



# **CORPORATION OF THE TOWNSHIP OF ESQUIMALT**

**MINUTES  
REGULAR MEETING  
OF MUNICIPAL COUNCIL  
MONDAY, SEPTEMBER 23, 2013  
7:00 P.M.  
COUNCIL CHAMBERS**

**PRESENT:**

Mayor Barbara Desjardins  
Councillor Dave Hodgins  
Councillor Lynda Hundleby  
Councillor Robert McKie  
Councillor Tim Morrison  
Councillor David Schinbein

**REGRETS:**

Councillor Meagan Brame

**STAFF:**

Jeff Miller, Acting CAO/Director of Engineering & Public Works  
Bill Brown, Director of Development Services  
Ian Irvine, Director of Financial Services & IT  
Anja Nurvo, Director of Corporate Services  
Louise Payne, Recording Secretary

**1. CALL TO ORDER**

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

**2. LATE ITEMS**

The following were added to the Agenda:

- To Agenda Item 7. Staff Reports, as Item (3) Recommendation for the Replacement of Grafton Pump Station Pumps, and renumber Agenda accordingly;
- To Agenda as Item 12. Notice of Motion (1) Deputy Mayor – Councillor Schinbein, and renumber Agenda accordingly.

**3. APPROVAL OF THE AGENDA**

**MOTION:** Moved by Councillor Morrison/Councillor McKie:  
That the Agenda be approved as amended.

**CARRIED UNANIMOUSLY.**

**4. MINUTES**

(1) Regular Meeting of Council, August 26, 2013

**MOTION:** Moved by Councillor Schinbein/Councillor Morrison:  
That the minutes of the Regular Meeting of Council held August 26, 2013 be adopted with the following change in wording:

- Under Item 6 (2) on page 3, the motion to refer Staff Report No. ADM-13-034 to the Parks and Recreation Advisory Committee should read “for a recommendation on improved signage . . .”.

**CARRIED UNANIMOUSLY.**

(2) Special Meeting of Council, September 9, 2013

**MOTION:** Moved by Councillor Schinbein/Councillor Morrison:  
That the minutes of the Special Meeting of Council held September 9, 2013 be adopted as circulated.

**CARRIED UNANIMOUSLY.**

**5. PRESENTATION**

(1) Brian Chelin, Michael Dillistone, Paul Merrick and Don Luxton, Lanyard Group of Companies, English Inn Rezoning Proposal

Brian Chelin and Michael Dillistone presented a PowerPoint presentation on the rezoning proposal for the English Inn at 429 Lampson Street and answered questions from Council.

**6. PUBLIC INPUT**

*Muriel Dunn, resident*, expressed her appreciation to the organizers of “Rib Fest” and the concert held in Bullen Park and encouraged the public to attend the upcoming Blue Bridge Comedy Festival.

## 7. STAFF REPORTS

### *Finance*

- (1) 2014 Permissive Tax Exemptions, Staff Report No. FIN-13-013

**MOTION:** Moved by Councillor Hodgins/Councillor McKie:  
That Council approve the 2014 Permissive Tax Exemptions set out in Staff Report No. FIN-13-013.

**CARRIED UNANIMOUSLY.**

### *Engineering and Public Works*

- (2) Recommendation for the Award of Contract for Replacement of Public Works Heavy Equipment, Staff Report No. EPW-13-025

**MOTION:** Moved by Councillor Hundleby/Councillor Hodgins:  
That the Township of Esquimalt enters into a contractual agreement with Nanaimo Mack – Bid 2 for the delivery of one new tandem gravel truck, belly plow and sander box for the cost of \$181,424.92 (inclusive of tax).

**CARRIED UNANIMOUSLY.**

- (3) Recommendation for the Replacement of Grafton Pump Station Pumps, Staff Report No. EPW-13-026

The Director of Engineering and Public Works presented Staff Report No. EPW-13-026 and answered questions from Council.

**MOTION:** Moved by Councillor Hodgins/Councillor Hundleby:  
That \$45,000 be released from the Capital Project Reserve for the replacement of the Grafton Street pump station pumps.

