



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

Minutes - Final Council

Municipal Hall
1229 Esquimalt Road
Esquimalt, B.C. V9A 3P1

Monday, November 2, 2015

7:00 PM

Esquimalt Council Chambers

Present: 7 - Mayor Barbara Desjardins
Councillor Meagan Brame
Councillor Beth Burton-Krahn
Councillor Lynda Hundleby
Councillor Olga Liberchuk
Councillor Susan Low
Councillor Tim Morrison

Staff: Laurie Hurst, Chief Administrative Officer
Jeff Miller, Director of Engineering & Public Works
Bill Brown, Director of Development Services
Ian Irvine, Director of Financial Services
Scott Hartman, Director of Parks and Recreation
Anja Nurvo, Director of Corporate Services
Trevor Parkes, Senior Planner
Rachel Dumas, Recording Secretary

1. CALL TO ORDER

Mayor Desjardins called the Regular Council meeting to order at 7:00 PM.

Mayor Desjardins acknowledged with respect that we are within the Traditional Territories of the Esquimalt and Songhees First Nations.

2. LATE ITEMS

The following late items were added to the agenda:

Pertaining to Agenda Item 6. STAFF REPORTS (9) Rezoning Application, 322 Plaskett Place, Staff Report DEV-15-056

- (1) Letter dated November 1st, 2015 from David James, 6-300 Plaskett Place,
Re: Application to rezone 322 Plaskett Place, and also enclosing copy of
his letter dated February 6, 2014 addressed to Mayor and Council re
proposed rezoning of 322 Plaskett Place

Add to Agenda Item 9. COMMUNICATIONS (4) Chamber of Commerce Business
Summit Event

- (2) Chief Administrative Officer - Verbal Update

3. APPROVAL OF THE AGENDA

Moved by Councillor Burton-Krahn, seconded by Councillor Brame: That the agenda be approved as amended with the inclusion of the late items. Carried Unanimously.

4. PRESENTATIONS

- 1) [15-493](#) Bill Wellburn, Chair, Greater Victoria Harbour Authority, Re: Annual Presentation

Bill Wellburn, Chair, Greater Victoria Harbour Authority and Ian Robertson, Chief Executive Officer, GVHA, presented a Powerpoint Presentation, provided an overview of GVHA operations, 10 Year Strategy and Board Members Update and responded to questions from Council.

The Presentation was received.

5. PUBLIC INPUT (On items listed on the Agenda)

Excluding items which are or have been the subject of a Public Hearing.

Bill Rowe, resident, provided Council with photos of property located at 322 Plaskett Place and expressed opposition of rezoning application.

Marianne Kimmit, resident, expressed opposition of rezoning application for 322 Plaskett Place and concerns regarding wildlife and trees in and around Saxe Point and impact on neighbours.

David James, resident, expressed concerns regarding privacy issues and removal of trees and negative impact, if rezoning application for 322 Plaskett Place is approved.

Robert Frindt, resident, expressed concerns regarding the removal of trees and impact on Saxe Point Park sight lines and beautification and believes the application is not the same proposal that went before the APC.

Carolyn King, resident, opposed to the approval of rezoning application for 322 Plaskett Place and expressed concerns regarding the loss of landscaping, beauty of shoreline, wildlife habitat and possible contravention of the OCP.

Linda Larson, resident, in opposition of rezoning application for 322 Plaskett Place and expressed concerns regarding impact of wildlife habitat and protection along the shoreline and surrounding Parks.

Bob Larson, resident, in opposition of rezoning application for 322 Plaskett Place and expressed concerns regarding blocking of views, parking congestion and traffic flow.

Karen James, resident, in opposition of rezoning for 322 Plaskett Place and expressed concerns regarding loss of trees in surrounding area, provided photographs and a

historical overview of the area and acknowledged the importance of preserving Heritage.

Luc Bergeron, resident, in opposition of development located at 616/620 Lampson Street and addressed concerns regarding the height, size, safety and potential parking issues and impact on property values, associated with the proposed plans.

Bob Campbell, resident, in favour of rezoning application for 322 Plaskett Place and believes the owner/applicant has addressed environmental and neighbourhood concerns with minimal impact.

Letter from Maureen Duffus, resident, (not in attendance) read by Bill Rowe, in opposition of rezoning application for 322 Plaskett Place and expressed concerns regarding height and size of proposed structure and surrounding environmental impact.

