 metre setback from an Exterior Side Lot Line (i.e. from 4.5 metres to 0 metres).

8. Development Permit, 1026 Tillicum Road, [Lot 23, Block 2, Section 10, Esquimalt District, Plan 11214], Staff Report No. DEV-11-089

That the application for Development Permit, limiting the form and character of development to that shown on architectural plans provided by Coching Home Design, stamped "Received September 13, 2011", and on the landscape plan prepared by Jane Waters Landscape Design, stamped "Received October 3, 2011", and sited as detailed on the site plan prepared by Powell and Associates BC Land Surveyors, stamped "Received August 31, 2011", for the proposed duplex located at Lot 23, Block 2, Section 10, Esquimalt District, Plan 11214 [1026 Tillicum Road], be forwarded to Council with a **recommendation of approval**, subject to staff completing appropriate notification and a Development Permit being returned to Council for consideration.

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

Councillor Linge declared a conflict of interest with the next Agenda item and left the meeting at 10:14 p.m.

MOTION: That Council approve the following recommendation from the Committee of the Whole meeting of October 24, 2011:

9. Development Permit, 521 – 529 Comerford Street, [Lot 266, Suburban Lot 40, Esquimalt District, Plan 2854], [Lot 267, Suburban Lot 40, Esquimalt District, Plan 2854], Staff Report No. DEV-11-090

That the application for a Development Permit limiting the form and character of development to that shown on architectural plans provided by Vic Davies Architect stamped "Received October 14, 2011", and sited as detailed on the survey plan prepared by Powell and Associates, BC Land Surveyors, stamped "Received September 14, 2011", and including the following relaxations to Zoning Bylaw, 1992, No.

2050 and Parking Bylaw, 1992, No. 2011, for the proposed development located at Lot 266, Suburban Lot 40, Esquimalt District, Plan 2854 and Lot 267, Suburban Lot 40, Esquimalt District, Plan 2854 [521-529 Comerford Street], as submitted, be forwarded to Council with a **recommendation of approval**:

Zoning Bylaw, 1992, No. 2050, Section 24(1) – Visibility at Intersections – an exemption from the requirement that there shall be no obstruction to the line of vision by Buildings, Structures or vegetation between the heights of 1 metre and 3 metres above the established grade of streets within an area bounded by the centre lines of intersecting streets and a line joining a point on each of the centre lines 25 metres from their intersection.

Parking Bylaw, 1992, No. 2011, Section 11(1) – Visitor Parking – a reduction in the required number of dedicated visitor parking spaces from 1 of every 4 to 1 of every 27 [i.e. from a total of 14 visitor parking spaces to 2 visitor parking spaces].

Parking Bylaw, 1992, No. 2011, Section 13(1)(a)(v) – Number of Off-Street Parking Spaces – a reduction in the required number of parking spaces from 1.3 spaces per dwelling unit to 0.43 spaces per dwelling unit [i.e. from a total of 55 spaces to 20 spaces].

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

Councillor Linge rejoined the meeting at 10:15 p.m.

- (2) Draft minutes of the Centennial Celebrations Select Committee meeting, September 27, 2011

MOTION: That the draft minutes of the Centennial Celebrations Select Committee meeting held September 27, 2011 be received. MOVED/ SECONDED. Councillor Brame/Councillor Hundleby. **CARRIED UNANIMOUSLY.**

- (3) Memorandum from the Centennial Celebrations Select Committee, dated October 18, 2011, Re: Support to Initiate a Beautification Program for Centennial 2012.

Mayor Desjardins gave an overview of the history of this initiative. Council comments included agreement in principle with a beautification program, but requiring more information on costs and what is required. Residents would be encouraged to clean up their property and gardens as well as service groups to participate in a general cleanup of the community.

MOTION: That Council endorse the Centennial Celebrations Select Committee initiating a beautification program as a centennial project, and request a report from the Committee clarifying details of the program. **MOVED/ SECONDED.** Councillor Hundleby/Councillor McIldoon (Mayor Desjardins, Councillors Gaul, Hundleby, Linge and McIldoon in favour; Councillor Brame opposed). **CARRIED.**

7. BYLAWS

For First, Second and Third Reading

(1) Officers Bylaw, 2011, No. 2777

MOTION: That Officers Bylaw, 2011, No. 2777 be read a 1st, 2nd and 3rd time. **MOVED/SECONDED.** Councillor Gaul/Councillor McIldoon. **CARRIED UNANIMOUSLY.**

For Adoption

(2) Tax Exemption (Non-Profit Organizations) Bylaw, 2011, No. 2776

MOTION: That Tax Exemption (Non-Profit Organizations) Bylaw, 2011, No. 2776 be adopted. **MOVED/SECONDED.** Councillor Hundleby/Councillor Gaul. **CARRIED UNANIMOUSLY.**

8. MAYOR'S AND COUNCILLORS' REPORTS

There were no reports.