**CARRIED UNANIMOUSLY.**

### *Development Services*

- (4) Development Variance Permit, 766 Hutchinson Place (Lot 6, Section 10, Esquimalt District, Plan 15257), Staff Report No. DEV-13-035

The Director of Development Services presented Staff Report No. DEV-13-035 and answered questions from Council.

**MOTION:** Moved by Councillor Morrison/Councillor Hundleby:  
That the applicant be approved to speak to Council.

**CARRIED UNANIMOUSLY.**

Wendy Cardiff, applicant, reviewed her Development Variance Permit application for 766 Hutchinson Place and answered questions from Council.

**MOTION:** Moved by Councillor Morrison/Councillor McKie:  
That Council resolves that Development Variance Permit No. DVP00012 authorizing construction as shown on the plans, prepared by Pacific Coast Design Build, stamped "Received July 26, 2013", and sited as detailed on the survey plan prepared by J.E. Anderson and Associates, stamped "Received July 27, 2013", and including the

following relaxation to Zoning Bylaw, 1992, No. 2050 be approved, and staff be directed to issue the permit and register the notice on the title of Lot 6, Section 10, Esquimalt District, Plan 15257 [766 Hutchinson Place].

Zoning Bylaw, 1992, No. 2050, Section 34(9)(a)(iii) – Siting Requirements – Principal Building – Rear Setback - a 3.09 metre reduction to the required 7.5 metre setback from the Rear Lot Line [i.e. from 7.5 metres to 4.41 metres].

**CARRIED UNANIMOUSLY.**

- (5) Heritage Designation, Official Community Plan Amendment and Rezoning Application, 429 Lampson Street – English Inn and Resort (Lot B, Section 11, Esquimalt District, Plan VIP60066), Staff Report No. DEV-13-036

The Director of Development Services presented Staff Report No. DEV-13-036 and answered questions from Council.

**Council Comments:**

- Look forward to hearing from the public on the proposed development;
- Concerned about parking for visitors/events;
- Concerned for a 12-storey building on this site;
- Suggestion for requirements in Green Building Checklist;
- Concern for runoff/drainage plan which meets Bylaw requirements.

**MOTION:** Moved by Councillor Hodgins/Councillor Schinbein:

1. That Council resolves that Bylaw No. 2807, (Appendix “A”) which would designate the existing building known as the English Inn, at PID 023-09-331, Lot B, Section 11, Esquimalt District, Plan VIP60066 [429 Lampson Street] shown cross hatched on Schedule ‘A’ of Bylaw No. 2807 and described in Schedule ‘B’ of Bylaw No. 2807 as a municipal heritage site be given first and second reading.
2. That Council authorizes the Corporate Officer to schedule a public hearing for Heritage Designation [429 Lampson Street] Bylaw, 2013, No. 2807 and to advertise for the same in the local newspaper.
3. That Council resolves that Official Community Plan Bylaw, 2006, No. 2646, Amendment Bylaw [No. 15], 2013, No. 2808, (Appendix “B”) which would amend Official Community Plan Bylaw, 2006, No. 2646 by adding Development Permit Area No. 7, - English Inn, and provides for changes in the land use designation of PID 023-09-331, Lot B, Section 11, Esquimalt District, Plan VIP60066 [429 Lampson Street] shown cross hatched on Schedule ‘A’ of Bylaw No 2808, from Commercial – Mixed Use to English Inn Mixed Use be given first and second reading.
4. That Council authorizes the Corporate Officer to schedule a public hearing for Official Community Plan Amendment Bylaw No. 2808 and to advertise for the same in the local newspaper.