6. STAFF REPORTS

Administration

- 1) [15-471](#) Amendments to Council Policies re Council Remuneration, Staff Report ADM-15-038

Director of Corporate Services and Chief Administrative Officer responded to questions from Council.

Council comments included (Staff response in italics):

When would the consultant commence review of the process? *Retained in January and completed early March.*

Why are there two benefit packages? *Benefit Programs are offered by UBCM and therefore the separate packages presented for Mayor and Council reflect previous Council discussion and level of remuneration.*

Moved by Councillor Morrison, seconded by Councillor Brame: That Council:

- 1. approve the revised Council Policy ADMIN-58 Independent Review & Market Analysis of Council Remuneration; and**
- 2. approve the revised Council Policy ADMIN-62 Remuneration for Elected Officials; as attached to Staff Report ADM-15-038.**

Moved by Councillor Morrison, seconded by Councillor Low: That Council amend Policy No. ADMIN - 62, PROCESS (1) to read, In January of the last year of a Council term. Defeated.

In Favour: 3 - Councillor Hundleby, Councillor Low, and Councillor Morrison

Opposed: 4 - Mayor Desjardins, Councillor Brame, Councillor Burton-Krahn, and Councillor Liberchuk

The vote was called on the Main Motion and declared Carried.

In Favour: 6 - Mayor Desjardins, Councillor Brame, Councillor Burton-Krahn, Councillor Hundleby, Councillor Liberchuk, and Councillor Low

Opposed: 1 - Councillor Morrison

Community Safety Services

- 2) [15-455](#) Bylaw Notice Enforcement Bylaw Amendment, Staff Report CSS-15-018

Moved by Councillor Hundleby, seconded by Councillor Burton-Krahn: That Council defer Bylaw Notice Enforcement Bylaw, 2014, No. 2839, Amendment Bylaw [No. 2], 2015, No. 2859, Staff Report CSS-15-018 to the next Regular Council meeting. Carried Unanimously.

- 3) [15-488](#) Request for Exemption under Animal Management Bylaw, 2015, No. 2841 - Urban Hens, Binkadi Human Services, Nelson Street, Staff Report CSS-15-020

Director of Development Services advised Council, Urban Hens are an agricultural use and governed by the Zoning Bylaw, therefore to house urban hens, the owner would need to amend the Zoning Bylaw to allow permitted use, change Zoning or apply for a Temporary Use Permit.

Council directed staff to contact the owners and advise of Council's decisions made at tonight's meeting and the options available to the owners.

Moved by Councillor Liberchuk, seconded by Councillor Low: That Council permit a Pilot Project for up to 7 Urban hens on one of the properties located on Nelson Street, to Binkadi Human Services, with the option to re-evaluate after one year. Defeated.

In Favour: 2 - Councillor Burton-Krahn, and Councillor Liberchuk

Opposed: 5 - Mayor Desjardins, Councillor Brame, Councillor Hundleby, Councillor Low, and Councillor Morrison

Moved by Councillor Morrison, seconded by Councillor Hundleby: That Council not approve the request to alter the types of properties that are allowed to have Urban Hens, and thereby deny the request from Binkadi Human Services for an exemption to Animal Management Bylaw, 2015, No. 2841. Carried.

In Favour: 6 - Mayor Desjardins, Councillor Brame, Councillor Burton-Krahn, Councillor Hundleby, Councillor Low, and Councillor Morrison

Opposed: 1 - Councillor Liberchuk

Engineering and Public Works

- 4) [15-490](#) Esquimalt Village Remediation Project Update, Staff Report No. EPW-15-024

Director of Engineering and Public Works added that the budget for the Esquimalt Village

Remediation Project is \$326,701 of which \$156,000 is funded from FCM and the remainder from an already approved budget.

Moved by Councillor Low, seconded by Councillor Brame: That Council receives Staff Report EPW-15-024 for information. Carried Unanimously.

Parks and Recreation

- 5) [15-489](#) Sports Centre Glass Washer Replacement, Staff Report P&R-15-008

Director of Parks and Recreation responded to questions from Council.

Council comments included (Staff response in italics):

Would this qualify for any grant money? *Yet to find a a grant applicable for replacement.*

How old is the dishwasher? *In excess of 30 years old, parts are not readily available and a commercial machine is a requirement of Island Health.*

Do you know the revenue from the bartending service at the Archie Browning Sports Centre? *\$60,000.*

Moved by Councillor Hundleby, seconded by Councillor Brame: That Council re-assigns \$11,000 plus taxes in the 2015 Capital Project Reserve Budget for the replacement of a commercial glass washer for the Sports Centre. Carried Unanimously.