9. COMMUNICATIONS

(1) Letter from Lise Rivais, Statistics Canada, dated August 24, 2011, Re: Letter of Appreciation for Promoting the 2011 Census and the National Household Survey

MOTION: That Council receive the letter from Statistics Canada dated August 24, 2011. **MOVED/SECONDED.** Councillor Hundleby/Councillor Brame. **CARRIED UNANIMOUSLY.**

(2) Letter from Barbara MacFarlane, The Royal Canadian Legion, dated October 12, 2011, Re: Annual Remembrance Day Ceremony and Poppy Distribution

MOTION: That Council receive the October 12, 2011 letter from the Royal Canadian Legion, and approve their requests to hold the Annual Remembrance Day Ceremony in Memorial Park on Friday, November 11, 2011, and to distribute Remembrance Day poppies within the Township of Esquimalt from October 28th to November 10, 2011. **MOVED/ SECONDED.** Councillor Linge/Councillor Brame. **CARRIED UNANIMOUSLY.**

- (3) Letter from Lei Davies, Esquimalt Curling Club, dated October 13, 2011, Re: Donation of Television to Archie Browning Sports Centre

MOTION: That Council receive the October 13, 2011 letter from the Esquimalt Curling Club and send a letter expressing Council's appreciation for the donation of a television to Archie Browning Sports Centre. **MOVED/SECONDED.** Councillor Hundleby/Councillor Brame. **CARRIED UNANIMOUSLY.**

- (4) Letter from Robert Maxwell, Peninsula Agricultural Commission, dated October 13, 2011, Re: Proposal for a Problem Wildlife Department – Thoughts for the Capital Regional District

MOTION: That Council extend the Special Meeting of Council past 10:30 p.m. for another ten minutes. **MOVED/SECONDED.** Councillor Hundleby/Councillor Gaul. **CARRIED UNANIMOUSLY.**

A discussion ensued as to what level of government has jurisdiction over the management and control of problem wildlife (i.e. Canada geese, deer, raccoons, rabbits, etc.).

MOTION: That Council receive the October 13, 2011 letter from the Peninsula Agricultural Commission, send a letter to the Capital Regional District supporting the proposal that the CRD establish a "Problem Wildlife Department", and refer the matter to the Environment Committee. **MOVED/SECONDED.** Councillor Hundleby/Councillor Linge. (Councillors Brame, Gaul, Hundleby, and McIldoon in favour; Mayor Desjardins and Councillor Linge opposed.) **CARRIED.**

Councillor Gaul declared a conflict of interest with the upcoming Agenda item and left the meeting at 10:30 p.m.

- (5) Letter from Jeremy Carr, Victoria Integration Society, dated October 18, 2011, Re: CLBC's Funding Cut to the Victoria Integration Society

MOTION: That Council receive the October 18, 2011 letter from the Victoria Integration Society, and send a letter of support to the Community Living British Columbia for the renewal of the Society's contract with CLBC in April, 2012. **MOVED/SECONDED.** Councillor Brame/Councillor Linge. **CARRIED UNANIMOUSLY.**

Councillor Gaul rejoined the meeting at 10:31 p.m.

- (6) Letter from Clayton J.D. Pecknold, Ministry of Public Safety and Solicitor General, dated October 14, 2011, Re: Study to Review Issues Pertaining to the Delivery of Policing in the City of Victoria and the Township of Esquimalt

MOTION: That Council receive the October 14, 2011 letter from the Ministry of Public Safety and Solicitor General. **MOVED/SECONDED.** Councillor Linge/Councillor Brame. **CARRIED UNANIMOUSLY.**

10. RISE AND REPORT

- (1) Report from the *In Camera* Meeting of Council, October 17, 2011, Re: Policing Services Information Bulletins and News Release

11. PUBLIC QUESTION AND COMMENT PERIOD

Bill Dand, resident expressed his dismay at the news that Council prefers the R.C.M.P., and inquired if Council will release the information surrounding this policing decision prior to the municipal election.

Mayor Desjardins advised that the municipality is not allowed to release the report because of a confidentiality clause in the RFP process. As well, this is an ongoing process that has not been completed with the Solicitor General.

Muriel Dunn, resident, expressed concern with the proposed beautification program, noting that deer have eaten every flower in her garden this year. She suggested that Council look seriously at the deer problem if they wish to encourage residents to beautify their gardens.

Bill Dand, resident commented on the deer problem, pointing out that he has seen them in the community at 3 a.m. and that he enjoyed the deer, squirrels and raccoons.

12. ADJOURNMENT

MOTION: That the Special Meeting of Council be adjourned at 10:36 p.m. **MOVED/SECONDED.** Councillor Hundleby/Councillor Brame. **CARRIED UNANIMOUSLY.**

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

CERTIFIED CORRECT:

ANJA NURVO
CORPORATE OFFICER