5. That Council resolves that Zoning Bylaw, 1992, No. 2050, Amendment Bylaw No. 208, 2013, No. 2809 (Appendix "C") which would amend Zoning Bylaw, 1992, No. 2050 by changing the zoning designation of PID 023-09-331, Lot B, Section 11, Esquimalt District, Plan VIP60066 [429 Lampson Street] shown cross hatched on Schedule 'A' of Bylaw No 2809, from Tourist Commercial [C-5B] zone to Comprehensive Development District No. 84 [CD No. 84] zone be given first and second reading.
6. That Council authorizes the Corporate Officer to schedule a public hearing for Zoning Bylaw Amendment Bylaw No. 2809 and to advertise for the same in the local newspaper.
7. That prior to the adoption of Bylaws No. 2807, 2808 and 2809 the owner provide a letter to the Township of Esquimalt agreeing they have waived any entitlement to compensation for the heritage designation under s. 969 of the *Local Government Act*.
8. That prior to the adoption of Bylaw No. 2809, the owner construct the 12 parking stalls as shown on the Parking Plan prepared by McElhanney Consulting Services Ltd.
9. That prior to the adoption of Bylaw No. 2809, the owner enter into a Tree Protection Covenant with the Township of Esquimalt to:
  - Ensure the protection of the mature trees located on the site, recognized as significant by Dunster & Associates Environmental Consultants Ltd., and identified with numbered tags affixed to each tree on site and identified on the tree plan provided by Dunster & Associates Environmental Consultants Ltd.
10. That Council authorizes the Mayor and Corporate Officer to sign the aforementioned legal documents.

**CARRIED UNANIMOUSLY.**

**8. BYLAW**

*For Adoption*

- (1) Streets and Traffic Regulation Bylaw, 2005, No. 2607, Amendment Bylaw (No. 8), 2013, No. 2811

**MOTION:** Moved by Councillor Hodgins/Councillor McKie: That Streets and Traffic Regulation Bylaw, 2005, No. 2607, Amendment Bylaw (No. 8), 2013, No. 2811 be adopted.

**CARRIED** (Councillor Schinbein opposed).

**9. MAYOR'S AND COUNCILLORS' REPORTS**

- (1) Report from the New Year's Levee Review Select Committee, Re: New Year's Levee Review

Councillors Hundleby and Schinbein, members of the New Year's Levee Review Select Committee, presented their report on a review of the New Year's Levee format and answered questions from Council.

**Council Comments:**

- Former format does not adequately allow for the inclusion of children/youth;
- Support family-centred approach to a New Year's Levee;

- Suggestion for sponsors for some of the proposed activities;
- Follow up report to be provided from the Select Committee re: evaluation of this year's (2014) New Year's Levee.

**MOTION:** Moved by Councillor Hundleby/Councillor Schinbein:  
That Council supports Option #4 of the Select Committee's report as follows:

- For January 1, 2014, a combination of:
  - 1) Informal "Meet and Greet" with Mayor and Council to be held at an alternative location (e.g. Esquimalt Recreation Centre or ABSC), with light refreshments available and one staff member in attendance; PLUS
  - 2) A two-hour period of free swim and skate.
- For all inaugural years of Council, hold a more formal New Year's Levee in Council Chambers.

**CARRIED UNANIMOUSLY.**

## 10. REPORTS FROM COMMITTEES

**MOTION:** Moved by Councillor Hodgins/Councillor Morrison:  
That the following draft minutes be received for information:

- (1) Draft minutes from the Advisory Design Review Committee meeting, May 8, 2013;
- (2) Draft minutes from the Advisory Design Review Committee meeting, June 12, 2013; and
- (3) Draft minutes from the Advisory Planning Commission meeting, August 20, 2013.

**CARRIED UNANIMOUSLY.**

## 11. COMMUNICATIONS

- (1) Letter from David Butler-Jones, MD, Chief Public Health Officer, Public Health Agency of Canada, dated August 2, 2013, Re: Letter of Congratulations for Age-Friendly British Columbia Recognition Award

**MOTION:** Moved by Councillor Hundleby/Councillor Schinbein:  
That the letter from David Butler-Jones, MD, Chief Public Health Officer, Public Health Agency of Canada dated August 2, 2013 regarding Letter of Congratulations for Age-Friendly BC Recognition Award be received.

**CARRIED UNANIMOUSLY.**

- (2) Letter from Ronald Planden, Scouts Canada, dated September 4, 2013, Re: 2013 Apple Day

**MOTION:** Moved by Councillor McKie/Councillor Schinbein:  
That the letter from Ronald Planden, Scouts Canada dated September 4, 2013 regarding 2013 Apple Day be received; and  
That Council approve Scouts Canada's fundraising drive – "Apple Day" for Saturday, October 5, 2013 between 9 am and 3 pm in Esquimalt.