Development Services

- 6) [15-383](#) OCP Amendment Consultation List - 616/620 Lampson Street, [Lot 5, Section 11, Esquimalt District, Plan 4618 and Lot 6, Section 11, Esquimalt District, Plan 4618], Staff Report DEV-15-54

Director of Development Services provided an overview of the Official Community Plan and Zoning Bylaw Amendment concept plan and responded to questions from Council.

Council requested the Esquimalt Chamber of Commerce and Westbay Residents Association be added to the OCP Amendment Consultation List. Everyone within 100 Meters of the property located at 616/620 Lampson Street will be notified of the proposed OCP Amendment.

Moved by Councillor Low, seconded by Councillor Brame: That Council, having considered Sections 879 and 881 of the Local Government Act, authorize staff to circulate the Official Community Plan and Zoning Bylaw Amendment concept plan [Appendix 'B'] describing the proposed development for 616 and 620 Lampson Street, [PID 005-988-446, Lot 5, Section 11, Esquimalt District, Plan 4618 and PID 005-988-497, Lot 6, Section 11, Esquimalt District, Plan 4618] to those persons, organizations and authorities identified in Appendix 'A' of Staff Report DEV-15-54 with the addition of Esquimalt Chamber of Commerce and WestbBay Residents Association. Carried Unanimously.

- 7) [15-487](#) Referral from Aboriginal Affairs and Northern Development Canada regarding:
- 1) Proposed Addition of Land to Esquimalt Reserve; and
 - 2) Proposed Addition of Land to Songhees Reserve;
- Staff Report DEV-15-057.

Moved by Councillor Hundleby, seconded by Councillor Liberchuk: That the Mayor be authorized on behalf of Council to send a letter to Aboriginal Affairs and Northern Development Canada stating:

1) That the Council of the Township of Esquimalt has no comments or concerns regarding the proposed addition to reserve land described as:

**In the Province of British Columbia In Esquimalt District
Adjacent to Esquimalt Indian Reserve**

All of Lots 42, 43, 44, 45, 46, and 47 as shown on plan 81095 recorded in the Canada Lands Surveys Records in Ottawa. A copy of the said plan is filed in the Land Title Office in Victoria under number VIP67051.

Containing an area of about 1.231 hectares.

For the use and benefit of the Esquimalt First Nation.

And

2) That the Council of the Township of Esquimalt has no comments or concerns regarding the proposed addition to reserve land described as:

**In the Province of British Columbia In Esquimalt District
Adjacent to the Songhees Reserve**

All of Lots 197, 198, and 199 all as shown on plan 90203 recorded in the Canada Lands Surveys Records in Ottawa, containing an area of approximately 0.5301 hectares. For the use and benefit of the Songhees First Nation. Carried

Unanimously.

- 8) [15-491](#) Development Permit, 519 Foster Street, PID 004-804-589, Lot A, Suburban Lot 36, Esquimalt District Plan 12731, Staff Report DEV-15-055

Director of Development Services and Director of Engineering responded to questions from Council and advised the applicants' representative was in attendance.

The applicant's representative, David Lunt, T-Square Design and consulting, responded to questions from Council. He advised the only modifications to the original application were enhanced front landscaping, addition of larger trees in the South East Corner of the property and inclusion of a lighting plan. Changes were made as recommended by the Design Review Committee.

Comments from Council included:

- * Installation of Speed humps and funding should be required by applicant

Moved by Councillor Liberchuk, seconded by Councillor Low: That Council resolves that Development Permit No. DP000057, attached as Schedule A to Staff Report DEV-15-055, respecting the character of the development, including

landscaping, and the siting, form, exterior design and finish of four (4) townhouse dwelling units, detailed on architectural plans provided by T-Square Design and Consulting, stamped "Received September 4, 2015", and on the landscape plan provided by Koi Dragon Enterprises, stamped "Received October 25, 2015" and sited in accordance with the survey plan prepared by Island Land Surveying Ltd., stamped "Received September 4, 2015", be approved, and staff be directed to issue the permit subject to receipt of the required landscape security and register the notice on the title, of the property identified as, PID 004-804-589, Lot A, Suburban Lot 36, Esquimalt District, Plan 12731 [519 Foster Street]. Carried.

In Favour: 6 - Mayor Desjardins, Councillor Brame, Councillor Burton-Krahn, Councillor Liberchuk, Councillor Low, and Councillor Morrison

Opposed: 1 - Councillor Hundleby

Moved by Councillor Brame, seconded by Councillor Burton-Krahn: That Council direct staff to work with the applicant Re: DP000057, STAFF REPORT DEV-15-055, installing speed humps.

Moved by Councillor Liberchuk, seconded by Councillor Low: That the Main Motion be amended to replace the word "install" with "investigate". Carried Unanimously.

The vote was called on the Main Motion as amended and declared Carried.

In Favour: 6 - Mayor Desjardins, Councillor Brame, Councillor Burton-Krahn, Councillor Hundleby, Councillor Liberchuk, and Councillor Morrison

Opposed: 1 - Councillor Low

- 9) [15-497](#) Rezoning Application, 322 Plaskett Place, PID 009-289-810 Lot 8, Block 14, Section 11, Esquimalt District, Plan 195A, Staff Report DEV-15-056

Senior Planner presented a Powerpoint Presentation, provided an overview of Rezoning Application for 322 Plaskett Place and responded to questions from Council. The Director of Development Services responded to questions from Council.

Comments from Council included:

- * APC recommendation and process time - Time lapse of two years
- * Impact on neighbourhood
- * Protection of Shoreline
- * Property Line Set backs
- * Tsunami Report and risks
- * Use of photographs for visual review
- * Significant change of application since APC review

Moved by Councillor Low, seconded by Councillor Hundleby: That Council refer Rezoning Application, 322 Plaskett Place, PID 009-289-810 Lot 8, Block 14, Section 11, Esquimalt District, Plan 195A, Staff Report DEV-15-056 to the Advisory Planning Commission for review of the updated application and encourage expedition of the process. Carried Unanimously.

The meeting Recessed at 8:59 PM.

The meeting Reconvened at 9:04 PM with all members of Council present.

7. BYLAWS

- 1) [15-486](#) Boulevard Maintenance Bylaw, 2015, No. 2860 - for Adoption

Moved by Councillor Brame, seconded by Councillor Low: That Council adopt Boulevard Maintenance Bylaw, 2015, No. 2860. Carried Unanimously.

8. MAYOR'S AND COUNCILLORS' REPORTS

- 1) [15-492](#) Sculpture Splash and Sculpture Purchase, Mayor Desjardins

Comments from Council:

- * Installation costs
- * Funding for Township Community Arts Council and CRD arts
- * Arts Policy Review status
- * Strategic Plan and many priorities
- * Request for a photo of the Sculpture

Moved by Councillor Burton-Krahn, seconded by Councillor Liberchuk: That Council consider support to purchase the 2015 Sculpture Splash People's Choice Award 'Pearl' and direct staff to provide a report as to where funding could come from to purchase this piece of artwork. Carried.

In Favour: 4 - Mayor Desjardins, Councillor Burton-Krahn, Councillor Liberchuk, and Councillor Morrison

Opposed: 3 - Councillor Brame, Councillor Hundleby, and Councillor Low

- 2) [15-494](#) Councillor Meagan Brame - School Liaison Report - Verbal Report

Councillor Brame provided an update of Esquimalt School news. The school has 575 students enrolled with an additional 60 International Students. Currently 28 students in the Rugby Academy and a strong School Leadership Program and Social Justice Group. The School has also received a Farm to School Grant. She also advised, School District 61 has new Superintendent of Schools, Piet Langstraat.

Moved by Councillor Hundleby, seconded by Councillor Liberchuk: That Councillor Brame's School Liaison Verbal Report be received. Carried Unanimously.

9. COMMUNICATIONS

- 1) [15-495](#) Letter from Cecelia Thomas and Dima Alansari, Salish Sea Productions, dated October 19, 2015, Re: Songhees Aboriginal Veteran Memorial

Director of Financial Services responded to questions from Council.

Moved by Councillor Low, seconded by Councillor Low: That Council approve funding of \$1,000 from the Local Grant Fund to Salish Sea Productions. Carried.

In Favour: 4 - Councillor Brame, Councillor Hundleby, Councillor Liberchuk, and Councillor Low

Opposed: 3 - Mayor Desjardins, Councillor Burton-Krahn, and Councillor Morrison

- 2) [15-496](#) Email from Marnie Armstrong, Canada Post, dated October 27, 2015, Re: Canada Post Update - Community Mailboxes

Moved by Councillor Brame, seconded by Councillor Liberchuk: That the email from Marnie Armstrong, Canada Post, dated October 27, 2015, Re: Canada Post Update - Community Mailboxes be received. Carried Unanimously.