**CARRIED UNANIMOUSLY.**

- (3) Letter from the Honourable Leona Aglukkaq, PC, MP, Minister of the Environment, dated September 6, 2013, Re: Capital Regional District's Process to Build and Operate a Wastewater Treatment Plant in Esquimalt

**MOTION:** Moved by Councillor Hodgins/Councillor McKie:  
That the letter from the Honourable Leona Aglukkaq, PC, MP, Minister of the Environment dated September 6, 2013 regarding CRD's process to build and operate a wastewater treatment plant in Esquimalt be received; and  
That a copy of the letter be forwarded to the Capital Regional District.

**CARRIED UNANIMOUSLY.**

- (4) Letter from Dora Yurje, Youth Parliament of BC Alumni Society, dated September 7, 2013, Re: British Columbia Youth Parliament, 85<sup>th</sup> Parliament

**MOTION:** Moved by Councillor Hundleby/Councillor Hodgins:  
That the letter from Dora Yurje, Youth Parliament of BC Alumni Society dated September 7, 2013 regarding the 85<sup>th</sup> BC Youth Parliament be received; and  
That a copy of the letter be forwarded to Esquimalt High Schools, the Boys and Girls Club and the Esquimalt Youth Centre.

**CARRIED UNANIMOUSLY.**

- (5) Email from Ted Olynyk, BC Hydro, dated September 9, 2013 re: Community Champions Program

**MOTION:** Moved by Councillor Hundleby/Councillor Hodgins:  
That the email from Ted Olynyk, BC Hydro dated September 9, 2013 regarding Community Champions Program be received; and  
That staff be directed to advise community non-profits (i.e. Esquimalt Anglers, Esquimalt Community Gardens, Esquimalt Neighbourhood House Society and World Fisheries Trust) of this program.

**CARRIED UNANIMOUSLY.**

## 12. NOTICE OF MOTION

- (1) Deputy Mayor – Councillor Schinbein

**MOTION:**

*That the Council of the Township of Esquimalt investigates the creation of the position of Deputy Mayor for the entire term of Council.*

This matter will be added to the Agenda for the next Regular Meeting of Council, for Council's consideration.

## 13. PUBLIC QUESTION AND COMMENT PERIOD

*Josh Steffler, resident,* expressed concerns with a proposed definition of "drug paraphernalia" in the revised Business Licence and Regulation Bylaw, noting that the bylaw should be fair and enforceable to all legal businesses.

*Ryan Ellison, resident,* showed examples of “bongs” to Council and stated that bylaws should not dictate what legal products businesses sell.

*Justin (last name unknown), resident,* showed Council examples of “pipes” and other “drug paraphernalia” and stated that bylaws should not dictate what products businesses legally sell.

*Dean Polvi, resident,* expressed concerns with the development of the “triangle lands” in West Bay Marina area, asking what image did Council want residents to have of Esquimalt, and whether this proposed development would enhance the area. He expressed concern with the height of the building and the proposed land use.

*Muriel Dunn, resident,* expressed her appreciation for the Select Committee’s report on the New Year’s Levee and suggested obtaining sponsors for the event.

*Adam Wheeler, resident,* expressed concerns with respect to BC Hydro’s Community Champions Program, noting that it was illegal to disconnect their BC Hydro power connection.

Mayor Desjardins requested Mr. Wheeler provide contact information to staff, and staff would get back to him on this issue.

14.

#### **ADJOURNMENT**

**MOTION:** Moved by Councillor Hodgins/Councillor Hundleby:  
That the Regular Meeting of Council be adjourned at 8:31 pm.

**CARRIED UNANIMOUSLY.**

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MAYOR OF THE CORPORATION OF THE  
TOWNSHIP OF ESQUIMALT  
THIS 30<sup>th</sup> DAY OF SEPTEMBER, 2013

CERTIFIED CORRECT:

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ANJA NURVO  
CORPORATE OFFICER