- 3) [15-501](#) Information from the Local Government Leadership Academy Re: 2016 Leadersip Forum

Chief Administrative Officer responded to questions from Council. She advised the approximate cost per person would be \$1000 and there is time to include costs in the 2016 budget.

Comments from Council included:

- * Councillor Brame is unable to attend
- * Councillor Hundleby respectfully declined to attend, however In support of attendance at the 2016 LGLA Forum

Moved by Councillor Morrison, seconded by Councillor Brame: That Council support Council attendance at the 2016 Local Government Leadership Academy Forum, February 3-5, 2016, in Vancouver. Carried Unanimously.

- 4) [15-508](#) Esquimalt Chamber of Commerce Business Summit - Verbal Update

Chief Administrative Officer provided a verbal update Re: Proposed Business Forum with the Esquimalt Chamber of Commerce and the updated invitation and requested direction.

Comments from Council included:

- * Requested clarity with Draft Forum outline
- * Times of proposed event
- * Open or Closed Meeting
- * Does Panel represent all businesses or just development
- * Clarity required regarding whose priorities are to be addressed
- * Panel Concerns Re: Fairness

* Business Forum, not Development Forum

* In support of successful and productive collaboration and event

Moved by Councillor Low, seconded by Councillor Hundleby: That Council request the Esquimalt Chamber of Commerce cancel the Business Forum Event scheduled for November 23, 2015 until Spring 2016.

Moved by Councillor Low, seconded by Councillor Hundleby: That the Main Motion be amended to: direct staff to indicate that Council is not in support of staff or Council official participation in this event because of the unclarity and postpone participation into the New Year. Carried.

In Favour: 5 - Mayor Desjardins, Councillor Brame, Councillor Hundleby, Councillor Liberchuk, and Councillor Low

Opposed: 2 - Councillor Burton-Krahn, and Councillor Morrison

Moved by Councillor Low, seconded by Councillor Liberchuk: That Council approve a 15 minute extension to the Regular Council meeting. Carried Unanimously

10. NOTICE OF MOTION

1) [15-463](#) Notice of Motion re Derelict Boats, Councillor Burton-Krahn

The Director of Development Services advised The Gorge Waterway Initiative will be discussing this issue during their November 18, 2015 meeting with staff attending from various Municipalities.

Moved by Councillor Burton-Krahn, seconded by Councillor Morrison: That Council direct Staff to contact City of Victoria, District of Saanich, and Town of View Royal, to review the possibility of a coordinated approach, and prepare a report to Council on whether the Township of Esquimalt Zoning Bylaw should be amended to adequately deal with this issue and prevent the derelict boats from occupying the portion of the Gorge Waterway that is within the Township of Esquimalt's direct municipal control.

Moved by Councillor Hundleby, seconded by Councillor Liberchuk: That the Main Motion be amended that the Township send a letter of support to the City of Victoria, District of Saanich and Town of View Royal Re: Derelict Boats on the Gorge Waterway. Defeated.

In Favour: 2 - Mayor Desjardins, and Councillor Hundleby

Opposed: 5 - Councillor Brame, Councillor Burton-Krahn, Councillor Liberchuk, Councillor Low, and Councillor Morrison

The Vote was called on the Main Motion and declared Carried.

In Favour: 6 - Councillor Brame, Councillor Burton-Krahn, Councillor Hundleby, Councillor Liberchuk, Councillor Low, and Councillor Morrison

Opposed: 1 - Mayor Desjardins

11. PUBLIC QUESTION AND COMMENT PERIOD

Excluding items which are or have been the subject of a Public Hearing.

Limit of two minutes per speaker.

Muriel Dunn, resident, in favour of development at 322 Plaskett Place and acknowledged benefits to community. Opposed to Township purchasing proposed artwork.

Joylyn Dorach, resident, expressed concerns regarding 13 Municipalities in the Greater Victoria area making time consumed decisions for a small land area. Ms Dorach suggested that cyclists pay insurance and registration premiums and be issued fines to help with revenue costs, due to land shortage.

12. ADJOURNMENT

Moved by Councillor Hundleby, seconded by Councillor Liberchuk: That the Regular Council meeting be adjourned at 10:09 PM. Carried Unanimously.

MAYOR BARBARA DESJARDINS
THIS 16TH DAY OF NOVEMBER, 2015

ANJA NURVO, CORPORATE OFFICER
CERTIFIED CORRECT